



## Planning Committee South

Members are invited to an **extraordinary meeting of the Planning Committee South**

to be held in the Deben Conference Room, East Suffolk House, Melton,  
on **Wednesday, 6 March 2024 at 2.00pm.**

This meeting will be broadcast to the public via the East Suffolk YouTube Channel at <https://youtube.com/live/fK6a23RlqD4?feature=share>.

### Members:

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

An Agenda is set out below.

<b>Part One – Open to the Public</b>		<b>Pages</b>
<b>1</b>	<b>Apologies for Absence and Substitutions</b>	
<b>2</b>	<b>Declarations of Interest</b> Members and Officers are invited to make any declarations of interests, and the nature of that interest, that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.	
<b>3</b>	<b>Declarations of Lobbying and Responses to Lobbying</b> To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.	
<b>4</b>	<b>DC/22/4714/FUL - Three Horseshoes Inn, The Street, Charsfield, IP13 7PY ES/1872</b> Report of the Head of Planning and Coastal Management.	<b>1 - 47</b>
<b>5</b>	<b>DC/23/2694/FUL - The Ship, Church Lane, Levington, IP10 0LQ ES/1873</b> Report of the Head of Planning and Coastal Management.	<b>48 - 70</b>
<b>6</b>	<b>DC/23/2695/LBC - The Ship, Church Lane, Levington, IP10 0LQ ES/1874</b> Report of the Head of Planning and Coastal Management.	<b>71 - 86</b>
<b>7</b>	<b>DC/23/3698/FUL - Ford Gatehouse, Ford Road, Marlesford, IP13 0AS ES/1875</b> Report of the Head of Planning and Coastal Management.	<b>87 - 94</b>

**Part One – Open to the Public**

**Pages**

- 8 DC/23/3760/FUL - 10 Levington Lane, Bucklesham, IP10 0DZ ES/1876**  
Report of the Head of Planning and Coastal Management.

**95 -  
101**

**Part Two – Exempt/Confidential**

**Pages**

**There are no Exempt or Confidential items for this Agenda.**

**Close**

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

Chris Bally, Chief Executive

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## Speaking at Planning Committee Meetings

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

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

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

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

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

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

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## Committee Report

**Planning Committee South – 6 March 2024**

**Application no** DC/22/4714/FUL

**Location**

Three Horseshoes Inn  
The Street  
Charsfield  
Woodbridge  
Suffolk  
IP13 7PY

**Expiry date** 27 January 2023

**Application type** Full Application

**Applicant** Mr Edward Bolton

**Parish** Charsfield

**Proposal** Pub refurbishment & extensions, improved access & car park and outside facilities together with the construction of 3 no two-bedroom cottages and car parking.

**Case Officer** Natalie Webb  
07825 754344  
[natalie.webb@eastsoffolk.gov.uk](mailto:natalie.webb@eastsoffolk.gov.uk)

### 1. Summary

- 1.1. This application seeks full planning permission for the refurbishment of and extensions to the Three Horseshoes Public House in Charsfield, incorporating improved access, car park and outside facilities together with the construction of three two-bedroomed cottages to the western frontage of the site. The dwellings are proposed to fund the works required to reinstate and improve the Public House.
- 1.2. The proposed development is supported by officers as a sustainable form of development in accordance with the Development Plan, along with the updated NPPF. The sale of the three proposed dwellings (as building plots) is proposed as enabling development to funding to help improve the pub facilities; this funding will be secured via a Section 106

legal agreement. The development would not result in the loss of an Asset of Community Value and seeks to bring the Public House back into use.

Reason for Committee:

- 1.3. The application is presented to Planning Committee South at the request of the Head of Planning and Coastal Management due to the level of public interest in the proposal.
- 1.4. The Parish Council has raised objections to the proposal and the Ward Member has requested that the application is presented to the Planning Committee; their full comments can be seen in the consultation section of this report.

Recommendation:

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

**2. Site Description**

- 2.1. The site is comprised of an area of approximately 0.26ha towards the centre of the parish. The Public House (PH) is located towards the east of the plot on the site's frontage. Within the site there is an area of informal hardstanding to the west of the PH and grassland to the north and east. The land levels rise towards the north of the site.
- 2.2. To the east of the site no.'s 2, 4 and 6 St Peters Close bound the site. To the north is the residential development initially permitted under DC/14/1844/OUT and DC/17/4587/ARM for the use of land for the creation of 20 dwellings (including 6 affordable houses) and vehicular access off St Peters Close. This permission has been varied and amended since its initial approval and has since been built out. To the east is the residential dwelling known as 'London Villa', a two-storey detached dwelling. To the south of the site is The Street, which provides access to the site, beyond which lies Potsford Brook and agricultural land.
- 2.3. The PH is not listed, nor are any of the immediate neighbouring properties. The site is not within a Conservation Area or the Suffolk and Essex Coast and Heaths National Park (formally the AONB). Flood Zones 2 and 3 are located to the south of the site, broadly following the flow of Potsford Brook; a very small portion of the site frontage falls within Flood Zone 2. Public Right of Way 23 is located to the west of the site.
- 2.4. The site is located within the settlement boundary of Charsfield, which is defined as a 'small village' within the Local Plan's Settlement Hierarchy (Policy SCLP3.2). The site is not allocated for development under Section 12 of the Local Plan.
- 2.5. The site was listed as an Asset of Community Value (ACV) on 28 November 2018 which expired on 11 December 2023. However, the site was relisted as an ACV on 28 November 2023, which runs for a period of five years and does not expire until 28 November 2028.
- 2.6. There is no 'made' Neighbourhood Plan for Charsfield.

### 3. Planning History

- 3.1. The planning history for the site includes the following applications which are relevant to the current proposal:

Reference	Description	Outcome
C/96/1028	Use of part of land used as general parking area for the erection of one dwelling and garage together with construction of vehicular access.  Appeal Dismissed.	Refused
C/97/0577	Use of land for the erection of one dwelling and garage together with construction of vehicular access (resubmission).	Refused
C/97/0756	Change of use of public house to one dwelling.	Refused
C/98/1030	Erection of new lean-to roof over existing rear single-storey extension and other external elevational changes & internal alterations.	Permitted
C/04/1167	Construction of paved seating area and installation of external door in western elevation.	Permitted
C/08/0428	Erection of two dwellings, one double garage and construction of new vehicular access.	Refused
C/08/1682	Erection of 2 houses & construction of new vehicular access (revised scheme to C08/0428)	Refused
C/09/1434	Erection of three detached dwellings with associated garaging and works, including revised parking arrangements for the Three Horseshoes Public House.  A subsequent appeal was withdrawn.	Refused

- 3.2. The application was considered against the adopted policies at the time of determination.

### 4. Proposal

- 4.1. This application is an enabling development. The proposed development is formed of two parts, it firstly seeks the erection of three dwellings. The sale of the land for the three houses will be reinvested into the PH renovations and extensions. The two forms of development are to be linked by legal agreement in the form of a Section 106 agreement.

This will place an obligation on the developer to complete the investment, expansion and improvement of the pub prior to the occupation of any of the dwellings.

- 4.2. A very similar approach was taken with the Turks Head, Hasketon in 2015 with 4 homes approved and a s106 agreement for pub investment. At that time the Turks Head was in a very poor condition, it had effectively been sabotaged for pub use by a previous owner and it was a small rural pub which was very difficult to make viable. After both the extension to that pub and its housing were completed, it went on to become a very successful and busy pub, with a heavy focus on food. It has won a number of awards, including best pub in Suffolk in 2017.
- 4.3. It should be noted that the proposal was initially submitted with the prospect of providing four dwellings on site, however this was reduced to three to overcome amenity concerns and to ensure that the amount of development proposed was reflective of the amount of works required to the PH.
- 4.4. These dwellings are formed of three, two-storey terraced dwellings. Each would have two-bedrooms. The dwellings will have soft red facing brickwork elevations with a red clay pantile roof. There would be feature lintels above the ground floor windows and doors. Windows and doors will be white UPVC. The supporting statement also references the use of green energy heating and inclusion of PV panels.
- 4.5. Each plot would have a pedestrian access from the extended footway to be created on the site frontage. Replacement hedgerow planting is also proposed along the western site frontage, behind the visibility splay, to mitigate the loss of the existing vegetation, including protected trees which are proposed to be removed.
- 4.6. To the rear of the dwellings, each plot would have its own amenity space. This would be bound to the north, east and west with 1.8m high acoustic fencing. The hedgerow to the west is to be retained. Each amenity space will have a secure cycle store and bin storage areas.
- 4.7. Each dwelling will have two allocated spaces, which will be separated from the main PH car park by a brick wall. It is also anticipated that this area will have signage to advertise private parking. In addition to the allocated spaces, there are also two visitor spaces proposed within this area to prevent visitors to the dwellings utilising the PH car park. EV charging points will be available for these spaces.
- 4.8. The second part of the proposal relates to the renovations and extensions to the PH. These works include the erection of a single storey extension to the eastern side of the existing building, extending the existing single storey wing. This section has materials proposed to match the existing (brickwork and pantiles). This area will primarily provide additional seating space.
- 4.9. Directly to the rear of this space, the kitchen area is to be reconfigured and will extend out into the extended area. There will be an external access point which leads to the waste storage area. To the rear of the kitchen space a new kitchen store will be accessed via the kitchen area. This space (and the continued extension space to the rear) will be finished with white render or brickwork to match the existing and would have a flat roof.

- 4.10. Adjacent to the kitchen store would be new toilet facilities which include a disabled toilet and baby changing facility. A rear lobby space would also be created to provide access to the parking area and beer garden.
- 4.11. The existing storage building to the rear of the public house would be removed.
- 4.12. The site will also be reconfigured to provide a formal 19-space car park, which includes four spaces with EV charging, three disabled spaces, cycle parking and powered two-wheel parking.
- 4.13. To the east of the car park is a formalised beer garden, this will have a low-level fence and gates to section it off from the car park area. A 1.8m high fence is also proposed to the south of the beer garden to provide screening to the service area. A 1.8m high acoustic fence will be continued around the site parameter, with the exception of the eastern boundary which will have a 2m high acoustic fence. New hedging is also proposed alongside the acoustic fencing. Additional landscape planting is also proposed; details of which are to be agreed.
- 4.14. To the western side and frontage of the PH new hardstanding is proposed which will also provide some outdoor seating space. A new porch is also proposed on the site's frontage.
- 4.15. In addition, the proposal includes a number of internal layout improvements to best utilise the space of the PH; some new openings are proposed to reflect changes to the internal layout.

## **5. Consultees**

### **Third Party Representations**

- 5.1. A total of 27 representations (some being multiple representations from the same person/address) were received during the consideration of the application and through various consultations, which object to the application on the following grounds:

#### Principle of Development:

- The Three Horseshoes is an asset of community value (ACV) and should not be lost.
- The proposed development would have a significant harmful impact on the asset in that the existing car park would be built over and almost all of the existing pub garden would be given over to car parking thus depreciating the asset's acknowledged community value.
- The proposal is contrary to East Suffolk Council's policy for ACVs.
- The loss of the community use should not be permitted.
- The PH needs to be a viable and trading business before development can be supported.
- The proposed new house building would constitute a significant change of use from pub car parking to commercial housing development.
- The public house is not viable without its garden space.
- The appeal of a village/country pub is the greenspace associated with it.
- If the proposal is supported, a covenant should be included similar to the one used at the Turks Head, Hasketon.



- The applicant must be compelled to refurbish and open the pub before reaping the benefit of the rest of the development.
- Cumulative impact from the development to the north (no requirement for additional housing and increase in traffic movements in St Peters Close/The Street).
- Design.
- Overdevelopment of the site.
- The application is premature, aimed at increasing the site value rather than enhancing the ACV.
- The proposal does not enable the PH to be run as a successful venture.
- Any application must contain a business case as to the projected return on investment and marketing analysis to generate income. This application appears to have a significant enlargement as well as repair and improvement which is adding cost without clear evidence that it is sustainable.
- No evidence has been provided as to how the project will make the pub financially viable.
- Previous tenancies have been impacted by high and unusual repairing obligations and running costs which may have led to early terminations. It is therefore important to provide evidence that a pub business is affordable within the application.
- Alternative approaches to create a viable PH should be considered.
- The revised proposal takes up the same amount of space/does not provide more garden space for the site.

#### Highways/Access:

- Increased traffic movements.
- Impact on road surfacing through additional movements.
- No car parking proposed at the front of the dwellings, so cars will park on The Street.
- Revised plans show a reduction in off-road parking spaces, which will result in cars parked on the highway.
- Access safety due to placement of terrace area on entrance to site.

#### Residential Amenity:

- Noise impact on neighbouring properties through the use of mechanical ventilation systems and from the car park.
- Dominating/overbearing.
- Loss of light/overshadowing.
- Loss of privacy.

#### Landscape:

- Garden must be retained.
- There is a Tree Preservation Order at the entrance of the proposed new houses on the roadside which should be adhered to.
- Impact on trees.

#### Other Matters:

- The application contains no evidence of public consultation.

- Light pollution.
- Loss of open space.
- Loss of outlook.
- Building work.

5.2. It is noted that a number of responses did not object to the renovations or extensions to the public house itself, but to the erection of four/three dwellings on the site. Other comments also noted that there have been a number of PH closures across the district and therefore a need to encourage the few remaining ones to continue.

5.3. Comments were also received from the Charsfield Three Horseshoes Community Pub Limited a Community Benefit Society (the CBS), formally known as Friends of the Three Horseshoes (FROTH), which set out their position as the CBS since they were established in 2011 and a timeline of involvement since establishment. It has been set out in the response that the CBS was created with the following objectives:

*“to carry on any business for the benefit of the community by:*

- (a) buying the freehold of the Three Horseshoes, Charsfield, Suffolk;*
- (b) running the Three Horseshoes as a pub, and providing services based at the Three Horseshoes, for the benefit of people who live in, work in, or visit the Charsfield area; and*
- (c) operating in an open, democratic, environmentally-sustainable and family-friendly way, providing welcoming facilities at the Three Horseshoes for all members of the community including by, where possible, using local produce.”*

5.4. It is understood that the aim of the CBS was/is not necessarily to take on the PH themselves. Their primary concern is the proposed change of use of the pub garden, a key part of the overall pub facility, into housing and parking for the pub.

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

**Parish/Town Council**

Consultee	Date consulted	Date reply received
Charsfield Parish Council	16 December 2022	10 January 2023
<p>Summary of comments:</p> <p>Charsfield Parish Council wish to OBJECT to the planning application as currently submitted. Whilst CPC wish to maximise the prospects of the public house re-opening, and ensure its longevity, we feel this application is fundamentally flawed. The Parish Council support the principle of bringing the public house back into use.</p> <p>This application has been badged as an enabling application with the justification for the residential element being to bring the vacant public house back into use. However, the application submission does not satisfactorily demonstrate why enabling development in the form of new houses is necessary to bring this about.</p>		

Charsfield Parish Council strongly feel the application should be determined by Planning Committee as it is of significant public interest and there is significance in some other respect ie the public house and land are registered as an Asset of Community Value.

Public interest has been demonstrated by the fact that 35 people attended a public meeting on Tuesday 3rd January and 19 members of the public attended an Extraordinary Parish Council Meeting when the matter was discussed on 6th January. A Community Benefit Society 'The Charsfield Three Horseshoes Community Pub Ltd', having 80 members, is taking a significant interest in this proposal.

This application is contrary to Policy SCLP8.1 of the Local Plan which states that proposals to change the use, or redevelop for a different use, a facility registered as an asset of community value will not be permitted. This sets a high bar and the reasons whereby the redevelopment of the car park and the subsequent loss of the garden would be permitted, have not been met. That is, this application does not demonstrate there is no community need for the amount of pub garden and it cannot be demonstrated that the current or alternative community uses are not viable as no marketing evidence has been provided and, the replacement pub garden is nowhere near equivalent to or better than that which would be lost.

Charsfield Parish Council feel that the application cannot be determined on the basis of lack of information. Indeed, East Suffolk Local Validation Requirements states this could be a reason for refusal:

- There is no Marketing Assessment (required as the application involves the loss of a community asset (ie the pub garden). The requirements of Part E of the Local Plan have demonstrably not been met at all.
- These details are fundamental to determining the acceptability of the proposals and therefore should be formally included as part of the application.
- The Planning Statement does not detail how the proposal has taken account of national and local planning policy.
- The Planning Statement contains scant information on any consultation that has taken place with the local authority, statutory consultees or the wider public, and feedback from that consultation.
- The Planning Statement is subjective and contains few hard facts, several inaccuracies and omissions.

Charsfield Parish Council would suggest that the District Council require a 3rd party independent review of the Viability information. The submitted Viability Report does not evidence that the works are necessary, what benefit the extensions provide (ie do they create value through ability to incorporate additional food covers) and there are no supporting letters from a brewery or potentially interested lessees. There is nothing to say that the Viability Report is accurate or robust eg there are no costings for the works, no evidence of future owner/tenant, no projections for future income, no details of kitchen fitting, and no evidence for the £300,000 to £400,000 value created by the residential element of the development.

A document entitled 'The Purpose of Upgrading' has been submitted as part of the application. This is a list of unsubstantiated subjective statements containing inaccuracies. A particular statement of interest is 'Very little space for customers to meet and socialise outside (lack of beer

garden)'. That is rather a conundrum as it is the very fact that the beer garden is being almost totally eroded by this application which is the over-riding concern.

Charsfield Parish Council would request that should planning permission be forthcoming the District Council ensure by obligation, not just condition, that any residential properties must not be occupied before works to the Public House are completed as per the planning application, and furthermore they must not be occupied before the business is fully operational.

Consultee	Date consulted	Date reply received
SCC Highways Department	16 December 2022	20 December 2022

Summary of comments:

Conditions recommended in respect of:

- Vehicular visibility splays;
- Access layout in accordance with DM03;
- Access to be surfaced with a bound material for a minimum distance of 5 metres measured from the nearside edge of the metalled carriageway;
- Gradient of the vehicular access shall not be steeper than 1 in 20 for the first five metres;
- Gradient of the access drive shall not be steeper than 1 in 12 measured from the nearside of the edge of the highway;
- the use shall not commence until the infrastructure within the site shown on Drawing No. 21/001/BP/P, Rev. D for the purposes of preventing surface water falling onto the highway and it being discharged appropriately within the site has been provided and thereafter the infrastructure shall be retained, maintained, and used for no other purposes;
- Parking provision in accordance with the approved plans;
- Secure, lit and covered cycle storage in accordance with the approved plans;
- Details to be provided for electric vehicle (EV) charging infrastructure;
- Details to be provided for refuse/recycling storage and presentation areas;
- Submission of a construction management plan

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	16 December 2022	12 January 2023

Summary of comments:

We have looked at the proposal, in our opinion there would be no significant impact on known archaeological sites or areas with archaeological potential. We have no objection to the development and do not believe any archaeological mitigation is required.

Consultee	Date consulted	Date reply received
SCC Rights Of Way	16 December 2022	No response

Summary of comments:

No response received.

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	16 December 2022	3 January 2023

Summary of comments:

The four road frontage trees are covered by Tree Preservation Order 107/1997 which comprises 1no. Sycamore and 3no. Plum trees. They grow out of a short length of low deciduous hedging. They grow directly beneath overhead electrical wires.

In this respect they cannot be regarded as being in a sustainable location because of the inevitable conflict with the cable infrastructure. In addition the plum trees cannot be regarded as a long term prospect; they simply don't live long enough in a healthy enough condition to be regarded as such.

For these reasons, I have previously not considered these trees to be in a sustainable location and condition to justify long term retention or protection. Therefore I do not consider the trees to be justifiable impediment to development of the site and I do not object to their removal.

However, that said, should consent be granted I would recommend that a landscape planting proposal be secured by Condition. The submitted proposals should address the road frontage of the site, the site boundaries and new tree planting in the rear carparking area. Submitted details should include plant species, numbers, plant sizes, planting distribution and planting specification.

On this basis I have no overall objections to the proposals.

Consultee	Date consulted	Date reply received
East Suffolk Ecology	16 December 2022	9 January 2023

Summary of comments:

I have read the Ecological Impact Assessment (EclA) (D F Clark Contractors, December 2021, Version 2) and note the conclusions of the consultant. Two emergence surveys were undertaken as part of the EclA, however it is noted that the dates of the survey visits vary within the report, it is requested the dates of the bat surveys are clarified prior to the application being determined.

In addition to the above, the site is within the Suffolk Coast RAMS Zone of Influence (Zone B – within 13km of the Sandlings SPA and Deben Estuary SPA/Ramsar;) and therefore a financial contribution to the scheme (or equivalent mitigation identified via a Habitats Regulations Assessment (HRA)) is required in order to mitigate in-combination recreational disturbance impacts on habitats sites (European designated sites) arising from new residential development. This must be secured prior to the application being determined.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	16 December 2022	7 February 2023

Summary of comments:

Thank you for your consultation on the proposed development. I have reviewed the application documentation and I wish to comment upon and make recommendations with respect to land contamination and noise.

I note that the pub premises have existing residential dwellings in reasonable proximity to the pub building (in particular to the East), and there is a new housing development to the north of the pub. It is not uncommon to see residential dwellings close to pub premises, however it should be noted that in this case, the dwellings proposed as part of this site redevelopment would be the closest receptors to the pub, and therefore most exposed to the noise generating activities relating to the parking area, people leaving late in the evening/night, and people using outside garden/terrace areas. In my experience, this scenario represents a high risk of future noise complaints unless the pub premises are run extremely carefully, and this proximity would likely mean the pub premises limiting the scope and extent (times) that activities take place.

At this stage I cannot justify a recommendation of refusal based on noise impacts, though it has not yet been proven that there would be no significant adverse impacts. I do however wish to make a holding objection until such time that a detailed noise assessment is undertaken which more accurately assesses likely impacts which in turn then should inform the noise mitigation measures needed.

Further comments were included in respect of land contamination and noise which are included within the following report.

Conditions were also recommended in the event that permission was granted, these include the full suite of land contamination conditions, details of any noise from fixed plant or machinery; submission of a final noise mitigation scheme, a construction management plan; construction hours and details of all extract ventilation systems to be installed

### First Reconsultation consultees

Consultee	Date consulted	Date reply received
Charsfield Parish Council	23 June 2023	6 July 2023

Summary of comments:

**All text in italics is additional to our original comments**

*Our original comments still stand in principle and we are disappointed that the amendments to the application do not address any of these comments. We consider this application of significant importance to the village and also the existing premises (including the garden) are an "Asset of Community Value". As such this application should be referred to the Planning Committee. In our opinion the criteria for this are met.*

Whilst CPC wish to maximise the prospects of the public house re-opening, and ensure its

longevity, we feel this application is fundamentally flawed. The Parish Council support the principle of bringing the public house back into use.

Some mitigation to this would be if the currently undesignated land to the north east of the public house building were to be designated as a beer garden. Our comments are made in the assumption this is not the intention of the applicant as it is not designated so on the plan.

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This application has been badged as an enabling application with the justification for the residential element being to bring the vacant public house back into use. However, the application submission does not satisfactorily demonstrate why enabling development in the form of new houses is necessary to bring this about.

Public interest has been demonstrated by the fact that 35 people attended a public meeting on Tuesday 3rd January and 19 members of the public attended an Extraordinary Parish Council Meeting when the matter was discussed on 6th January. *37 people attended a further meeting on 3rd July.* A Community Benefit Society 'The Charsfield Three Horseshoes Community Pub Ltd', having 80 members, is taking a significant interest in this proposal.

This application is contrary to Policy SCLP8.1 of the Local Plan which states that proposals to change the use, or redevelop for a different use, a facility registered as an asset of community value will not be permitted. This sets a high bar and the reasons whereby the redevelopment of the car park and the subsequent loss of the garden would be permitted, have not been met. That is, this application does not demonstrate there is no community need for the amount of public house garden and it cannot be demonstrated that the current or alternative community uses are not viable as no marketing evidence has been provided and, the replacement public house garden is nowhere near equivalent to or better than that which would be lost.

Charsfield Parish Council feel that the application cannot be determined on the basis of lack of information. Indeed, East Suffolk Local Validation Requirements states this could be a reason for refusal:

- There is no Marketing Assessment (required as the application involves the loss of a community asset (ie the pub garden). The requirements of Part E of the Local Plan have demonstrably not been met at all.
- These details are fundamental to determining the acceptability of the proposals and therefore should be formally included as part of the application.
- The Planning Statement does not detail how the proposal has taken account of national and local planning policy.
- The Planning Statement contains scant information on any consultation that has taken place with the local authority, statutory consultees or the wider public, and feedback from that consultation.
- The Planning Statement is subjective and contains few hard facts, several inaccuracies and omissions.

Charsfield Parish Council would suggest that the District Council require a 3rd party independent review of the Viability information. The submitted Viability Report does not evidence that the

works are necessary, what benefit the extensions provide (ie do they create value through ability to incorporate additional food covers) and there are no supporting letters from a brewery or potentially interested lessees. There is nothing to say that the Viability Report is accurate or robust eg there are no costings for the works, no evidence of future owner/tenant, no projections for future income, no details of kitchen fitting, and no evidence for the £300,000 to £400,000 value created by the residential element of the development.

A document entitled 'The Purpose of Upgrading' has been submitted as part of the application. This is a list of unsubstantiated subjective statements containing inaccuracies. A particular statement of interest is 'Very little space for customers to meet and socialise outside (lack of beer garden)'. That is rather a conundrum as it is the very fact that the beer garden is being almost totally eroded by this application which is the over-riding concern.

The amended plans give more space to the residential element resulting in a reduced plot available *for the public house and its outside space.*

*The terrace to the front of the property has not changed even though it is now designated as terrace whereas it was not previously. As the terrace to the rear of the public house has now been replaced by disabled parking bays the total terraced area available is significantly reduced.*

*All seating areas outside the public house are adjacent to roadways and/or parking bays. This means it is not safe for children and would be an unpleasant place to sit.*

*The sound attenuation of the acoustic fence should be sufficient to prevent noise nuisance and in which case the gates should also be acoustic.*

*Should the need for housing be proved would it be feasible to suggest to the applicant that the houses be set further back with the parking in front of them with a 2m high dividing wall going from the front to the rear of the site? This would provide demarcation between the residents and the public house and protect the residents from some of the activities associated with the public house. Not having a shared drive with the public house would make the properties more attractive, this better utilizes the land as an access road to the residential parking bays would not be required.*

Charsfield Parish Council would request that should planning permission be forthcoming the District Council ensure by obligation, not just condition, that any residential properties must not be occupied before works to the public house are completed as per the planning application, and furthermore they must not be occupied before the business is fully operational.

Consultee	Date consulted	Date reply received
Ward Councillor Cllr Hedgley	N/A	8 July 2023
<p>Summary of comments: The Parish Council make a number of fundamental points in their letter and I am persuaded that they have a good case. If you are minded to permit this development I would like it to be considered by the full Planning Committee (South).</p>		



Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	23 June 2023	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	23 June 2023	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
SCC Highways Department	23 June 2023	27 June 2023
<p>Summary of comments:</p> <p>Following the submission of additional information (revised drawings), the proposed development would be deemed acceptable, which does not have a detrimental impact upon the highway when compared to the previous proposal.</p> <p>We are happy for the revised drawings to be referenced in the previously recommended highway related planning conditions and recommend that the following condition(s) below are added and remove the cycle storage (for both residential dwellings and restaurant) and electric vehicle charging infrastructure conditions previously recommended.</p> <p>Revised conditions recommended where applicable.</p>		

Consultee	Date consulted	Date reply received
SCC Rights Of Way	23 June 2023	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	23 June 2023	4 July 2023
<p>Summary of comments:</p> <p>I have reviewed plans the submitted revised plans and I can advise that my previously submitted comments of 3rd January 2023 remain valid and the revised plans don't give reason to alter my position.</p>		

## Second Reconsultation consultees

Consultee	Date consulted	Date reply received
Charsfield Parish Council	26 September 2023	16 October 2023

### Summary of comments:

Charsfield Parish Council wish to OBJECT to the planning application as currently submitted. Whilst the latest amendment is a considerable improvement on the previous proposals there remains a reduction in the 'Asset of Community Value' (ACV). We feel we would be remiss in accepting this proposal without the proper procedure having been followed to prove this diminution in the ACV, which would be in perpetuity, is necessary for the future viability of the public house.

Whilst CPC wish to maximise the prospects of the public house re-opening, and ensure its longevity, we feel this application is fundamentally flawed. The Parish Council support the principle of bringing the public house back into use.

This application has been badged as an enabling application with the justification for the residential element being to bring the vacant public house back into use. However, the application submission does not satisfactorily demonstrate why enabling development in the form of new houses is necessary to bring this about.

There is significant public interest which has been demonstrated by detail submitted in our previous comments.

This application is contrary to Policy SCLP8.1 of the Local Plan which states that proposals to change the use, or redevelop for a different use, a facility registered as an asset of community value will not be permitted. This sets a high bar and the reasons whereby the redevelopment of the car park and the subsequent loss of the garden would be permitted, have not been met. That is, this application does not demonstrate there is no community need for the amount of public house garden. Further, it has not been demonstrated that the change to the garden is necessary for the viability of the public house as no marketing evidence has been provided. The replacement public house garden is nowhere near equivalent to, or better than, that which would be lost. It should be noted that the last tenant did not make the whole garden available for patrons as he wanted to grow vegetables and had a large polytunnel. His use of the outside space was not appreciated by many patrons, and meant that previous uses of the garden could no longer take place, but it was a reversible situation.

Charsfield Parish Council feel that the application cannot be determined on the basis of lack of information. Indeed, East Suffolk Local Validation Requirements states this could be a reason for refusal:

- There is no Marketing Assessment (required as the application involves the loss of a community asset (ie the pub garden). The requirements of Part E of the Local Plan have demonstrably not been met at all.
- These details are fundamental to determining the acceptability of the proposals and therefore should be formally included as part of the application.
- The Planning Statement does not detail how the proposal has taken account of national and local planning policy.

- The Planning Statement contains scant information on any consultation that has taken place with the local authority, statutory consultees or the wider public, and feedback from that consultation.
- The Planning Statement is subjective and contains few hard facts, several inaccuracies and omissions.

The Planning Statement is subjective and contains few hard facts, several inaccuracies and omissions.

Charsfield Parish Council would suggest that the District Council require a 3rd party independent review of the Viability information. The submitted Viability Report does not evidence that the works are necessary, what benefit the extensions provide (ie do they create value through ability to incorporate additional food covers) and there are no supporting letters from a brewery or potentially interested lessees. There is nothing to say that the Viability Report is accurate or robust eg there are no costings for the works, no evidence of future owner/tenant, no projections for future income, no details of kitchen fitting, and no evidence for the £300,000 to £400,000 value created by the residential element of the development. Presumably this figure would now be reduced as the number of residential properties has been reduced which should trigger the need for an amended Viability Report.

A document entitled 'The Purpose of Upgrading' has been submitted as part of the application. This is a list of unsubstantiated subjective statements containing inaccuracies. A particular statement of interest is 'Very little space for customers to meet and socialise outside (lack of beer garden)'. That is rather a conundrum as it is the very fact that the beer garden is being reduced by this application which is the over-riding concern.

The original plans gave more space to the public house car parking. The residential element car parking was then increased resulting in a reduced plot available for the public house and its outside space.

The sound attenuation of the acoustic fence should be sufficient to prevent noise nuisance and in which case the gates should also be acoustic.

Should the need for housing be proved would it be feasible to suggest to the applicant that the houses be set further back with the parking in front of them with a 2m high dividing wall going from the front to the rear of the site? This would provide demarcation between the residents and the public house and protect the residents from some of the activities associated with the public house. Not having a shared drive with the public house would make the properties more attractive, also this better utilizes the land as an access road to the residential parking bays would not be required and the houses would benefit from larger rear gardens.

Charsfield Parish Council would request that should planning permission be forthcoming the District Council ensure by obligation, not just condition, that any residential properties must not be occupied before works to the public house are completed as per the planning application, and furthermore they must not be occupied before the business is fully operational. Furthermore, Charsfield Parish Council would suggest that should the neglect of the Public House cause any re-building to be necessary this should be required by obligation.

Consultee	Date consulted	Date reply received
Charsfield Parish Council	26 September 2023	24 October 2023

Summary of comments:

Charsfield suffered severe flooding last Friday along The Street, including the car park of The Three Horseshoes and the proposed site of the housing associated with the above planning application. Historically The Street has been liable to flooding but 2023 has seen two major incidents in this area and, in view of the increased likelihood of flooding due to climate change, Charsfield Parish Council request that this factor be taken into account when considering the above planning application.

Consultee	Date consulted	Date reply received
Ward Councillor	26 September 2023	26 September 2023

Summary of comments:

I will reserve any further comment to if/when this item comes before the full Planning Committee.

Consultee	Date consulted	Date reply received
East Suffolk Ecology	26 September 2023	6 November 2023 12 December 2023

Summary of comments:

06 November 2023

Further to our previous comments of 9th January 2023, clarification of the survey dates has been provided. It is noted that the assessment of impacts are identified as being based on ecological surveys dating from 2021. Given the time that has elapsed since these surveys were undertaken (26 months), and that some vegetation clearance and demolition works have been undertaken at the site since the time of the survey, the report requires updating as it is now considered out of date. The updated survey must be undertaken by a suitably qualified ecologist in accordance with published best practice guidance (CIEEM Advice Note on the Lifespan of Ecological Reports and Surveys, April 2019), and will be required prior to the determination of this of this application.

12 December 2023

Further to our previous comments of 6th November 2023, and clarification on the timing of previous ecological surveys at the site, given the relatively low potential value of the site for roosting bats and the lack of bats emerging from the building during the surveys it is recommended that a pre-commencement survey for protected species is undertaken. Whilst our previous comments recommended the need for this survey prior to determination, given the limited suitability of the building for roosting bats and the lack of previous evidence, it is considered that a pre-commencement survey approach would ensure that any impacts that may occur at the time of the works will be adequately mitigated.

Conditions recommended in respect of:

- Ecological avoidance, mitigation, compensation and enhancement measures;

- No works to the roof structure, cavities within existing walls and/or weatherboarding of the public house shall commence until a survey for protected species has been undertaken.

It is also advised that there shall be no removal of hedgerows, trees or shrubs, brambles, ivy and other climbing plants or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive.

RAMS mitigation is still required prior to the application being determined as set out in the initial response.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	26 September 2023	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	26 September 2023	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
SCC Highways Department	26 September 2023	3 October 2023
Summary of comments: Following the submission of additional information, revised conditions are recommended on any approval given for this proposal. This response supersedes my previous responses dated 20 December 2022 and 27 June 2023.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	26 September 2023	4 October 2023
Summary of comments: I have reviewed the submitted revised plans and I can advise that my previously submitted comments of 3rd January 2023 remain valid and the revised plans don't give reason to alter my position.		

Consultee	Date consulted	Date reply received
SCC Rights Of Way	26 September 2023	No response
Summary of comments: No response received.		

### Publicity

None

### Site notices

General Site Notice

Reason for site notice: New Dwelling

Date posted: 21 December 2022

Expiry date: 16 January 2023

## 6. Planning policy

National Planning Policy Framework 2023

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

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

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

SCLP4.3 - Expansion and Intensification of Employment Sites (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

SCLP5.7 - Infill and Garden Development (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

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

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

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

SCLP8.1 - Community Facilities and Assets (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

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

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

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

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

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

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

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

## **7. Planning Considerations**

### Principle of Development – PH Renovations

7.1 The Three Horseshoes PH is understood to have closed in 2019 and has not resumed use since closing. At the time of closing the PH was in need of some remedial/maintenance work, which has exacerbated since the closure. Of note within the 'Purpose of Upgrading' statement submitted with the application, it is noted by the applicant that the PH fell short in the following respects:

- Poor and inadequate car parking
- Dangerous egress from the car park due to very poor visibility
- Run down environment and decor to the pub
- Very poor toilet facilities
- Inadequate space for meals to be served and eaten
- Poor kitchen facilities and space
- No disability access facilities
- Inadequate maintenance of the building and external facilities
- Very little space for customers to meet and socialise outside (lack of beer garden)

*It should be noted that these represent the opinion of the applicant, not the Local Planning Authority.*

- 7.2 In a bid to attract enough customers to generate an adequate income, the proposed development seeks to expand on the above claimed shortfalls by providing a completely refurbished PH, with enlarged modern kitchen space, more dining space, a designated beer garden, formalised parking and a footway link.
- 7.3 The footway link to the north of the site connects the back of the public house to the extended residential development of St Peters Close with links to the recreation ground to the east and up to St Peters Church and Charsfield Church of England Primary School to the northwest, via public right of way.
- 7.4 In addition to the physical works to the PH, general maintenance is proposed to repair roofing, upgrade electronics, the heating systems, etc.
- 7.5 The submitted 'Viability Report' sets out that the anticipated cost of works proposed will amount to between £350,000 and £500,000. The purpose of providing the three dwellings to the western side of the site is to fund these improvements which seek to restore and bring the PH back into use. When initially submitted the Viability Report was anticipating a return on the four dwellings (as then proposed) being between £300,000 and £400,000; but any funds from the sale of the land for housing would largely be based on market value at the point of sale.
- 7.6 At this time the PH is not up for sale, although the agent has confirmed that the PH would be sold if planning permission is granted.

In respect of 'supporting a prosperous rural economy' the NPPF states at Paragraph 88 that:

*88. Planning policies and decisions should enable:*

*a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings;*

*b) the development and diversification of agricultural and other land-based rural businesses;*

*c) sustainable rural tourism and leisure developments which respect the character of the countryside; and d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*

- 7.7 The applicant proposes to provide the extensions and refurbishments to the pub prior to the occupation of the three dwellings and has agreed to enter into a Section 106 agreement to secure the completion of this proposal. As set out in section 4 of this report, this scenario is similar to the successful enabling development at The Turks Head, Hasketon. Other pubs in the District have also undertaken varied forms of development, including providing holiday accommodation, in order to fund viable reinvestment in the pub.
- 7.8 The proposed extensions and renovations to the public house are considered acceptable and accord with SCLP11.1 in that the overall scale and character of the development clearly demonstrates consideration of the component parts of the buildings and the development as a whole in relation to its surroundings, the layout fits in well with the existing site and surrounding development, the height and massing of the development is



considered to be well related to its surroundings and the overall design is in-keeping with the existing character of development.

- 7.9 The East Suffolk Economic Growth Strategy seeks to support all businesses across the plan area to ensure a successful and prosperous economy. The successful delivery of this strategy will be assisted by a positive policy which encourages sustainable economic growth and allows for the expansion, intensification or adaptation of existing premises. Some employment sites by their nature have a greater impact on their local environment and the economic operations anticipated to take place on a site is an important consideration in respect of expansion and intensification of premises.
- 7.10 Policy SCLP4.3: Expansion and Intensification of Employment Sites, states that proposals to expand, alter or make productivity enhancements to existing employment premises will be permitted unless:
- a) The scale of development would cause a severe impact on the highway network; or*
  - b) There will be an unacceptable adverse effect on the environmental sustainability of the area; or*
  - c) The proposed use is not compatible with the surrounding employment uses in terms of car parking, access, noise, odour and other amenity concerns; or*
  - d) There is an unacceptable adverse effect on the living conditions of local residents and businesses relating to matters of noise, vibration, dust and light; and*
  - e) Potential adverse impacts can not be successfully mitigated.*
- 7.11 While the site is not an allocated 'employment site' as such, the site does provide employment and this policy is considered to be relevant to the consideration of this application.
- 7.12 The renovations and extensions to the PH will also provide a community benefit once complete, which will enable the PH to be brought back into use. It is likely that local employment opportunities will also arise with bar/wait staff, chefs etc being required once the PH has reopened. The difficulty in running viable pubs should not be underestimated. The vast majority rely on a good food trade or other added value (such as an attractive setting or being in a significant footfall area to be able to maintain a profitable business). The Campaign for Real Ale (CAMRA) has recently claimed that 29 pubs close every week, blaming rising energy costs and the cost of living crisis.
- 7.13 The formalised car parking should remove any requirement for cars parking on the highway. The footway link to the north also seeks to capture an alternative and sustainable way for local residents to use the site.
- 7.14 The opportunity should therefore be taken to provide housing on this land whilst there is a realistic offer proposed to direct substantial benefits to the pub from that development. The presence of the pub within this local service centre is integral to the fact that it is a local service centre.
- 7.15 The proposals for the pub seek to transform it into a viable key facility in this village; this is a worthy public benefit from the development. The applicants desire to implement the works to the pub ahead of the housing development and to agree to this being secured by a Section 106 agreement is reassuring.

- 7.16 Consideration of the proposed works on an asset of community value, highway safety and residential amenity are set out under the respective headings below.

Principle of Development – Residential Housing

- 7.17 The site is located within the Settlement Boundary of Charsfield, which is identified as a ‘small village’ in the Local Plan Settlement Hierarchy (Policy SCLP3.2).
- 7.18 Small villages are identified due to their modest range of service provision, which will serve the needs of residents within the village. Development of new housing in such settlements can help to support existing local services as well as contributing towards the mix of housing available in these villages. The form and character of small villages varies across the plan area and the impact upon these will be a key consideration in determining planning applications.
- 7.19 New residential development will be supported within the settlements of small villages where it is allocated for development under Section 12 of the Local Plan or would otherwise consist of small groups of new housing and infill development as set out by Policy SCLP5.2.
- 7.20 The site is not allocated for development under Section 12 of the Local Plan.
- 7.21 Local Plan Policy SCLP5.3 states that residential development will be permitted within defined Settlement Boundaries where it is:
- a) A small group of dwellings of a scale appropriate to the size, location and character of the village; or*
  - b) Infill development (in accordance with Policy SCLP5.7).*
- 7.22 It is considered that the development of three, two-bedroomed terraced dwellings are in-keeping with the character of the village. The dwellings are located centrally and adjacent to other existing residential development. The material finishes are also considered to be in-keeping with the surrounding development. It is considered that the proposal would therefore accord with SCLP5.2.
- 7.23 Furthermore, Local Plan Policy SCLP5.7 states that proposals for infill development or residential development within existing gardens will be supported where:
- a) The scale, design and materials would not result in harm to the street scene or character of the area;*
  - b) The proposal is well related in scale and design to adjacent properties, including the design of curtilage areas, parking and access, and incorporates landscaping where appropriate to mitigate any potential impacts or to enhance the appearance of the site;*
  - c) There would not be significant harm to residential amenity of occupants of either the existing or proposed dwellings;*
  - d) Existing and proposed dwellings have sufficient curtilage space; and*
  - e) The proposals are otherwise in accordance with the housing policies of the Local Plan.*

- 7.24 The dwellings would be 15.129m in width, with a depth of 10.232m and height of 7.625m on the site frontage; 4.8m to the eaves (6.8m on rear projecting gables with 4.6m to the eaves).
- 7.25 The dwellings will be positioned in a more levelled section of the site. Whilst no detailed levels plans have been provided at this stage, the proposed street scene shows that the dwellings will be slighter higher than the public house, but of a similar height to London Villa.

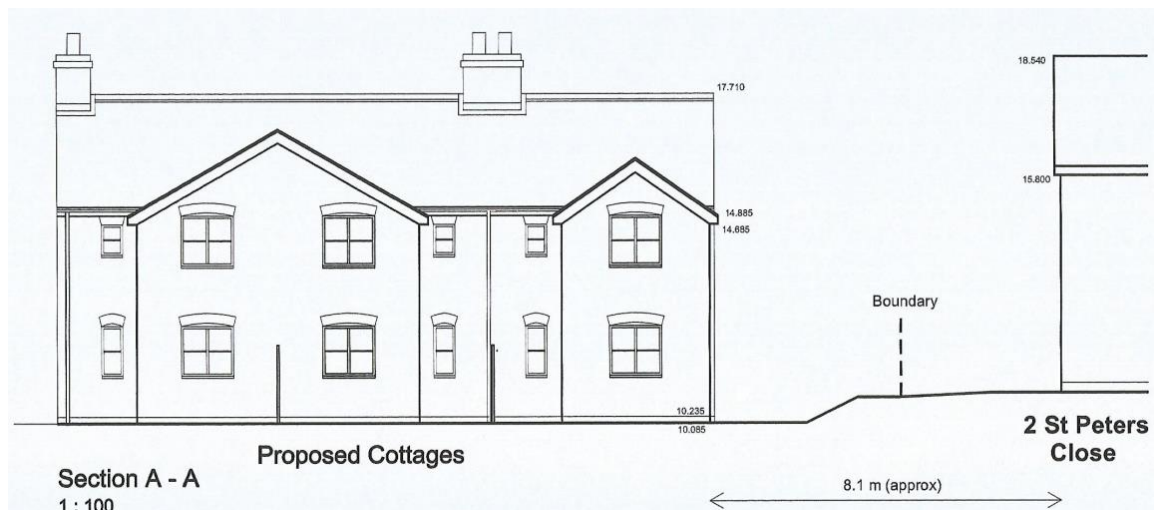


New Dwellings

Three Horseshoes

London Villa

- 7.26 The agent has confirmed that the dwellings will be built into the existing landscape, with no major engineering operations proposed to level the site; final level plans are sought by condition.
- 7.27 It is noted that from the backs of the rear gardens of the proposed dwellings, around the car park area, retaining walls will be required; details of these are sought by condition.
- 7.28 The agent has also provided a site section across the rear elevation between the proposed dwellings and no. 2 St Peters Close:



- 7.29 The proposal is considered to be well related in scale and design to the adjacent properties. Each would have its own designated parking and private amenity areas.
- 7.30 The dwellings would have a soft red brick appearance, similar to that of the public house and development on St Peters Close. The dwellings would fill an identifiable gap within the northern side of The Street and not result in harm to the street scene or character of the area.

- 7.31 It is not considered that the development would result in significant harm to the residential amenity of existing residential properties, nor those of the proposed dwellings; any potential impacts on residential amenity are set out in the 'Residential Amenity' section of this report.
- 7.32 The development is therefore considered to accord with SCLP5.7 in addition to SCLP5.2, which both support the principle of new residential development within the settlement boundaries as set out in policies SCLP3.2 and SCLP3.3 of the Local Plan. Furthermore, the design of the dwellings accords with SCLP11.1. There are no neighbourhood plan policies to consider.

#### Asset of Community Value (ACV)

- 7.33 Community facilities and assets are an important part of the social fabric of neighbourhoods and communities. Facilities can include shops, post offices, public houses, medical facilities, police facilities, sports venues, cultural buildings, places of worship and places which promote social interaction and provide opportunities for meetings between people who might not otherwise come into contact with each other.
- 7.34 Individually and collectively, these provide places for people to meet and socialise as well as valuable services which encourages active communities and fosters a sense of identity and well-being for those who live in and visit the area.
- 7.35 The National Planning Policy Framework reflects the need to plan positively for and promote the retention and development of local services and facilities which is supported by the Council. Protecting community facilities and assets reduces social exclusion which can be disproportionately influenced by limited access to facilities.
- 7.36 The loss of facilities across the plan area could lead to a significant number of residents being socially excluded and have a detrimental impact on community cohesion and the creation of successful communities across the former Suffolk Coastal area. As such, the Council considers it is important to retain community facilities across the plan area to both serve the local community and support tourism activities in the area.
- 7.37 The Localism Act 2011 introduced 'assets of community value (ACV)', providing community groups with the ability to nominate non-residential buildings or land which is important to their community. This is legislation which is primarily aimed at enabling community ownership, rather than planning powers.
- 7.38 Once an asset is listed, if the owner decides to sell, within five years of listing, they must inform the local authority of their intention to do so. The community has up to six weeks to express an interest in becoming potential bidders to buy the asset. Once an expression of interest has been received, a further four and a half month pause in the sale process is triggered.
- 7.39 This gives potential bidders a total of six months to raise the funds required to purchase the asset. At the end of the period, the owner may sell the asset to whomever and at whatever price they choose. ACV status needs to be approached with caution as whilst it does allow a window for community purchase, it can affect the level of interest of any genuine purchaser of a pub because of the delays caused to the purchase process.

- 7.40 However, the listing of an asset does not provide protection against a change of use or redevelopment. This can mean the value of the asset is greater due to its potential to be converted to non-community uses. This can frustrate the ability of the community to raise sufficient funds to purchase the asset.
- 7.41 However, Local Plan Policy SCLP8.1 has taken on ACV's to provide some planning influence from that status. It states that proposals to change the use, or redevelop for a non-community use, a facility registered as an asset of community value, will not be permitted.
- 7.42 As referenced above, the site was previously listed as an Asset of Community Value (ACV) on 28 November 2018 which expired on 11 December 2023. However, the site was relisted as an ACV on 28 November 2023, which runs for a period of five years and does not expire until 28 November 2028.
- 7.43 The nomination for listing stated that the Three Horseshoes is a well-established public house, which dates to the 18th century. It claims that the public house was a well-used facility until the 1990s, which hosted community events including fetes and weddings. However, from the information submitted it is not clear whether these uses would continue at the pub were it to reopen, although it would be better equipped to host events with the renovations proposed.
- 7.44 The nomination continued to note that since the 1990s there has been a succession of tenant landlords interspersed with periods of closure. According to the nomination the last two tenant landlords ran the pub between 2005-2011 and 2012-2019. The community benefit society referred to above was founded in 2011 to purchase and run the public house if no tenant could be found. The nomination also referred to the high level of rents charged to tenants, which it believes makes the pub unviable.
- 7.45 The nomination for ACV status also set out that the purpose of the community benefit company is to buy and run the pub for the benefit of the community. Given the pub is not proposed to be lost, any scheme presented by the benefit company, in the event that the PH was available for purchase, is not a material planning consideration at this time, as any subsequent proposal which may or may not require permission would be considered on its own merits. The Local Planning Authority is not presented with a choice of community ownership or the proposal submitted, it must only consider the proposal currently up for consideration.
- 7.46 The Council are required to balance development proposals with a 'whole site' ACV status, especially given the role the current application has for investment in the pub. The applicant is willing to sign a Section 106 legal agreement to commit to invest in the pub for its extension and refurbishment through the development.
- 7.47 As mentioned, this would be a very similar arrangement to the proposal which was taken forward for the Turks Head in Hasketon, which was a comparable failing pub in 2014 but went on to become an extremely successful pub, winning many awards, after the enabling development which was subject to a number of planning conditions to safeguard its future as a pub.

- 7.48 At this time, the PH is not up for sale. It is however noted that the PH will likely be sold in the event that permission is granted. Nor would the proposal seek the loss of the community use which is registered as an ACV. It is noted that the ACV includes the land to the west of the site, which will be used for housing, thus reducing the amount of land around the PH, although it does not prevent the renovation of the PH, with the intention of bringing the PH back into use. The loss of land previously used for pub car parking for housing and the loss of some area previously used as pub beer garden for new parking must not be considered bluntly in terms of the ACV influence. However the enhances parking facilities and maintains them to a suitable level for the expanded pub, it also proposes in the layout, a better defined arrangement of beer garden and outdoor areas. The aspects of the existing ACV proposed to be affected are also mitigated and enhanced by the proposal.
- 7.49 Local Plan Policy SCLP8.1 does not specifically address works to retain a community use or ACV, but does as a whole, seek to support new community facilities where it meets the needs of the local community, is of a proportionate scale, well related to the settlement which it serves and would not adversely affect existing facilities. Thus, the proposal is considered to be supported in principle and there is no conflict with SCLP8.1.
- 7.50 The land to be used for housing is not open space or provides community sport and recreation facilities, therefore Local Plan Policy SCLP8.2 is not applicable in considering this proposal.

#### Affordable Housing

- 7.51 Proposals for residential development with capacity for ten units or more or sites of 0.5ha or more will be expected to make provision for 1 in 3 units to be affordable dwellings, and to be made available to meet an identified local need, including needs for affordable housing for older people.
- 7.52 The site is comprised of an area of 0.26ha and only seeks three dwellings, therefore falls under the requirement for affordable housing as set out in Local Plan Policy SCLP5.10.
- 7.53 There is no policy requirement for the dwellings to be or provide affordable housing, however, the applicant has suggested that a housing association may be interested in the site. As these are not required by policy and would otherwise meet the Local Plan Policies for new housing, it would not be reasonable to include the requirement for the housing to be affordable within the S106 agreement. If the applicant did however wish to pursue these units as affordable housing, there would be no in-principle objection.

#### Landscape Considerations (including tree preservation orders)

- 7.54 The four road frontage trees are covered by Tree Preservation Order 107/1997 which comprises 1no. Sycamore and 3no. Plum trees. They grow out of a short length of low deciduous hedging and directly beneath overhead electrical wires.
- 7.55 In this respect they cannot be regarded as being in a sustainable location because of the inevitable conflict with the cable infrastructure. In addition, the plum trees cannot be regarded as a long-term prospect; they simply do not live long enough in a healthy enough condition to be regarded as such.

- 7.56 For these reasons, the Council's Principal Landscape and Arboricultural Officer has not considered these trees to be in a sustainable location and condition to justify long term retention or protection. Therefore, officers do not consider the trees to be a justifiable impediment to development of the site; there is no objection to their removal.
- 7.57 However, it has been recommended that a landscape planting proposal be secured by condition. The submitted proposals should address the road frontage of the site, the site boundaries and new tree planting in the rear car parking area. Submitted details should include plant species, numbers, plant sizes, planting distribution and planting specification.
- 7.58 The PH is not a listed building or located within a conservation area. The PH is also not located within a protected landscape. The development is not considered to have any wider landscape impacts and therefore accords with SCLP10.4.

### Ecology & RAMS

- 7.59 All development should follow a hierarchy of seeking firstly to avoid impacts, mitigate for impacts so as to make them insignificant for biodiversity, or as a last resort compensate for losses that cannot be avoided or mitigated for.
- 7.60 New development must also secure ecological enhancements as part of its design and implementation and should provide a biodiversity net gain that is proportionate to the scale and nature of the proposal.
- 7.61 Where there is reason to suspect the presence of protected UK or Suffolk Priority species or habitat, applications should be supported by an ecological survey and assessment of appropriate scope undertaken by a suitably qualified person.
- 7.62 The Council's Ecologist was consulted on the application, having reviewed the Ecological Impact Assessment (EclA) (D F Clark Contractors, December 2021, Version 2) and noted the conclusions of the consultant. Two emergence surveys were undertaken as part of the EclA, however it was noted that the dates of the survey visits vary within the report, and it was requested the dates of the bat surveys are clarified prior to the application being determined.
- 7.63 Further to the Ecologist's comments of 9 January 2023, clarification of the survey dates have since been provided. It is noted that the assessment of impacts are identified as being based on ecological surveys dating from 2021. Given the time that has elapsed since these surveys were undertaken (26 months), and that some vegetation clearance and demolition works have been undertaken at the site since the time of the survey, the report requires updating as it is now considered out of date.
- 7.64 Following discussions between the agent and the Ecology team, which provided further insight into the timing of the previous ecological surveys on the site, and given the relatively low potential value of the site for roosting bats and the lack of bats emerging from the building during the surveys, it is recommended that a pre-commencement survey for protected species is undertaken.

- 7.65 Whilst the Ecologist's previous comments recommended the need for this survey prior to determination, given the limited suitability of the building for roosting bats and the lack of previous evidence, it is considered that a pre-commencement survey approach would ensure that any impacts that may occur at the time of the works will be adequately mitigated.
- 7.66 Conditions have therefore been recommended to seek that the above is undertaken prior to any works being undertaken to the roof structure, cavities within existing walls and/or weatherboarding of the public house, alongside ensuring that the development is undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Impact Assessment (D F Clark Contractors, December 2021).
- 7.67 In addition to the above, the site is within the Suffolk Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Zone of Influence (Zone B – within 13km of the Sandlings SPA and Deben Estuary SPA/Ramsar) and therefore a financial contribution to the scheme (or equivalent mitigation identified via a Habitats Regulations Assessment (HRA)) is required in order to mitigate in-combination recreational disturbance impacts on habitats sites (European designated sites) arising from new residential development.
- 7.68 The Recreational disturbance Avoidance and Mitigation Strategy has been prepared to provide a mechanism through which impacts from increased recreation can be avoided and mitigated via financial contributions towards the provision of strategic mitigation. Where mitigation is proposed to be provided through alternative mechanisms, applicants will need to provide evidence to demonstrate that all impacts are mitigated for, including in-combination effects.
- 7.69 The RAMS contribution will be secured as part of the Section 106 legal agreement.
- 7.70 The proposal is therefore considered to accord with SCLP10.1.

#### Highways Considerations (including access and parking)

- 7.71 Suffolk County Council as Local Highways Authority have considered the proposed development at various consultation stages and have not raised any objection to the proposed development.
- 7.72 Conditions have been recommended on all responses, with those included on their response of 3 October 2023 being the most recent. These conditions include:
- Vehicular visibility splays.
  - Access layout in accordance with DM03.
  - Access to be surfaced with a bound material for a minimum distance of 5 metres measured from the nearside edge of the metalled carriageway.
  - Gradient of the vehicular access shall not be steeper than 1 in 20 for the first five metres.
  - Gradient of the access drive shall not be steeper than 1 in 12 measured from the nearside of the edge of the highway.
  - The use shall not commence until the infrastructure within the site shown on Drawing No. 21/001/BP/P, Rev. G for the purposes of preventing surface water falling onto the



highway and it being discharged appropriately within the site has been provided and thereafter the infrastructure shall be retained, maintained, and used for no other purposes.

- Parking provision (including EV charging) in accordance with the approved plans.
- Secure, lit and covered cycle storage in accordance with the approved plans.
- Refuse/recycling storage and presentation areas in accordance with the approved plans.
- Submission of a construction management plan.

- 7.73 Officers note that the applicant will be required to ensure that the tables and chairs proposed along the frontage of the Three Horseshoes Inn are not situated within the visibility splays. It is understood that seating has historically been available on the site frontage and there are no known complaints of this resulting in an obstruction to the highway.
- 7.74 The proposed development will improve the current parking facilities on site, including the provision of EV charging points and accessible parking spaces, which should as a result make the site more attractive to all users.
- 7.75 Cycle parking will also be provided on site to encourage more sustainable transport modes, in addition to the footway connection to the north which also seeks to better link the public house to existing facilities and the recreation ground.
- 7.76 The development has therefore been designed to encourage travel using non-car modes, whilst providing appropriate parking facilities for those travelling to the site from surrounding villages/further afield. The proposal therefore accords with the aspirations of Local Plan Policy SCLP7.1 in a proportionate scale to the development.
- 7.77 The amount of parking proposed for the new dwellings also accords with the Suffolk Guidance for Parking Document which seeks a minimum of 1.5 spaces for a two-bedroom property; each of the three dwellings will have two spaces. There are also two additional visitor spaces. The proposal therefore accords with SCLP7.2.

#### Flood Risk

- 7.78 Proposals for new development, or the intensification of existing development, will not be permitted in areas at high risk from flooding, i.e. Flood Zones 2 and 3, unless the applicant has satisfied the safety requirements in the Flood Risk National Planning Policy Guidance (and any successor).
- 7.79 Flood Zones 2 and 3 are located to the south of the site, broadly following the flow of Potsford Brook; a very small portion of the site frontage falls within Flood Zone 2. The majority of the site is therefore in Flood Zone 1 at the lowest risk of flooding.
- 7.80 No development is proposed to take place within the area on the site frontage which is just captured by the flood zone.
- 7.81 Officers have been made aware of flooding near/on the site as a result of recent flood events at the end of 2023 by the Parish Council. The comments note:

*“Charsfield suffered severe flooding last Friday along The Street, including the car park of The Three Horseshoes and the proposed site of the housing associated with the above planning application. Historically The Street has been liable to flooding but 2023 has seen two major incidents in this area and, in view of the increased likelihood of flooding due to climate change, Charsfield Parish Council request that this factor be taken into account when considering the above planning application.”*

- 7.82 Officers therefore sought advice informally from the Local Lead Flooding Authority (LLFA) and the Environment Agency in respect of the proposed development; both consultees would otherwise fall under the threshold for consultation due to the scale of the development.
- 7.83 The LLFA did not raise any concerns in respect of the development, only suggesting that the condition to prevent surface water drainage recommended by the Highways Authority is amended for a full scheme to be submitted, which includes additional drainage down the access to capture waterflow along the gradient of the access.
- 7.84 This should assist in preventing additional flooding from the site in flood events, where The Street does fall within Flood Zones 2 and 3, as required by Local Plan Policy SCLP9.5 which sets out that developments should exhibit the three main principles of flood risk, in that, they should be safe, resilient and should not increase flood risk elsewhere. This condition has therefore been reworded accordingly.
- 7.85 The surfacing proposed (beyond that on the access with the highway which will be required to meet Suffolk County Council construction requirements) is proposed to be permeable surfacing. No specific details have been provided at this stage, but have been sought as part of the landscaping condition (which will capture both hard and soft landscaping). The methods of draining any potential run-off and avoiding it reaching the road from the car park will be important as part of that.
- 7.86 In addition to the above, the Environment Agency have advised that as the small area of flooding within the site falls within Flood Zone 2, they have no comment to make and refer officers to the National Flood Risk Standing Advice. The standing advice for vulnerable developments sets out advice in respect of floor levels, extra flood resilience measures, access and escape, and surface water management.
- 7.87 In considering the above, the ground levels of the site rise to the north, meaning that the highway is the lowest point. The dwellings will be built on higher ground levels than the highway. As none of the dwellings are within Flood Zone 2, there is no requirement for the floor levels to be a minimum of 300mm above the average ground level of the site, adjacent road level to the building or estimated river flood level (whichever is higher).
- 7.88 In respect of access and escape, the existing public house has a first-floor flat which provides refuge for the owners. The new dwellings are all two-storey dwellings, where the proposed floor levels do not fall below the flood risk levels; the first floors of the dwellings will also provide a safe escape area which is set well above the estimated flood level. Users of the site will also be able to evacuate the site on foot by means of the footway link to the north which connects to higher ground.

- 7.89 Beyond the mitigation set out in respect of the access above, the proposal is not classified as a major development and the majority of the site is outside of any flood zone, thus does not require the inclusion of sustainable drainage systems.
- 7.90 Further to the above, the proposed development will take place in excess of 20m of a main river, thus would also not trigger a consultation with the Environment Agency.
- 7.91 The proposed development is therefore considered compliant with SCLP9.5.

#### Land Contamination

- 7.92 The Council's Environmental Protection team have reviewed the JPC Environmental Services Stage 1, Tier 1 GeoEnvironmental Desk Study report (Ref. IE22/049/SITI) dated 15 July 2022 and have noted the recommendations of this report, starting with the asbestos containing materials site survey in advance of any other works.
- 7.93 A moderate risk has been identified at the site for the proposed end use and users, relating to areas of made ground and records of a historic pit on the site. Officers are therefore in agreement with the report conclusions that additional intrusive assessment is necessary at this site in the form of a Stage 1, Tier 2 investigation, with a view to fully understanding the risks at the site and what remediation and validation may be necessary.
- 7.94 The Environmental Protection team has therefore recommended the full suite of land contamination conditions to ensure a satisfactory site investigation and to ensure the site would be suitable for its proposed end use.
- 7.95 These conditions have been included in the officer recommendation. There are no other concerns at this stage in respect of contaminated land potential.

#### Residential Amenity (including noise)

- 7.96 The planning system plays an important role in safeguarding the quality of life of residents of the area. New development of any type is required to be located and designed with regard to the amenity of both existing and future residents to avoid generating significant harmful effects. Harmful effects can include those arising from overlooking, loss of privacy, noise, odour and light pollution and overbearing development.
- 7.97 Residential amenity can be affected by individual developments or as a result of cumulative impacts. There is a need to consider impacts on the development as well as from the development.
- 7.98 The alterations and extensions to the PH are single storey in nature and do not raise concern in respect of loss of privacy, overlooking, loss of outlook, loss of daylight/sunlight or overshadowing. A new acoustic fence is also proposed on the eastern boundary adjacent to London Villa to mitigate against the above and noise from use of the beer garden and car park.
- 7.99 The agent has confirmed that the distances from plot one (being the closest new dwelling), to the existing dwellings on St Peters Close are as follows:

Distance between new dwellings (at closest point to boundary) and no.2 St Peters Close:

- Plot 1 - front 13.6 m (approx.)
- Plot 1 - rear 8.1 m (approx.)

Distance between new dwellings (at closest point to boundary) and no.4 St Peters Close:

- Plot 1 - front 28.2 m (approx.)
- Plot 1 - rear 19.5 m (approx.)

Distance between new dwellings (at closest point to boundary) and no.6 St Peters Close:

- Plot 1 - front 40.5 m (approx.)
- Plot 1 - rear 31.0 m (approx.)

Distance between new dwellings (rear windows) and no.6 St Peters Close:

- Centre of rear windows Plot 1 31.7 m (approx.)
- Centre of rear windows Plot 2 35.0 m (approx.)
- Centre of rear windows Plot 3 37.2 m (approx.)

- 7.100 In addition, the single-storey side extension on the side of the PH is approximately 9.5m from London Villa.
- 7.101 The distances set out above are considered acceptable when assessing potential impacts on neighbouring properties. The development is not considered to result in any loss of light, overlooking, loss of privacy or overshadowing to an extent that would warrant refusal.
- 7.102 The agent has confirmed that the first-floor terraced area at the rear of the PH is solely to be used by the tenants of the PH. Given that this could provide an elevated position which may result in overlooking of plot 3, details of screening are sought by condition to prevent direct overlooking, particularly on the western side.
- 7.103 One of the main considerations in respect of the proposed development is the impact of noise on the proposed dwellings.
- 7.104 The pub premises has existing residential dwellings in reasonable proximity to the pub building (in particular to the east), and there is a new housing development to the north of the pub. It is not uncommon to see residential dwellings close to pub premises, however, it should be noted that in this case the dwellings proposed as part of this site redevelopment would be the closest receptors to the pub, and therefore most exposed to the noise generating activities relating to the parking area, people leaving late in the evening/night, and people using outside garden/terrace areas.
- 7.105 This scenario represents a high risk of future noise complaints unless the pub premises are run extremely carefully, and this proximity would likely mean the pub premises limiting the scope and extent (times) that activities take place.
- 7.106 The Environmental Protection Team acknowledge receipt of the Loven Acoustics Noise Impact Assessment (Ref. LA/1740/02R/ML) dated 10 May 2021. This report provides an indication only of what the potential noise impacts may be on noise sensitive receptors (existing and proposed dwellings).

- 7.107 The assessment scenarios described are therefore fairly generic, based on typical noise levels and the mitigation measures that might minimise noise impacts. Noise impacts are therefore described, but not quantified at this stage. As the consultant does not have details of any of the new fixed plant items to serve the pub and its kitchen, they are not able to undertake a BS 4142:2014+A1:2019 assessment to the nearest noise sensitive receptor (in that case London Villa to the East).
- 7.108 There is a new kitchen extract system, new refrigeration plant, and new air handling equipment proposed. When the details of these plant items and their locations are known, a noise assessment is necessary, and therefore it has been recommended that a condition is imposed to ensure an appropriate assessment and noise mitigation scheme as required once these details are known.
- 7.109 The kitchen extract ventilation system will also need designing to ensure a suitable level of odour control for the protection of receptors around the pub.
- 7.110 In terms of vehicle noise from use of the car park, and noise from people using the beer garden/external terrace, these activities and sources have to be accepted to an extent when someone chooses to live in close proximity to a public house. That said, this provides no protection to the operators of the pub against complaints of noise nuisance.
- 7.111 The addition of the proposed new residential dwellings will mean that the pub operator is going to have a higher duty of care, and need to manage external activities very carefully, as these will be much closer than any other residential receptors have been in the past.
- 7.112 The proposed new dwelling at Plot 3 in particular is extremely close to the proposed terrace area for the public house, and residents of this dwelling will regularly be exposed to close vehicle pass-bys and car park activity, and clearly hear the terrace activity. The likely use of the beer garden and terrace area will coincide with afternoons and evenings (particularly in spring and summer) when the new residents will also want to be outside enjoying their gardens. Noise levels and character (laughing, shouting etc) will be clearly detectable in these gardens.
- 7.113 Other than the pub controlling the hours of use of their outside areas (which in turn may result in the public house becoming less viable the more it is restricted), it is only acoustic barriers or masonry walls as suggested around the new residential gardens and car parking area that will reduce noise levels a modest amount.
- 7.114 Noise from the parking area and beer garden/terrace are very likely to be clearly audible within bedrooms and other habitable rooms at night. It should be noted that at first floor level, residents' only option to reduce that noise would be to close windows which would not be particularly desirable on warmer days. It is noted that the report therefore refers to the potential provision of mechanical ventilation to the first-floor bedrooms in order to achieve both ventilation requirements and noise mitigation. On balance it is considered that is an acceptable trade-off for proximity to the public house.
- 7.115 It is also noted that the estimates of noise impacts in the report are based upon no activities at the public house premises beyond 23:00 hours to ensure minimal risk in the more sensitive night-time period to residential amenity. This is considered to be essential

for activities/sources including the beer garden/terrace, kitchen extract system, and any musical entertainment within the pub (excluding background music).

- 7.116 Opening hours for the public house have not been set out as part of this application. Whilst many PHs tend to set their own opening hours and closure days, officers have included a condition to limit the use of the PH between 09:00 – 23:00 Monday – Sunday, including bank holidays. Should the applicant wish to apply for later opening periods, they could seek to vary this condition at a later date, however the 23:00 closure seems appropriate for the rural setting, without impeding on the viability of the proposal.
- 7.117 Refrigeration and other plant may be required to operate at night, and therefore this should be reflected in the BS 4142 assessment necessary.
- 7.118 The Environmental Protection Team cannot justify a recommendation of refusal based on noise impacts, however did seek a detailed noise assessment which more accurately assesses likely impacts, which in turn should then inform the noise mitigation measures needed. This was not provided during the application, as the manufacturers specifications of the equipment to be installed are not known as this time. As such, and as recommended by the Environmental Protection team, a final noise mitigation scheme detailing the boundary treatment of the car parking areas and new residential garden areas will be required to be submitted to the Local Planning Authority by condition.
- 7.119 A condition has been recommended for the details of any fixed plant or machinery to be submitted prior to its installation to ensure that any noise from the equipment achieves a noise rating level (LAr) of at least 5dB below the typical background sound level (LA90,T) at the nearest noise sensitive receptor. All extract ventilation is required to be vented by a filtered system, capable of preventing cooking odours, fumes, grease, dust, smoke and droplets from escaping the premises, details of which shall be submitted and agreed prior to installation.
- 7.120 The Environmental Protection officer has also advised that it will be necessary to provide an odour and noise risk assessment in accordance with the updated current guidance: 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems-An update to the 2004 report prepared by NETCEN for the Department for Environment, Food and Rural Affairs.' The risk assessment will need to identify potential sources of odour/noise, pathways and receptors and make recommendations regarding the level of mitigation needed.
- 7.121 Officers have been advised that the construction hours shall be within the hours of 08:00 until 18:00 Monday to Friday and 08:00 until 13:00 Saturdays, with no working on Sundays or Bank Holidays. A condition has been included to this effect.
- 7.122 In addition to construction hours, a Construction Management Plan (CMP) has been requested which must contain information on how noise, dust, and light will be controlled so as to not cause nuisance to occupiers of neighbouring properties; this is in addition to the CMP requested by the Highways Authority.
- 7.123 For the reasons given above, the proposed development is therefore considered to accord with SCLP11.2.

## Archaeology

- 7.124 Local Plan Policy SCLP11.7 states that an archaeological assessment proportionate to the potential and significance of remains must be included with any planning application affecting areas of known or suspected archaeological importance to ensure that provision is made for the preservation of important archaeological remains.
- 7.125 Suffolk County Council Archaeological Services has reviewed the proposed development and advised that there would be no significant impact on known archaeological sites or areas with archaeological potential. Therefore, have not objected to the development and do not believe any archaeological mitigation is required.
- 7.126 The development therefore accords with SCLP11.7.

## Legal Obligations (section 106 agreement)

- 7.127 The applicant is conscientious in their approach to the comprehensive site and is proposing to link the implementation and financing of the housing development and pub renovation/extensions.
- 7.128 The applicant has proposed to enter into a Section 106 agreement in order to ensure that the alterations and extensions to the pub are completed in their entirety before any of the proposed dwellings are first occupied.
- 7.129 This would avoid the risk of the development being completed and the pub remaining closed, without the implementation of the promised works and to no benefit to the pub or the community.
- 7.130 As noted above, the contribution towards Suffolk RAMS will also be included within the Section 106 agreement.

## **8. Conclusion**

- 8.1 The application hereby considered offers provisions to this 'small village' which are of merit; additional housing and a refurbished and extended pub. The long-term viability of the pub has been a concern over at least the last five years, with previous closures and changes of ownership. Consistently there have regularly been approaches regarding development of the site, though these have previously been found contrary to the development plan.
- 8.2 Since the refusal of C/09/1434 the site's surroundings have become more urbanised with the development of 20 houses to the north. The addition of three houses on the site frontage is no longer considered to erode the semi-rural character as the units are of a more appropriate scale and layout than the previously refused scheme. The proposed housing development is well designed and compatible with its location.
- 8.3 The proposed housing also falls within the settlement boundary for Charsfield, where there is a presumption in favour of development. In the event that the current ACV on the whole site expires without investment into the public house, it is possible that the site

could be subdivided and sold off for housing development which would not have any benefit in restoring the PH.

- 8.4 The opportunity should therefore be taken to provide housing on this land whilst there is a realistic offer proposed to direct substantial benefits to the pub from that development. The proposals for the pub seek to transform it into a viable key facility in this village and this is a worthy public benefit from the development. The applicant's desire to implement the works to the pub ahead of the housing development being occupied and to agree to this being secured by a Section 106 agreement is reassuring.
- 8.5 None of the objections received have specifically objected to the proposed works to the public house, only the potential loss of the ACV and all land associated with it. However, the proposed development seeks to retain the PH and whilst the proposed housing would reduce the site area, officers do not consider that this will reduce the likely viability of the PH being successful, as it will still have car parking and outdoor space. This compromise is being made to provide the funding to undertake the works to bring the PH back into use for the community and surrounding area.
- 8.6 The public benefits of the application proceeding as proposed are acknowledged along with some of the application's shortfalls, although these are limited, and where raised as a concern can be mitigated by condition (noise for example). On balance the consideration of the application falls in its favour and it should therefore be approved.

## **9. Recommendation**

- 9.1 The recommendation seeks: AUTHORITY TO APPROVE subject to the completion of a section 106 agreement to ensure the completion of all extensions and alterations to the pub prior to the occupation of the dwellings and the provision of a contribution towards Suffolk RAMS.

### **Conditions:**

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

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

2. The development hereby permitted shall not be carried out other than in complete accordance with the following Drawing Nos:

Received 14 February 2024:

21/001/S/A - Section A-A

21/001/S/B - Section B-B

Received 20 September 2023:

21/001/BP/P G - Block plan

21/001/C/1 - Proposed ground floor plan (dwellings)

21/001/C/3 B - Proposed front elevation (dwellings)

21/001/C/4 B - Proposed side elevation (dwellings)



21/001/C/2 B - Proposed first floor plan (dwellings)  
21/001/C/5 B - Proposed rear elevation (dwellings)

Received 23 June 2023:

21/001/P/3 C - Proposed floor plans (public house)  
21/001/P/4/C - Proposed elevations (public house)

Received 30 November 2022:

21/001/SLP - Site location plan

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

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed by the local planning authority.  
Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

4. No development shall commence until full details of the proposed levels have been submitted to and approved by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved levels.

Reason: To ensure a satisfactory relationship between the proposal, the existing ground levels and the existing dwellings, in the interests of visual amenity.

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

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

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

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

7. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Impact Assessment (D F Clark Contractors, December 2021) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

8. No works to the roof structure, cavities within existing walls and/or weatherboarding of the public house shall commence until a survey for protected species has been undertaken by a suitably qualified ecologist and submitted to the local planning authority for approval, within one month of the survey being undertaken. The report shall include, but not be limited to, the results of this survey and details of any avoidance or mitigation measures implemented. In the event that any protected species are encountered works must cease immediately and further advice must be sought from a suitably qualified ecologist.

Reason: To ensure that protected species are adequately protected.

9. 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:

a) A desk study and site reconnaissance, including:

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

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

- the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- 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: BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM).

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.

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

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

The RMS must be prepared by a competent person and conform to current guidance and best practice, including the Land Contamination Risk Management (LCRM).

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.

11. Prior to any occupation or use of the approved development the RMS approved under condition 10 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

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

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

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing

guidance (including BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM)) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

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

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

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

14. Noise from fixed plant or machinery (e.g., heat pumps, compressors, extractor systems, air conditioning plant or refrigeration plant) can be annoying and disruptive. This is particularly the case when noise is impulsive or has tonal characteristics. A noise assessment shall therefore be submitted prior to the installation of any fixed plant or machinery which include all proposed plant and machinery and be based on BS4142:2014+A1:2019. A noise rating level (LAr) of at least 5dB below the typical background sound level (LA90,T) should be achieved at the nearest noise sensitive receptor. Where the noise rating level cannot be achieved, the noise mitigation measures considered should be explained and the achievable noise level should be identified and justified.

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

15. Following the submission and approval of the Noise Assessment a final noise mitigation scheme detailing the boundary treatment of the car parking areas and new residential garden areas shall be submitted to the local planning authority in writing for approval.

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

16. All extract ventilation shall be vented via a filtered system, capable of preventing cooking odours, fumes, grease, dust, smoke and droplets from escaping the premises. Before the installation of such a system, details of -
  - i) The proposed filtration plant;
  - ii) Its ducted route through the building, and
  - iii) Its final discharge point at least 1 metre above roof level;Shall be submitted to the Local Planning Authority. Only the approved scheme shall be installed at the premises, be fully functional prior to the first operation of the business, and be retained thereafter.

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

17. Hours of working during the construction phase of both the public house and the dwellings shall be -  
Monday to Friday 08:00 until 18:00 hours  
Saturday 08:00 until 13:00 hours  
Sundays & Bank Holidays none  
Unless otherwise agreed with the Local Planning Authority.

Reason: To prevent noise pollution to adjacent residential properties.

18. No development shall commence until a detailed method of construction statement has been submitted to and approved by the Local Planning Authority. The statement should as a minimum contain information on how noise, dust, and light will be controlled so as to not cause nuisance to occupiers of neighbouring properties. Thereafter the approved construction statement shall be adhered to throughout the construction of the development.

Reason: To reduce the potential impacts of noise pollution and in the interests of residential amenity.

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

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase.

20. Before the access is first used, vehicular visibility splays shall be provided as shown on Drawing No. 21/001/BP/P, Rev. G with an X dimension of 2.4 metres and a Y dimension of 43 metres to the nearside edge of the carriageway and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

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

21. No other part of the development hereby permitted shall be occupied until the existing vehicular access has been improved, laid out and completed in accordance with Suffolk County Council's standard access drawing DM03, with a minimum entrance width of 4.5 metres for a shared access. and made available for use. Thereafter the access shall be retained in the specified form.

Reason: To ensure that the layout of the existing access is improved to an appropriate specification at an appropriate time in the interests of the safety of persons using the access and users of the highway.

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

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

23. The gradient of the vehicular access shall not be steeper than 1 in 20 for the first five metres measured from the nearside edge of the highway.

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

24. The gradient of the access drive shall not be steeper than 1 in 12 measured from the nearside of the edge of the highway.

Reason: To avoid unacceptable safety risk from skidding vehicles and provide for pedestrian and cycling access.

25. Before the development is commenced, details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway including any system to dispose of the water. The submitted scheme shall include multiple drainage points along the access. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

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

26. The use shall not commence until the area(s) within the site shown in Drawing No. 21/001/BP/P, Rev. G for the purposes of manoeuvring and parking of vehicles, including electric vehicle charging infrastructure, has been provided, and thereafter, that area(s) shall be retained and used for no other purposes.

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

27. The use shall not commence until the area(s) within the site shown in Drawing No. 21/001/BP/P, Rev. G for the purposes of secure cycle storage has been provided, and thereafter, the area(s) shall be retained, maintained, and used for no other purposes.

Reason: To ensure that sufficient areas for secure cycle storage are provided in accordance with Suffolk Guidance for Parking (2019) to promote sustainable travel.

28. The areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins as shown on Drawing No. 21/001/BP/P, Rev. G shall be provided in their entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

29. Before the development is commenced, details of the footpath on the site frontage and connecting the site to the existing development to the north, including layout, levels, gradients, surfacing and means of surface water drainage, shall be submitted to and approved in writing by the Local Planning Authority. The details agreed to satisfy this condition shall be implemented and completed in their entirety prior to the first use.

Reason: To ensure that roads/footways are constructed to an acceptable standard. This condition is required to be agreed prior to the commencement of any development to ensure highway safety is secured early for both development, its construction and addresses areas of work before any other parts of the development can take place. If agreement was sought at any later stage there is an unacceptable risk to highway and public safety and risk of cost to the developer if the details are not found acceptable.

30. Prior to the occupation of the dwellings, details of the means to prevent users of the public house using the residential parking area (such as informative signage) shall be submitted and approved in writing. The approved details shall installed and maintained thereafter.

Reason: To ensure that the residential parking is reserved solely for the use of residents of the dwellings and to prevent cars from parking on the highway.

31. No external lighting shall be installed without the prior submission and approval of an external lighting scheme (including position and height of mounting features, height and angle of lights including aiming points, light fixing type, size and appearance, and the luminance levels). There after only the approved lighting scheme shall be installed and maintained in that form.

Reason: In the interests of amenity, and protection of the local rural environment, including the ecological environment.

32. The public house shall only be open to the public between 09:00 and 23:00 Monday to Sunday, including Bank Holidays. The approved development shall be closed to the public at all other times, unless otherwise agreed in writing by the Local Planning Authority.

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

33. No external equipment for the amplification of sound and/or the playing of music shall be operated from the site at anytime, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of the amenity of neighbouring residents.

34. In respect of the hereby permitted dwellings, notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking or re-enacting the said Order, no development of any kind specified in Part 1, Classes A, AA, B, C, D, E, F and Part 2 Class A of Schedule 2 of the said Order shall be carried out unless planning permission has been granted for such.

Reason: In order that the local planning authority may retain control over this particular form of development in the interests of amenity and the protection of the local environment.

35. Prior to the commencement of development of the new dwellings, details of the retaining walls to be erected within the car park areas shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the details of the retaining walls are acceptable, as no information has been provided as part of the application.

36. Prior to the first use/reopening of the public house, details of the screening to be provided on the first floor terraced area at the rear of the public house shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of residential amenity.

#### **Informatives:**

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. The applicant is advised that the proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business premises. For details of the address charges please see our website [www.eastsuffolk.gov.uk/planning/street-naming-and-numbering](http://www.eastsuffolk.gov.uk/planning/street-naming-and-numbering) or email [llpg@eastsuffolk.gov.uk](mailto:llpg@eastsuffolk.gov.uk)
3. This permission is subject to the completion of a Section 106 legal agreement.
4. No removal of hedgerows, trees or shrubs, brambles, ivy and other climbing plants or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.



5. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing, all works within the public highway shall be carried out by Suffolk County Council or its agents at the applicant's expense.

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

For further information, go to:

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

Suffolk County Council drawings DM01 - DM14 are available from:

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

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

Public Utility apparatus may be affected by this proposal. The appropriate utility service should be contacted to reach agreement on any necessary alterations which have to be carried out at the expense of the developer.

## **10. Background information**

See application reference DC/22/4714/FUL on [Public Access](#)

## Map



DO NOT SCALE AC0000814647

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## Key



Notified, no comments received



Objection



Representation



Support

## Committee Report

**Planning Committee South – 6 March 2024**

**Application no** DC/23/2694/FUL

**Location**

The Ship  
Church Lane  
Levington  
Ipswich  
Suffolk  
IP10 0LQ

**Expiry date** 1 September 2023

**Application type** Full Application

**Applicant** Adnams Plc

**Parish** Levington

**Proposal** Alterations and extensions to provide additional dining and upgraded kitchen facilities and an outdoor seating area and extended parking area

**Case Officer** Jamie Behling  
07919 303788  
[Jamie.Behling@eastsoffolk.gov.uk](mailto:Jamie.Behling@eastsoffolk.gov.uk)

### 1. Summary

- 1.1. This application seeks planning permission to alter and extend The Ship Inn public house in Levington which includes an enlarged parking area and terrace.
- 1.2. The application was presented to the Referral Panel on 23 January 2024 as the officer recommendation of approval is contrary to the Parish Council's objection to the scheme. The Panel decided that the application should be determined by Planning Committee South due to the significant public interest of the application and its impact on the wider village of Levington.
- 1.3. The proposal is considered to comply with the Development Plan, it adds to the viability of this community asset and enhances the facility provided for the community and wider area, including the economic benefits to the area. The application is therefore recommended for approval.

## **2. Site Description**

- 2.1. The Ship Inn is a public house and restaurant located outside of the settlement boundary of Levington, which is slightly to the west, and the site is therefore within the countryside. The site falls within the Suffolk & Essex Coast & Heaths National Landscape (former AONB) and is a Grade II listed building.
- 2.2. The site lies on the north side of the road accessed by a single lane access point which leads along the side of the public house to the car park at the rear. The car park is currently quite an informal space with hardstanding which fades toward the rear. There are three other listed structures in close proximity; to the west are the Grade II listed war memorial and the Grade I listed Church of St Peter and to the south is the Grade II listed Hill Cottage.
- 2.3. The building is thought to have been in use as an inn from at least 1712 and was recorded by the name of The Ship in the Tithe Award of 1838; this use contributes to the historic value of the building. The ongoing use of the building as an inn/public house is important to the significance of the building.
- 2.4. There have been many alterations and additions in the 20th century. The large building to the east of the pub was built in the 20th century, its original function is not known; it was used for a time as residential accommodation for the pub but is now mostly redundant. New kitchens and utilities and a rear dining room were added to the rear (north) of the pub as an extension and with separate buildings in the style of traditional sheds. These elements do not contribute to the significance of the listed building but have been carefully designed to be in keeping with the character of the building and not to detract from the setting of the listed building.
- 2.5. There has been a car park behind the public house for a long time with an extension to it approved in 1979 under ref. C2252/2. It appears however that this has been extended further with the removal of some vegetation in 2020. The area extended into however appears as if it has been part of the same site and used for overflow parking historically.
- 2.6. This application has been submitted in conjunction with listed building consent application ref. DC/23/2695/LBC. It has been submitted by Adnams Plc who own the pub but the tenant is Deben Inns Ltd, who operate a number of pubs in this area.

## **3. Proposal**

- 3.1. The proposal seeks to alter and extend the public house by 240sqm in order to provide additional dining space and improved kitchen facilities. The new indoor dining space is expected to provide approximately 70 covers and the new external terrace approximately 60 covers. To accommodate this new seating, the car park is also to be extended to the north and formalised to provide additional parking.

## 4. Consultees

### Third Party Representations

4.1. 33 representations of Objection have been received raising the following material planning considerations:

- Traffic - The proposal would significantly increase the amount of traffic in the area which is mainly served by narrow roads with some places having no pedestrian path. The proposal potentially increases the amount of traffic beyond capacity of the road infrastructure. Increased traffic will also lead to increased air pollution.
- Parking and Access - There will be insufficient parking for the amount of new covers and the access is insufficient being only single lane. Cars which cannot fit in the car park will park on the roads outside the pub creating congestion and a danger to highway safety. The access is also insufficient as the visibility splays are poor and it exits onto a blind bend.
- The proposal promotes people travelling to a small village with poor public transportation leading to a larger carbon footprint with most people using cars.
- The area for the extended car park should be preserved and not tarmacked to preserve the AONB.
- The increased numbers of people visiting the pub increases the number of dog walkers in the area which subsequently leads to the deterioration of the surrounding footpaths and additional dog faeces being left.
- Lighting - Currently the lighting at the front of the pub gets left on late into the night affecting the neighbour on the opposite side of the road.
- Noise - The proposed new covers will create significantly more noise than the existing layout with the addition of a terrace. The new gate along the front of the property will also be constantly opened and closed leading to further noise issues. Noise from the car park also effect residents to the west.
- Odours - There are current odour issues from the pub's kitchen and an increase in the size of the kitchen may lead to greater problems.
- Sewage - The sewage system in the area is not robust and further increased use could lead to further problems which already exist.
- The increase in size would be out of character with its surroundings. The increase in noisy pub activities would sit incongruously within the nature of the surrounding historic cluster of the area.
- There are insufficient toilet facilities and the bar area should be extended.
- Inaccurate information.
- An additional extension will take away from the character, history and charm of this village pub.
- Parking near trees will cause damage to the trees themselves and the cars.

4.2. Four representations of Support have been received raising the following material planning considerations:

- Continues the financial viability of the business.

## Parish/Town Council

Consultee	Date consulted	Date reply received
Levington Parish Council	12 July 2023	14 August 2023
<p>Summary of comments:</p> <p><b>Headline</b> In view of the concerns outlined below, based on the information we have received, Levington and Stratton Hall Parish Council OBJECT to Planning Applications DC/23/2694/FUL and DC/23/2695/LBC which have currently been submitted.</p> <p><b>Introduction</b> Levington is a small rural village overlooking the river Orwell and Levington Lagoon Nature Reserve: <i>Simply one of the best places for estuarine birds on the Orwell. .... This sensitive site is a magnet for breeding, wintering and passage estuarine birds of which there are exceptional numbers and variety..... Levington Lagoon is cared for by Suffolk Wildlife Trust</i> <a href="https://www.suffolkwildlifetrust.org/levingtonlagoon">https://www.suffolkwildlifetrust.org/levingtonlagoon</a></p> <p>Levington village is designated a Small Village in the Suffolk Coastal Local Plan - Policy SCLP3.2: Settlement Hierarchy; it covers 5km2 and has a population of 252, 43% of which are 60 years or older.</p> <p>The Parish Council recognise The Ship is a valued entity in our community; it has a strong reputation both within the community and far beyond. Many residents frequent The Ship. The Ship recognise the unique tranquillity of Levington: <i>Embrace the essence of Suffolk at our beloved public house in Levington. Nestled amidst the picturesque landscapes and surrounded by the soothing waters of the River Orwell, The Ship beckons you with its timeless allure and inviting atmosphere. Indulge in refreshing ales, delectable seafood, and unforgettable moments with friends, all while soaking in the riverside charm of Levington. Come aboard and make memories to last a lifetime</i></p> <p><b>Setting</b> The Ship is a historic thatched building with Grade 2 listed status. It is located next to the church; these two buildings are the photogenic icons of the village of Levington, from both land and the river Orwell.</p> <p>The Ship is located on Church Lane at the top of the hill leading down to Stratton Hall Drift. Travelling from Bridge Street, Church Lane is a narrow lane – less than two vehicles wide and involves a sweeping left-hand bend along the Church boundary which comprises of a very tall brick wall. As such, the bend is a blind bend. There is a narrow pavement on the opposite side of the road which begins at Trickers Wood and ends opposite The Ship.</p> <p>Church Lane has a 30mph speed limit, with an advisory 20mph sign located before the bend at the entrance to Trickers Wood. Past The Ship, Church Lane towards Stratton Hall Drift reduces to one</p>		

vehicle width, down a steep hill. This part of Church Lane and into Stratton Hall Drift is a designated Quiet Lane.

Church Lane is part of a designated cycle route, and in addition to cyclists, is frequently used by pedestrians and horses (there are several equestrian facilities on the outskirts of the village). The Ship has a car park at the rear. It is accessed via a single-track driveway between the Church and The Ship. This driveway also provides access to the Church and a residential equestrian property. The junction of this driveway and Church Lane is a safety challenge. Vehicles exiting the driveway do not have a view to the right along Church Lane alongside the Church wall, and a very limited view to the left along Church Lane down the hill.

Directly opposite this junction is a track which comprises a footpath to the river and private vehicle access to the rear of properties on Church Lane. This footpath is very popular with walkers, many of whom use The Ship car park – the only parking available in the village (The Ship advertises – *Whether you're looking for a hearty meal after a long walk with your dog...*).

Pedestrian entry into The Ship is presently via the front door, meaning people who have just parked their car in the car park have to navigate the narrow driveway with vehicles trying to enter or exit, and its junction with the road is often busy with walkers exiting the footpath from the river. Levington does not have any parking facility in the village except for The Ship car park. The roads are narrow and without kerbs. Roadside parking in any part of the village reduces the road width to one vehicle at best, in some places it is not possible without blocking the road. There is very evident damage to roadside verges caused by vehicles.

Levington does not have a train station and is served by one bus per day; most people have no option but to drive to or from the village.

### **Context**

The aims of the Parish Council Mission Statement:

- Ensure our historical, cultural, geographical, and natural assets are identified, protected and enhanced for current and future generations
- Establish and maintain a village plan that reflects the unique environmental and historic characteristics of our Parish and its surroundings
- Support initiatives to enhance the health, security and cohesiveness of our community, and to support individuals and families in need
- Ensure the Parish is welcoming to visitors who wish to enjoy its environment and surroundings and who contribute positively to its peace and prosperity
- Act effectively within the legal framework of local government to deliver these aims and ensure the social, economic and cultural needs of our community are met

Last year the Parish Council examined the issue of speeding in the village of Levington, the two main sites being the entry into the village along Bridge Street – a derestricted road to a 30mph limit, and Church Lane outside the Church – a 30mph limit. Residents had informed of many 'near-misses' along Church Lane, both compromising pedestrian safety while using the pavement or in the section of Church Lane between Bridge Street and Trickers Wood where there isn't a pavement and pedestrians use the roadway.

Suffolk Constabulary were consulted, and the problem was defined as 30mph being too fast for that section of road due to its width, the blind bend, the restricted access point to The Ship car park, and road use by pedestrians, horses, and cyclists. It was established that if the speed limit

were reduced to 20mph this would not be enforced by the police; the only viable option was to create a 20mph zone which would involve the installation of traffic calming measures. This was not pursued as a) it was seen as urbanisation and contrary to our mission, and b) it would be an expensive venture that the Highways Authority would be unlikely to prioritise. The Parish Council were left without a viable solution to this problem.

The Parish Council has previously raised concerns with the Highways Authority in relation to road safety, which has resulted in a central white line being installed at two locations in the village. Church Lane was another site of concern – Highways could not install a central white line as, in their view, the road was not wide enough to constitute two lanes.

### **The outcome of the Parish Council Planning Meeting**

The Parish Council recognise The Ship as a valued entity in the village as well as the challenges of operating as a viable business in the present economic environment. However, it also recognised that The Ship is presently a bustling pub and recent alterations particularly to the beer garden have already increased capacity. Information was provided by residents of both the pub and the car park regularly being full.

The Parish Council recognise the existing capacity of The Ship as:

- 60 internal covers
- 64 covers on the rear patio
- 16 covers on the front patio
- 90 covers in the beer garden
- 230 covers in total

As such, it is recognised most patrons are from beyond the village.

The application seeks to increase the above by:

- 70 internal covers
- 60 external covers
- 130 covers in total – a 57% increase

The public and the Parish Council agreed they wanted to support The Ship, but the key challenges with the application as submitted are its scale and absence of detail of how resulting issues would be mitigated. To consider the question of ‘when does The Ship become too big for its surroundings’, it was agreed this application seeks to do that.

The Parish Council recognise the possible increase in employment at The Ship because of this application, and how that may be seen as compliant with Suffolk Council’s strategy for growth. However, the Parish Council recognised that as is presently the case, these new jobs are unlikely to be desirable to residents, meaning most will be occupied by people outside of the community.

The Parish Council recognised the plans submitted with the application were vague at best and lacked any comment or detail on important and obvious issues such as traffic volume/road safety, car parking, limited access, noise, lighting.

One resident informed the meeting of their conversation with the architect about the plans that day.

The architect acknowledged the plans needed significant remodelling, for example in relation to



disabled toilet facilities and workable disabled access to the building. This remodelling when explained to the meeting by the resident evidenced the plans presently before the Parish Council for consideration were inadequate and were likely to change significantly.

It was disappointing that neither the applicant nor their representative were in attendance to help explain, reassure, and hear from the public.

The points of objection are:

#### 1. Growth

This is an application for growth – a 57% increase in capacity. The SCLP vision contains some aspects relevant to this application:

*'Maintain and sustainably improve the quality of life for everyone growing up in, living in, working in and visiting East Suffolk'.*

*'Significant levels of growth which maintain the distinctive character and role of settlements, while conserving and enhancing the built, historic and natural environments will have been planned for and delivered.'*

*'The stronger and more diverse economy will provide more and better paid local earnings and job opportunities, ensuring that people can stay within their communities.'*

*'Appropriate growth in rural areas that will help to support and sustain existing communities.'*

The Parish Council is clear that this growth is not needed by and will not help to support and sustain our community, it only serves the commercial interests of a private business. Indeed, because of the subsequent points of objection listed, this application poses a key threat to the quality of life of the residents of Levington and detracts from, rather than improves the distinctive character and natural environment of Levington.

#### 2. Traffic volume / road safety

A 57% increase in covers and associated deliveries, will naturally result in a significant increase in vehicular traffic and the Parish Council are extremely concerned about this. This will dramatically change the character of the village and the quality of life of residents – no longer will The Ship be *"Nestled amidst the picturesque landscapes... and riverside charm"*.

It was noted that Highways Authority had yet to submit a response to the application. This must be a key consideration for the Highways Authority.

The Planning Authority has pledged to not adjudicate on the application until receipt of Highway's response, and the Parish Council were offered an extension to their submission pending this. The Parish Council decided to continue and ask the Planning Authority to:

1. Keep to their pledge to await the Highways Authority's response before adjudicating
2. Provide a copy of this objection to the Highway Authority so they are aware of the detail contained prior to making their response.

The context of the location and associated road safety issues is recorded above.

#### 2. Single-track driveway entrance/exit to the Ship

The absence of any acknowledgement of this as an issue is concerning; this must be a core

consideration in this application. There are 2 key elements to this issue:

1. The safe transfer of the public into and out of the site presently is problematic, such an increase in covers and thus vehicles will exacerbate this and will create a backlog into the road affecting the road safety issue above, and altering the character of the village.
2. The safety of pedestrians using this access to transfer from the car park to the front door or to the footpath for a walk to the river; this should include disability consideration also.

The Parish Council have grave concerns about the inadequate access to the car park, the absence of acknowledgement and any mitigation intended.

### 3. Car Parking

Present information shows the car park is only suitable for the existing capacity of The Ship. No acknowledgement is made in the application of the additional car parking capacity needed because of the increase in the pub capacity, nor arrangements to mitigate this (extension of the existing car park). The public were particularly concerned about the car park being extended into existing meadow land and thereby it's destruction, should this become part of the plan.

Sufficient car parking is a core concern for the Parish Council – insufficient provision will push patrons onto the roads to park. The viability of this is recorded above, and the implications are an adverse impact upon road safety, and a change of character to the village, impacting on quality of life for residents.

The Parish Council request:

1. Highways Authority consider this when forming their view on the viability of the Application
2. The Planning Authority require sufficient provision as a condition of the application

In conversation with residents the applicant / their representative has informed there is no intention of the car park being subject to charging, such is the case at other pubs in the Deben Inns group. The Parish Council would like the Planning Authority to consider a condition that if charging is introduced, patrons are refunded the cost to prevent a motivation to try to park elsewhere to avoid charges.

### 4. Light Pollution

Several residents informed of disturbance of existing lighting at night from The Ship into their homes / bedrooms, as flood lights are presently used by The Ship. Management at the Ship have been repeatedly informed about this, yet it continues.

The Parish Council recognise the reassuring comments in the Planning Applications about lighting, specifically that flood lights will not be used. Concerns about this are not resolved given existing practice.

### 5. Noise Pollution

The Parish Council is concerned about additional noise due to:

1. The increase in traffic accessing to the Ship, including the likely horns and reversing due to the inaccessibility of the single-track driveway
2. The increase in traffic travelling over the gravel surface of the single-track driveway

and car park

3. The addition of a new gate to the side beer garden and the noise it is likely to create open and closing with each pass

4. Increased vehicular associated noise - cars accessing and leaving the car park, car doors banging, additional noise from visitors' voices when accessing and leaving

The Parish Council would welcome some kind of mitigation to deal with the issue of noise.

## 6. Sewerage

Levington and Stratton Hall parishes experience considerable difficulties with water and drainage problems. There is a history of sewerage backing up downstream of The Ship, such that Anglian Water had to install and maintain a one-way valve at one dwelling.

The increase in dining proposed by this application will create two pressures:

1. Increased toilet use
2. Increased kitchen sink waste

The Parish Council have grave concerns about the fragility of the sewerage system and request:

1. The Planning Authority include Anglian Water as a consultee to this application, with a copy of this objection to sight them on issues
2. The Planning Authority require the applicant to make provision in the application for congealed fat to be diverted away from the sewerage system

### **Non-Material Considerations**

The Planning Applications do not provide sufficient provision for people with disabilities. This includes:

1. Access to the building from the car park – presently over a gravel surface
2. Access into the building
3. Toilet facilities
4. Access within the building to toilet facilities

### **Consultative process**

The Parish Council recognise key parties have not been included as consultees by the Planning Authority.

These are:

1. Sarah and Fiona Heath The Paddocks, immediate neighbour (also owns the Holly Lodge)
2. St Peters Church Levington, immediate neighbour
3. Anglian Water – responsible for the sewerage system

The Parish Council request the above 3 parties are included as consultees by the Planning Authority.

In the expectation that the existing plans will be changed, the Parish Council request opportunity to be consulted fully on subsequent plans, including opportunity to hold another meeting with the public.

The Parish Council hopes the scale of the development as presented is recognised as being too

significant, and that a further application is submitted of more appropriate size, together with recognition and effective mitigation of the above concerns.

Consultee	Date consulted	Date reply received
SCC Highways Department	10 August 2023	23 August 2023

Summary of comments:

For Suffolk County Council to assess the application, further information will be required to advise whether the proposed access road would be deemed acceptable or not. Please see the comment(s)

below that need to be addressed.

Clarification is required regarding the public floor area that exists currently and is proposed for this development to ensure there is a sufficient amount of vehicle and cycle parking provision available. It is anticipated that the additional seating/dining area would likely have an increase in vehicle trips.

Please refer to page 41 of Suffolk Guidance for Parking (2019) to understand the minimum parking requirements for this proposal.

Until the above concerns have been addressed, a holding objection to the proposal will be maintained.

Consultee	Date consulted	Date reply received
SCC Highways Department	6 September 2023	14 September 2023

Summary of comments:

No objections, conditions recommended.

Consultee	Date consulted	Date reply received
Anglian Water	6 November 2023	6 November 2023

Summary of comments:

Standardised response of no comment.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	24 November 2023	29 November 2023

Summary of comments:

Comments included within officer's considerations.

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	4 October 2023	5 October 2023
Summary of comments: Comments included within officer's considerations.		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	12 July 2023	18 July 2023
Summary of comments: Comments included within officer's considerations.		

### Reconsultation consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	4 October 2023	18 October 2023
Summary of comments: No objections.		

Consultee	Date consulted	Date reply received
Levington Parish Council	4 October 2023	20 October 2023
<p>Summary of comments:</p> <p>Levington and Stratton Hall Parish Council held a Planning Meeting on Thursday, 12th October 2023 to which 5 members of the public were present. Parish Councillors voted to OBJECT to the two applications is based on the original submission which was made and also the amendments submitted by the applicant primarily based on comments made by Suffolk County Council Highways. Please see copy of the original submission made by Levington and Stratton Hall Parish Council.</p> <p>The following are the additional comments the Parish Council wish to make which relate to the changes the applicant are proposing to issues highlighted by Suffolk County Council Highways.</p> <p><u>Increased Traffic</u></p> <p>The number of potential increased customers' needs to be addressed. Levington has had numerous issues with speed on very narrow roads with poor visibility and little or no footpaths. There are many walkers and horse riders. The impact of doubling the capacity of the seating areas will obviously affect the very narrow lanes.</p>		

### Parking and Concealed Entrance

The proposed parking reorganisation has several issues that do not seem to have been addressed:

The dangerous entrance – Suffolk County Council Highways have not addressed this as an issue. The only requirements they have made are to provide cycle spaces, electric charging points and 1 parking space per 5 square metre. This equates to 32 car spaces and 8 staff parking spaces.

Gravel – noise is an issue and however slowly people drive tyres slip and kick up the loose shingle. The Ship should adopt the plastic gridding to maintain the shingle in place. The steel markers will soon get covered by the loose shingle, then the allocated spaces will become haphazard and potentially cause overspill onto Church Lane at peak times.

The amendments have been worked on averages, however, the applicant has not addressed the days the Ship is fully booked where the car park will not have the capacity.

The increase is potentially another 520 customers per day based on two sittings. Obviously this will alter dependant on the season, however there is not the capacity in the current car park for this level of customers.

Increased staffing, which is beneficial to the economy however these staff will not be employed from Levington due to the age range of employment within hospitality. This will also impact the amount of spaces in the car park, it has been submitted that staffing levels will increase by 50% taking staff up to 45 cars over a weekly period.

### Lighting

The flood lighting that is currently there has not been addressed so it's questionable if any new lighting will be any better.

### Trees

Ruth Chittock from the Senior Landscape Officer has highlighted that Tree C on the plans is being removed and trees A,B,D,E and H will have parking within their root protection area. She has requested a Arboricultural Assessment to confirm this which has been organised for next week. The applicants plans state that no trees are to be removed, however this again seems to differ from the plans.

### Disability Provisions

Residents have made comments on the ESC portal and an individual comment has come through re disability access. The shingle car park is very difficult for wheelchair manoeuvrability and the doors do not enable easy access. The amended plans do not show the surface of the new disabled parking spaces.

### Environment

The Ship is situated in AONB and plays a big part of Levington's beauty; it is a stunning building and has a prominent position next to St Peters Church. The increased number of people visiting

Levington impacts the fragile infrastructure of the footpaths and number of dog walkers who do not clear up after their dogs. The Ship has removed the litter bin from outside the property.

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	4 October 2023	10 October 2023
Summary of comments: Comments included within officer's considerations.		

## Publicity

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

Category	Published	Expiry	Publication
Listed Building	20 July 2023	10 August 2023	East Anglian Daily Times

## Site notices

General Site Notice	Reason for site notice: Listed Building Date posted: 17 July 2023 Expiry date: 7 August 2023
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## 5. Planning policy

National Planning Policy Framework 2023

SCLP4.3 - Expansion and Intensification of Employment Sites (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

Policy SCLP8.1 - Community Facilities and Assets (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

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

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

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

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

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

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

## 6. Planning Considerations

### Principle

- 6.1. As a public house, this is a Community Facility. Many public houses are struggling to operate viably, and the vast majority rely on a good food trade or other added value (such as an attractive setting or being in a significant footfall area to be able to maintain a profitable business). The Campaign for Real Ale (CAMRA) has recently claimed that 29 pubs close every week, blaming rising energy costs and the cost of living crisis. In principle, opportunities which enhance community facilities should attract significant weight in support, subject to other considerations. Policy SCLP 8.1 (Community Facilities and Assets) does not provide any policy commentary on the enhancement of such facilities. It is instead focussed supporting new facilities and on protecting existing facilities when they are at risk of being lost.
- 6.2. In respect of 'supporting a prosperous rural economy' the NPPF states at Paragraph 88 that:  
*88. Planning policies and decisions should enable:*  
*a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings;*  
*b) the development and diversification of agricultural and other land-based rural businesses;*  
*c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*  
*d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*
- 6.3. The East Suffolk Economic Growth Strategy seeks to support all businesses across the plan area to ensure a successful and prosperous economy. The successful delivery of this strategy will be assisted by a positive policy which encourages sustainable economic growth and allows for the expansion, intensification or adaptation of existing premises. Some employment sites by their nature have a greater impact on their local environment and the economic operations anticipated to take place on a site is an important consideration in respect of expansion and intensification of premises.
- 6.4. Policy SCLP4.3: Expansion and Intensification of Employment Sites, states that proposals to expand, alter or make productivity enhancements to existing employment premises will be permitted unless:
  - a) The scale of development would cause a severe impact on the highway network; or



- b) There will be an unacceptable adverse effect on the environmental sustainability of the area; or
- c) The proposed use is not compatible with the surrounding employment uses in terms of car parking, access, noise, odour and other amenity concerns; or
- d) There is an unacceptable adverse effect on the living conditions of local residents and businesses relating to matters of noise, vibration, dust and light; and
- e) Potential adverse impacts can not be successfully mitigated.

- 6.5. While the site is not an allocated 'employment site' as such, the site does provide employment and this policy is considered to be relevant to the consideration of this application. The proposal seeks to enlarge the seating area and kitchen of the restaurant. This includes the extension of the building to create around 70 new internal seats and 60 outside seats on the terrace. This is in addition to the new picnic benches that have already been installed externally within the garden area which provides outdoor seating for approximately 90.
- 6.6. The use of the site would not be changing, remaining a public house and restaurant. This is an established use within villages, and The Ship being the only public house in Levington. It would be expected that any noise, odour or light at the site could be mitigated. It would not be considered that the proposal would cause significant harm to the environmental sustainability of the area.
- 6.7. Significant concerns have been raised by neighbours regarding the parking and impact the proposal would have on the amount of traffic in the area. The Ship Inn is an existing Public House and restaurant. The proposal would be expected to increase the number of visitors to the business however an extension of the building would be acceptable in principle. This is discussed further below.

#### Design, Visual Amenity and Heritage Considerations

- 6.8. Section 16 of The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty, in considering whether to grant planning permission, to have special regard to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess. The NPPF identifies the conservation and enhancement of the historic environment as an important element of sustainable development. The NPPF requires planning authorities to place 'great weight' on the conservation of designated heritage assets, and states that the more important the asset the greater the weight should be. The statutory duties of The Act and heritage objectives of the NPPF are also reflected in the Built and Historic Environment section of the Local Plan and the Historic Environment SPD.
- 6.9. There has been piecemeal development of the site over the 20th century with various extensions, alterations and outbuildings added to support the use of the pub. The pub has continued to grow in popularity and a wider overhaul is now being proposed to meet growing demand and to improve the kitchen and dining facilities.
- 6.10. The proposal to utilise the existing 'accommodation block' is positive, re-using and extending an existing building. The largest of the proposed extensions would be to the northern and eastern elevations of this building, furthest from the original building. The accommodation block and dense vegetation along Church Lane mean that there are

currently no views of the original building from the east. The church is also positioned to the west of the site. Therefore, the eastern elevation is the least sensitive in terms of impacts on heritage assets and it makes sense to locate the largest extensions in this position.

- 6.11. The original building remains unchanged and therefore there would be no impact to the historic fabric. Therefore, the main assessment of the proposal is on the impact to the setting of the listed building.
- 6.12. Consolidating the two existing structures to the east of the original building - the accommodation block and the outbuilding to the north - into a single linear form would be acceptable. The existing outbuilding overlaps with the original building in views from the north, the proposal would move this away to the east allowing the form of the original building to be more legible in this view. The increase in height of the northern element would be mitigated by this shift away from the original building and reading as a single element with the existing 'accommodation block'.
- 6.13. The extension to the east of the 'accommodation block' that would form the dining space has been broken up into two connected gabled elements. It would be traditional in scale and form but would have contemporary touches with gable windows, sliding doors and roof lanterns, this approach is acceptable, providing a contemporary contrast while being visually subservient.
- 6.14. The extension that houses the refrigeration units is now proposed to be expressed as a separate, weatherboarded 'shed'. Again, this avoids the need for a deep, lean to structure previously proposed and breaks up the massing of the extensions. This would have a north-south roof creating contrast with the dining room extension and contributing to the feeling of a collection of outbuildings rather than a single mass.
- 6.15. The kitchen extract flue would be accommodated on the eastern roof slope of the 'accommodation block' partly obscured within the valley between this and the refrigeration structure, minimising the visual impact of this often-prominent feature. It would be clad in matte materials to reduce shine which further mitigates its visual impact. The existing external space between the rear extensions and the accommodation block would be infilled with a flat roofed extension. There is an existing flat roofed extension on the rear of the original building so this proposal is to extend this northward. This would be acceptable as there would still be a recess between the existing northern extensions and the extended 'accommodation block' allowing the different elements to remain visually distinct.
- 6.16. An outdoor dining area is proposed to the east of the proposed dining room extension. This would be paved in sandstone and would connect with the side gate access to the front of the pub allowing level access to the dining area without the need for interventions into the original building which is positive. There is a change in level to the east of the site so this external dining area would be raised approx. 1m from the lawned area to the east. The change in level would be softened by planting (full details to be agreed by condition), balustrades around the seating area would be required for safety, a simple metal fence is proposed, this is acceptable. The seating courtyard to the rear is proposed to be enclosed - details are required of this boundary treatment. Close-boarded fences should be avoided in favour of high quality, contextual treatments, no more than is required for safety/screening purposes.

- 6.17. The proposed extensions are substantial in scale, but the massing has been broken up by the use of different roof forms. This has resulted in the current design where the site retains the sense of ad-hoc development of outbuildings surrounding the listed building. The gable roof form is repeated across the site creating the sense of distinct elements. These elements are connected by flat roofs to allow the uninterrupted internal space required by the business. The flat roofs are set back to ensure they are subservient and it is the gabled forms that draw the eye. The key view of the principal elevation of the original building and views of the original building when approaching along Church Lane will be unchanged by the proposals and the interior of the listed building will also not be impacted.
- 6.18. The relevant heritage considerations are stated within the NPPF (2023), Chapter 16: 'Conserving and enhancing the historic environment'. The heritage statement includes all relevant information in regard to the site and satisfies the requirements of Paragraph 200 of the NPPF (December 2023).
- 6.19. This proposal will preserve the special interest of the Grade II listed Ship Inn and would have a neutral impact on its setting. There would be no harm to this designated heritage asset, in conformance with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### Residential Amenity

- 6.20. The site and the proposed extensions are positioned a reasonable distance from neighbours. The physical size and position of the extensions would not harm neighbouring properties in terms of loss of light, oppression or overlooking, with the closest neighbour being approximately 12 metres to the south on the opposite side of the road. A number of concerns however have been raised in regard to noise, odour and light.
- 6.21. Comments were received regarding odour coming from the kitchen and whether a bigger kitchen would increase the problem. An application was approved (ref. DC/18/4459/FUL) in 2018 for a replacement ventilation system at the premises. If this has not been installed correctly or is not working this should be raised with Environmental Protection. No details have been supplied of a new ventilation system, however, it has been agreed with the Council's Environmental Protection Team that a pre-commencement condition could be added to ensure that the ventilation system complies with modern standards. This was agreed with the agent.
- 6.22. Concerns were raised over new lighting which may be installed at the site. No new external lighting is proposed within this scheme, however, a condition has been added requiring details of any new external lighting to be submitted to and agreed by the local planning authority prior to installation. Concerns were also raised that the extended car park could lead to light from headlights shining onto the rear of the properties to the west. When assessing the site, it was noted that there are hedges all around the boundaries of the car park and further out beyond the site. As the site slopes down to the north, this would also angle headlights down rather than up towards nearby properties. As such, it is considered very unlikely that any neighbours would see a noticeable difference in light spillage towards their properties.
- 6.23. Comments were received regarding noise and the potential for increased noise coming from the seating areas, the car park and the gate to the side of the main building. A seating area

already exists to the rear of the building so it is not expected that significantly more noise would be experienced beyond the existing situation. The addition of a gate to the side of the pub is also not considered to cause such excessive noise that it should be omitted. It is likely that most visitors of the pub would not use this gate as the car park is to the rear and most other visitors would enter the pub via the main entrance at the front. This would also be likely to be required for security to stop dogs and children from running out into the road. The existing car park at the rear is to be extended.

- 6.24. The distance to the closest residential neighbouring property to the west is approximately 55 metres. It is considered unlikely that extending the car park to the north would lead to a significant increase or unacceptable noise levels at this distance from a restaurant car park. Environmental Protection have confirmed they would not require noise assessments for the car park or gate.

#### Landscaping/Trees

- 6.25. The alterations to the pub require some landscaping of the surrounding garden area. An indicative plan has been supplied to show the general arrangement, but further details will need to be supplied prior to commencement, to be secured by condition.
- 6.26. One young tree is to be removed to provide better parking however this was assessed by a tree surgeon and classified as damaged, with a severe laceration caused by a chain link fence wrapped around the trunk. As this will only get worse with age, it is recommended to remove it now and replant to the east among the other existing trees. This has been shown on the plans. Parking has been amended to protect nearby trees from harm and has been agreed by the East Suffolk Arboricultural Officer.
- 6.27. Overall, the landscaping is considered to preserve the setting of The Ship Inn, retaining as much of the vegetation on site as possible and allowing the car park to expand in an organised manner.
- 6.28. The parking area to the north which is to be expanded into is currently a grassed area surrounded by trees and hedges around the boundary of the site. There is a grassed area to the east with a number of trees within it which is to be retained. The formal expansion of the car park to the north is a progression as it currently has no separating boundary and appears to have historically been used as an overflow car parking area. Surrounded by the church yard to the west, a field to the north and the grassed area of the site to the east, its expansion is relatively well insulated and would not substantially affect the appearance of the National Landscape from public views outside of the site.

#### Parking and Highway Safety

- 6.29. Many of the objections raised by the public were in regard to the expansion of the Inn leading to significantly more traffic in the area and on street parking. The car park expansion was not part of the original submission but has been included to try to alleviate concerns of on street parking. The increase in the number of available seats internally and externally by 130 (not including the new existing outside benches) has raised concern that the narrow village roads would become congested. The access to the car park is also narrow and only allows one car to drive along the side of the Inn at a time. The exit also has the wall surrounding the church yard on the right-hand side, obscuring views to the west.

- 6.30. The SCC Parking Technical Guidance recommends that public houses should provide 1 vehicle space for each 5sqm of public floor area. The proposed public floor area is approximately 200sqm. This means that at a minimum The Ship Inn should provide 40 parking spaces. The proposed new parking layout allows up to 61 including 2 disabled spaces and 8 electric vehicle charging stations.
- 6.31. SCC Highways were consulted and raised no objections to the application within their most recent comments. Although the proposal is likely to increase the number of visitors to the site, it has also provided a larger parking space, that is also better organised than the informal open space presently. It is not expected that by enlarging the seating area, that all seats will be filled at all times of the day throughout the year. It is accepted that the proposals would lead to more visitors, however, it is out of the control of the applicant how those visitors behave on the roads outside of their property. All they can do is try and mitigate this harm by providing a better parking area which they have done.
- 6.32. It is not possible to alter the access due to the constraints of the site, and it is not considered reasonable to refuse the proposed expansion of the public house, at the scale proposed, on highway safety grounds given the above considerations and in the absence of any objection from the Highway Authority in terms of highway safety. It is also not possible for the applicant to make any changes to the street themselves. It would be for the SCC Highways department to determine if further restrictions, such as double yellow lines or speed restrictions, were necessary; however they have not indicated that they would be required. With no objection from SCC Highways on safety grounds there is no reason to resist this application.

#### Other matters

- 6.33. Any potential increase in dog walkers is being considered in respect of recreational effects on the Orwell Estuary SPA, in consultation with the Council's Ecology team, and further comments will be provided in the update sheet.
- 6.34. The impact of the extension to the public house on the capacity of the sewage system in the area is not considered to be of a scale to have a significant effect. However Anglian Water were consulted due to the request from the Parish Council and have chosen not to comment.
- 6.35. Concern was raised there were insufficient toilets however this is not a material planning consideration and cannot be controlled through the planning process.
- 6.36. It was raised that the application has not shown how it is disability friendly and provides disabled toilets. As this is an application to extend a listed building, it is unlikely that all doorways and corridors could comply with the required widths in order to allow disabled access without significant harm to the heritage asset. It is also not within the remit of planning to ensure disabled toilets are provided within the expansion of an existing public house.
- 6.37. All information submitted is considered to show a clear picture of what the applicant is applying for, for which planning permission is required, and it is not considered that the information is misleading.

## **7. Conclusion**

7.1. The design is acceptable and would preserve the historic interest and setting of the Grade II listed building. The principle for expansion is acceptable on the existing site and it is not considered that the expansion would lead to considerable harm to the residential amenity of neighbours. The car park has been expanded to help mitigate the increased visitor numbers and without any objection from SCC Highways there is no justification to refuse the expansion of the business on highway safety grounds. Overall, it is felt that the potential harm from the expansion of the business can be mitigated, and that the application should be supported as it is in compliance with all relevant policies listed above.

## **8. Recommendation**

8.1. Approval subject to the conditions below.

### **Conditions:**

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

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

2. The development hereby permitted shall be carried out in all respects strictly in accordance with the following approved plans, 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:

Site location Plan received 07/07/2023

Proposed Layout Plan received 07/07/2023

Proposed South and West Elevations received 07/07/2023

Proposed East and North Elevations received 07/07/2023

Proposed Site Block Plan received 07/07/2023

Proposed Parking Reorganisation Rev C received 26/10/2023

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

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

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

4. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass

establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation programme.

Reason: To ensure the provision of amenity afforded by appropriate landscape design.

5. Prior to installation of any lighting, details in respect of the following shall be submitted to and approved by the Council as Local Planning Authority:

- Details of any external lighting proposed on the building or within the site, showing location, on plans and elevations, including the type of light unit, numbers and illumination levels to be supplied and agreed in writing prior to installation.

The lighting shall be installed in accordance with such approved details.

Reason: In order to safeguard the dark skies and tranquillity of the landscape within the Suffolk & Essex Coast & Heaths National Landscape.

6. Prior to commencement of any works, details in respect of the following shall be submitted to and approved by the Council as Local Planning Authority. The work shall be carried out in accordance with such approved details:

- Representative door and windows and details to show materials, finish, appearance, ironmongery, type of glazing, glazing bar profile

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

7. Prior to the installation/modification of any extract equipment, air conditioning, refrigeration or any other fixed plant, details of the equipment and a noise and odour impact assessment shall have been submitted to and approved in writing by the local planning authority in accordance with the updated current guidance: Control of Odour and Noise from Commercial Kitchen Exhaust Systems-An update to the 2004 report prepared by NETCEN for the Department for Environment, Food and Rural Affairs.

The risk assessment shall identify potential sources of odour/noise, pathways and receptors and make recommendations regarding the level of mitigation needed. The LPA will be expecting that a rating level (LAeq) of at least 5dB below the typical background (LA90) is achieved.

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

8. Prior to development a detailed Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved tree protection measures.

Reason: In order to safeguard the trees on site.

9. Prior to the first use of the proposed extension, the car park shall be laid out and completed as shown on drawing - Proposed Parking Reorganisation Rev C, unless otherwise agreed by the Local Planning Authority.

Reason: In order to provide sufficient parking for the intended use.

**Informatives:**

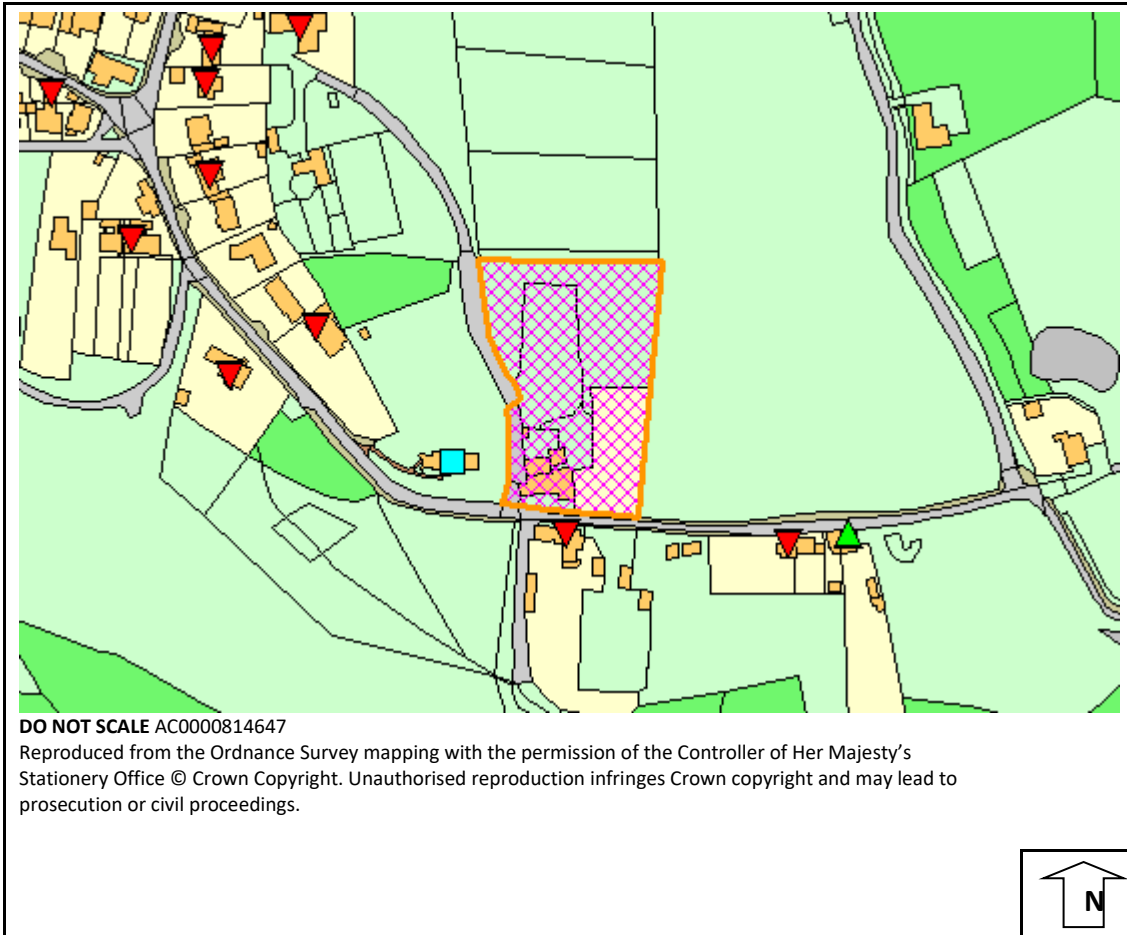
1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan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

**Background information**





See application reference DC/23/2694/FUL on [Public Access](#)



## Map



## Key

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

**Committee Report**

**Planning Committee South – 6 March 2024**

**Application no DC/23/2695/LBC**

**Location**

The Ship  
Church Lane  
Levington  
Ipswich  
Suffolk  
IP10 0LQ

**Expiry date** 1 September 2023

**Application type** Listed Building Consent

**Applicant** Adnams Plc

**Parish** Levington

**Proposal** Listed Building Consent - Alterations and extensions to provide additional dining and upgraded kitchen facilities and an outdoor seating area and extended parking area

**Case Officer** Jamie Behling  
07919 303788  
[Jamie.Behling@eastsoffolk.gov.uk](mailto:Jamie.Behling@eastsoffolk.gov.uk)

**1. Summary**

1.1. This application seeks listed building consent to alter and extend The Ship Inn in Levington. The application is presented to Planning Committee South for completeness as this application is associated with planning application DC/23/2694/FUL. The planning application was referred to Committee following consideration by the Referral Panel due to the significant public interest of the application and its impact on the wider village of Levington.

## **2. Site Description**

- 2.1. The Ship Inn is a public house and restaurant located outside of the settlement boundary of Levington, which is slightly to the west, and the site is therefore within the countryside. The site falls within the Suffolk & Essex Coast & Heaths National Landscape (former AONB) and the Inn is a Grade II listed building.
- 2.2. The site lies on the north side of the road accessed by a single lane access point which leads along the side of the public house to the car park at the rear. The car park is currently quite an informal space with hardstanding which fades toward the rear. There are three other listed structures in close proximity; to the west are the Grade II listed war memorial and the Grade I listed Church of St Peter and to the south is the Grade II listed Hill Cottage.
- 2.3. The building is thought to have been in use as an inn from at least 1712 and was recorded by the name of The Ship in the Tithe Award of 1838; this use contributes to the historic value of the building. The ongoing use of the building as an inn/public house is important to the significance of the building.
- 2.4. There have been many alterations and additions in the 20th century. The large building to the east of the pub was built in the 20th century, its original function is not known; it was used for a time as residential accommodation for the pub but is now mostly redundant. New kitchens and utilities and a rear dining room were added to the rear (north) of the pub as an extension and with separate buildings in the style of traditional sheds. These elements do not contribute to the significance of the listed building but have been carefully designed to be in keeping with the character of the building and not to detract from the setting of the listed building.
- 2.5. This application has been submitted in conjunction with planning permission application ref. DC/23/2694/FUL.

## **3. Proposal**

- 3.1. The proposal seeks to alter and extend the public house by 240sqm in order to provide additional dining space and better kitchen facilities. The new indoor dining space is expected to provide approximately 70 covers and the new external terrace approximately 60 covers.
- 3.2. To accommodate this the car park is also to be extended to the north to provide additional parking in a more formal layout, albeit this element of the proposal does not require listed building consent.

## **4. Consultees**

### **Third Party Representations**

- 4.1. 24 representations of Objection have been received raising the following material planning considerations:
  - Traffic - The proposal would significantly increase the amount of traffic in the area which is mainly served by narrow roads with some places having no pedestrian path. The proposal

potentially increases the amount of traffic beyond capacity of the road infrastructure. Increased traffic will also lead to increased air pollution.

- Parking and Access - There will be insufficient parking for the amount of new covers and the access is insufficient being only single lane. Cars which cannot fit in the car park will park on the roads outside the pub creating congestion and a danger to highway safety. The access is also insufficient as the visibility splays are poor and it exits onto a blind bend.
- The proposal promotes people travelling to a small village with poor public transportation leading to a larger carbon footprint with most people using cars.
- The area for the extended car park should be preserved and not tarmacked to preserve the AONB.
- The increased numbers of people visiting the pub increases the number of dog walkers in the area which subsequently leads to the deterioration of the surrounding footpaths and additional dog faeces being left.
- Lighting - Currently the lighting at the front of the pub gets left on late into the night affecting the neighbour on the opposite side of the road.
- Noise - The proposed new covers will create significantly more noise than the existing layout with the addition of a terrace. The new gate along the front of the property will also be constantly opened and closed leading to further noise issues. Noise from the car park also effect residents to the west.
- Odours - There are current odour issues from the pubs kitchen and an increase in the size of the kitchen may lead to greater problems.
- Sewage - The sewage system in the area is not robust and further increased use could lead to further problems which already exist.
- The increase in size would be out of character with its surroundings. The increase in noisy pub activities would sit incongruously within the nature of the surrounding historic cluster of the area.
- There are insufficient toilet facilities and the bar area should be extended.
- Inaccurate information.
- An additional extension will take away from the character, history and charm of this village pub.
- Parking near trees will cause damage to the trees themselves and the cars.

4.2. One representation of Support has been received raising the following material planning considerations:

- Continues the financial viability of the business.

### Parish/Town Council

Consultee	Date consulted	Date reply received
Levington Parish Council	12 July 2023	14 August 2023
<p>Summary of comments:</p> <p><b>Headline</b>            In view of the concerns outlined below, based on the information we have received, Levington and Stratton Hall Parish Council OBJECT to Planning Applications DC/23/2694/FUL and DC/23/2695/LBC which have currently been submitted.</p>		

## **Introduction**

Levington is a small rural village overlooking the river Orwell and Levington Lagoon Nature Reserve:

*Simply one of the best places for estuarine birds on the Orwell. .... This sensitive site is a magnet for breeding, wintering and passage estuarine birds of which there are exceptional numbers and variety..... Levington Lagoon is cared for by Suffolk Wildlife Trust*

<https://www.suffolkwildlifetrust.org/levingtonlagoon>

Levington village is designated a Small Village in the Suffolk Coastal Local Plan - Policy SCLP3.2: Settlement Hierarchy; it covers 5km<sup>2</sup> and has a population of 252, 43% of which are 60 years or older.

The Parish Council recognise The Ship is a valued entity in our community; it has a strong reputation both within the community and far beyond. Many residents frequent The Ship.

The Ship recognise the unique tranquillity of Levington:

*Embrace the essence of Suffolk at our beloved public house in Levington. Nestled amidst the picturesque landscapes and surrounded by the soothing waters of the River Orwell, The Ship beckons you with its timeless allure and inviting atmosphere. Indulge in refreshing ales, delectable seafood, and unforgettable moments with friends, all while soaking in the riverside charm of Levington. Come aboard and make memories to last a lifetime*

## **Setting**

The Ship is a historic thatched building with Grade 2 listed status. It is located next to the church; these two buildings are the photogenic icons of the village of Levington, from both land and the river Orwell.

The Ship is located on Church Lane at the top of the hill leading down to Stratton Hall Drift. Travelling from Bridge Street, Church Lane is a narrow lane – less than two vehicles wide and involves a sweeping left-hand bend along the Church boundary which comprises of a very tall brick wall. As such, the bend is a blind bend. There is a narrow pavement on the opposite side of the road which begins at Trickers Wood and ends opposite The Ship.

Church Lane has a 30mph speed limit, with an advisory 20mph sign located before the bend at the entrance to Trickers Wood. Past The Ship, Church Lane towards Stratton Hall Drift reduces to one vehicle width, down a steep hill. This part of Church Lane and into Stratton Hall Drift is a designated Quiet Lane.

Church Lane is part of a designated cycle route, and in addition to cyclists, is frequently used by pedestrians and horses (there are several equestrian facilities on the outskirts of the village).

The Ship has a car park at the rear. It is accessed via a single-track driveway between the Church and The Ship. This driveway also provides access to the Church and a residential equestrian property. The junction of this driveway and Church Lane is a safety challenge. Vehicles exiting the driveway do not have a view to the right along Church Lane alongside the Church wall, and a very limited view to the left along Church Lane down the hill.

Directly opposite this junction is a track which comprises a footpath to the river and private vehicle

access to the rear of properties on Church Lane. This footpath is very popular with walkers, many of whom use The Ship car park – the only parking available in the village (The Ship advertises – *Whether you're looking for a hearty meal after a long walk with your dog...*).

Pedestrian entry into The Ship is presently via the front door, meaning people who have just parked their car in the car park have to navigate the narrow driveway with vehicles trying to enter or exit, and its junction with the road is often busy with walkers exiting the footpath from the river.

Levington does not have any parking facility in the village except for The Ship car park. The roads are narrow and without kerbs. Roadside parking in any part of the village reduces the road width to one vehicle at best, in some places it is not possible without blocking the road. There is very evident damage to roadside verges caused by vehicles.

Levington does not have a train station and is served by one bus per day; most people have no option but to drive to or from the village.

### **Context**

The aims of the Parish Council Mission Statement:

- Ensure our historical, cultural, geographical, and natural assets are identified, protected and enhanced for current and future generations
- Establish and maintain a village plan that reflects the unique environmental and historic characteristics of our Parish and its surroundings
- Support initiatives to enhance the health, security and cohesiveness of our community, and to support individuals and families in need
- Ensure the Parish is welcoming to visitors who wish to enjoy its environment and surroundings and who contribute positively to its peace and prosperity
- Act effectively within the legal framework of local government to deliver these aims and ensure the social, economic and cultural needs of our community are met

Last year the Parish Council examined the issue of speeding in the village of Levington, the two main sites being the entry into the village along Bridge Street – a derestricted road to a 30mph limit, and Church Lane outside the Church – a 30mph limit. Residents had informed of many 'near-misses' along Church Lane, both compromising pedestrian safety while using the pavement or in the section of Church Lane between Bridge Street and Trickers Wood where there isn't a pavement and pedestrians use the roadway.

Suffolk Constabulary were consulted, and the problem was defined as 30mph being too fast for that section of road due to its width, the blind bend, the restricted access point to The Ship car park, and road use by pedestrians, horses, and cyclists. It was established that if the speed limit were reduced to 20mph this would not be enforced by the police; the only viable option was to create a 20mph zone which would involve the installation of traffic calming measures. This was not pursued as a) it was seen as urbanisation and contrary to our mission, and b) it would be an expensive venture that the Highways Authority would be unlikely to prioritise. The Parish Council were left without a viable solution to this problem.

The Parish Council has previously raised concerns with the Highways Authority in relation to road safety, which has resulted in a central white line being installed at two locations in the village. Church Lane was another site of concern – Highways could not install a central white line as, in their view, the road was not wide enough to constitute two lanes.

### **The outcome of the Parish Council Planning Meeting**

The Parish Council recognise The Ship as a valued entity in the village as well as the challenges of operating as a viable business in the present economic environment. However, it also recognised that The Ship is presently a bustling pub and recent alterations particularly to the beer garden have already increased capacity. Information was provided by residents of both the pub and the car park regularly being full.

The Parish Council recognise the existing capacity of The Ship as:

- 60 internal covers
- 64 covers on the rear patio
- 16 covers on the front patio
- 90 covers in the beer garden
- 230 covers in total

As such, it is recognised most patrons are from beyond the village.

The application seeks to increase the above by:

- 70 internal covers
- 60 external covers
- 130 covers in total – a 57% increase

The public and the Parish Council agreed they wanted to support The Ship, but the key challenges with the application as submitted are its scale and absence of detail of how resulting issues would be mitigated. To consider the question of ‘when does The Ship become too big for its surroundings’, it was agreed this application seeks to do that.

The Parish Council recognise the possible increase in employment at The Ship because of this application, and how that may be seen as compliant with Suffolk Council’s strategy for growth. However, the Parish Council recognised that as is presently the case, these new jobs are unlikely to be desirable to residents, meaning most will be occupied by people outside of the community.

The Parish Council recognised the plans submitted with the application were vague at best and lacked any comment or detail on important and obvious issues such as traffic volume/road safety, car parking, limited access, noise, lighting.

One resident informed the meeting of their conversation with the architect about the plans that day. The architect acknowledged the plans needed significant remodelling, for example in relation to disabled toilet facilities and workable disabled access to the building. This remodelling when explained to the meeting by the resident evidenced the plans presently before the Parish Council for consideration were inadequate and were likely to change significantly.

It was disappointing that neither the applicant nor their representative were in attendance to help explain, reassure, and hear from the public.

The points of objection are:

#### **1. Growth**

This is an application for growth – a 57% increase in capacity. The SCLP vision contains some aspects relevant to this application:

*'Maintain and sustainably improve the quality of life for everyone growing up in, living in, working in and visiting East Suffolk'.*

*'Significant levels of growth which maintain the distinctive character and role of settlements, while conserving and enhancing the built, historic and natural environments will have been planned for and delivered.'*

*'The stronger and more diverse economy will provide more and better paid local earnings and job opportunities, ensuring that people can stay within their communities.'*

*'Appropriate growth in rural areas that will help to support and sustain existing communities.'*

The Parish Council is clear that this growth is not needed by and will not help to support and sustain our community, it only serves the commercial interests of a private business. Indeed, because of the subsequent points of objection listed, this application poses a key threat to the quality of life of the residents of Levington and detracts from, rather than improves the distinctive character and natural environment of Levington.

## 2. Traffic volume / road safety

A 57% increase in covers and associated deliveries, will naturally result in a significant increase in vehicular traffic and the Parish Council are extremely concerned about this. This will dramatically change the character of the village and the quality of life of residents – no longer will The Ship be *"Nestled amidst the picturesque landscapes... and riverside charm"*.

It was noted that Highways Authority had yet to submit a response to the application. This must be a key consideration for the Highways Authority.

The Planning Authority has pledged to not adjudicate on the application until receipt of Highway's response, and the Parish Council were offered an extension to their submission pending this. The Parish Council decided to continue and ask the Planning Authority to:

1. Keep to their pledge to await the Highways Authority's response before adjudicating
2. Provide a copy of this objection to the Highway Authority so they are aware of the detail contained prior to making their response.

The context of the location and associated road safety issues is recorded above.

## 2. Single-track driveway entrance/exit to the Ship

The absence of any acknowledgement of this as an issue is concerning; this must be a core consideration in this application. There are 2 key elements to this issue:

1. The safe transfer of the public into and out of the site presently is problematic, such an increase in covers and thus vehicles will exacerbate this and will create a backlog into the road affecting the road safety issue above, and altering the character of the village.
2. The safety of pedestrians using this access to transfer from the car park to the front door or to the footpath for a walk to the river; this should include disability consideration also.

The Parish Council have grave concerns about the inadequate access to the car park, the absence of acknowledgement and any mitigation intended.

## 3. Car Parking



Present information shows the car park is only suitable for the existing capacity of The Ship. No acknowledgement is made in the application of the additional car parking capacity needed because of the increase in the pub capacity, nor arrangements to mitigate this (extension of the existing car park). The public were particularly concerned about the car park being extended into existing meadow land and thereby it's destruction, should this become part of the plan.

Sufficient car parking is a core concern for the Parish Council – insufficient provision will push patrons onto the roads to park. The viability of this is recorded above, and the implications are an adverse impact upon road safety, and a change of character to the village, impacting on quality of life for residents.

The Parish Council request:

1. Highways Authority consider this when forming their view on the viability of the Application
2. The Planning Authority require sufficient provision as a condition of the application

In conversation with residents the applicant / their representative has informed there is no intention of the car park being subject to charging, such is the case at other pubs in the Deben Inns group. The Parish Council would like the Planning Authority to consider a condition that if charging is introduced, patrons are refunded the cost to prevent a motivation to try to park elsewhere to avoid charges.

#### 4. Light Pollution

Several residents informed of disturbance of existing lighting at night from The Ship into their homes / bedrooms, as flood lights are presently used by The Ship. Management at the Ship have been repeatedly informed about this, yet it continues.

The Parish Council recognise the reassuring comments in the Planning Applications about lighting, specifically that flood lights will not be used. Concerns about this are not resolved given existing practice.

#### 5. Noise Pollution

The Parish Council is concerned about additional noise due to:

1. The increase in traffic accessing to the Ship, including the likely horns and reversing due to the inaccessibility of the single-track driveway
2. The increase in traffic travelling over the gravel surface of the single-track driveway and car park
3. The addition of a new gate to the side beer garden and the noise it is likely to create open and closing with each pass
4. Increased vehicular associated noise - cars accessing and leaving the car park, car doors banging, additional noise from visitors' voices when accessing and leaving

The Parish Council would welcome some kind of mitigation to deal with the issue of noise.

#### 6. Sewerage

Levington and Stratton Hall parishes experience considerable difficulties with water and drainage problems. There is a history of sewerage backing up downstream of The Ship, such

that Anglian Water had to install and maintain a one-way valve at one dwelling.

The increase in dining proposed by this application will create two pressures:

1. Increased toilet use
2. Increased kitchen sink waste

The Parish Council have grave concerns about the fragility of the sewerage system and request:

1. The Planning Authority include Anglian Water as a consultee to this application, with a copy of this objection to sight them on issues
2. The Planning Authority require the applicant to make provision in the application for congealed fat to be diverted away from the sewerage system

### **Non-Material Considerations**

The Planning Applications do not provide sufficient provision for people with disabilities. This includes:

1. Access to the building from the car park – presently over a gravel surface
2. Access into the building
3. Toilet facilities
4. Access within the building to toilet facilities

### **Consultative process**

The Parish Council recognise key parties have not been included as consultees by the Planning Authority. These are:

1. Sarah and Fiona Heath The Paddocks, immediate neighbour (also owns the Holly Lodge)
2. St Peters Church Levington, immediate neighbour
3. Anglian Water – responsible for the sewerage system

The Parish Council request the above 3 parties are included as consultees by the Planning Authority.

In the expectation that the existing plans will be changed, the Parish Council request opportunity to be consulted fully on subsequent plans, including opportunity to hold another meeting with the public.

The Parish Council hopes the scale of the development as presented is recognised as being too significant, and that a further application is submitted of more appropriate size, together with recognition and effective mitigation of the above concerns.

### **Non statutory consultees**

Consultee	Date consulted	Date reply received
Anglian Water	6 November 2023	6 November 2023
Summary of comments: Standardised response of no comment.		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	12 July 2023	18 July 2023
Summary of comments: Comments included within officers considerations.		

### Reconsultation consultees

Consultee	Date consulted	Date reply received
Levington Parish Council	4 October 2023	20 October 2023
<p>Summary of comments:</p> <p>Levington and Stratton Hall Parish Council held a Planning Meeting on Thursday, 12th October 2023 to which 5 members of the public were present. Parish Councillors voted to OBJECT to the two applications is based on the original submission which was made and also the amendments submitted by the applicant primarily based on comments made by Suffolk County Council Highways. Please see copy of the original submission made by Levington and Stratton Hall Parish Council.</p> <p>The following are the additional comments the Parish Council wish to make which relate to the changes the applicant are proposing to issues highlighted by Suffolk County Council Highways.</p> <p><u>Increased Traffic</u></p> <p>The number of potential increased customers' needs to be addressed. Levington has had numerous issues with speed on very narrow roads with poor visibility and little or no footpaths. There are many walkers and horse riders. The impact of doubling the capacity of the seating areas will obviously affect the very narrow lanes.</p> <p><u>Parking and Concealed Entrance</u></p> <p>The proposed parking reorganisation has several issues that do not seem to have been addressed:</p> <p>The dangerous entrance – Suffolk County Council Highways have not addressed this as an issue. The only requirements they have made are to provide cycle spaces, electric charging points and 1 parking space per 5 square metre. This equates to 32 car spaces and 8 staff parking spaces.</p> <p>Gravel – noise is an issue and however slowly people drive tyres slip and kick up the loose shingle. The Ship should adopt the plastic gridding to maintain the shingle in place. The steel markers will soon get covered by the loose shingle, then the allocated spaces will become haphazard and potentially cause overspill onto Church Lane at peak times.</p> <p>The amendments have been worked on averages, however, the applicant has not addressed the days the Ship is fully booked where the car park will not have the capacity.</p>		

The increase is potentially another 520 customers per day based on two sittings. Obviously this will alter dependant on the season, however there is not the capacity in the current car park for this level of customers.

Increased staffing, which is beneficial to the economy however these staff will not be employed from Levington due to the age range of employment within hospitality. This will also impact the amount of spaces in the car park, it has been submitted that staffing levels will increase by 50% taking staff up to 45 cars over a weekly period.

### Lighting

The flood lighting that is currently there has not been addressed so it's questionable if any new lighting will be any better.

### Trees

Ruth Chittock from the Senior Landscape Officer has highlighted that Tree C on the plans is being removed and trees A,B,D,E and H will have parking within their root protection area. She has requested a Arboricultural Assessment to confirm this which has been organised for next week. The applicants plans state that no trees are to be removed, however this again seems to differ from the plans.

### **Disability Provisions**

Residents have made comments on the ESC portal and an individual comment has come through re disability access. The shingle car park is very difficult for wheelchair manoeuvrability and the doors do not enable easy access. The amended plans do not show the surface of the new disabled parking spaces.

### **Environment**

The Ship is situated in AONB and plays a big part of Levington's beauty; it is a stunning building and has a prominent position next to St Peters Church. The increased number of people visiting Levington impacts the fragile infrastructure of the footpaths and number of dog walkers who do not clear up after their dogs. The Ship has removed the litter bin from outside the property.

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	4 October 2023	10 October 2023
Summary of comments: Comments included within officers considerations.		

## Publicity

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

Category	Published	Expiry	Publication
Listed Building	20 July 2023	10 August 2023	East Anglian Daily Times

## Site notices

General Site Notice	Reason for site notice: Listed Building Date posted: 17 July 2023 Expiry date: 7 August 2023
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## 5. Planning policy

National Planning Policy Framework 2023

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

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

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

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

## 6. Planning Considerations

### Heritage and Conservation

- 6.1. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses in considering whether to grant listed building consent for works.
- 6.2. The NPPF requires planning authorities to place great weight on the conservation of designated heritage assets, and states that the more important the asset the greater the weight should be. Any harm to or loss of the significance of a designated heritage asset should require clear and convincing justification. The statutory duties of The Act and heritage objectives of the NPPF are reflected in the Built and Historic Environment section of the Local Plan and the Historic Environment SPD.
- 6.3. The application is supported with a Historic Assessment Report from 2018 which considers the significance of the building, and the Design and Access Statement includes a HIA which considers the impact of the proposals. This is sufficient to satisfy the requirements of Paragraph 200 of the NPPF.

- 6.4. There has been piecemeal development of the site over the 20th century with various extensions, alterations and outbuildings added to support the use of the pub. The pub has continued to grow in popularity and a wider overhaul is now being proposed to meet growing demand and to improve the kitchen and dining facilities.
- 6.5. The proposal to utilise the existing 'accommodation block' is positive, re-using and extending an existing building. The largest of the proposed extensions would be to the northern and eastern elevations of this building, furthest from the original building. The accommodation block and dense vegetation along Church Lane mean that there are currently no views of the original building from the east. The church is also positioned to the west of the site. Therefore, the eastern elevation is the least sensitive in terms of impacts on heritage assets and it makes sense to locate the largest extensions in this position.
- 6.6. The original building remains unchanged and therefore there would be no impact to the historic fabric. Therefore, the main assessment of the proposal is on the impact to the setting of the listed building.
- 6.7. Consolidating the two existing structures to the east of the original building - the accommodation block and the outbuilding to the north - into a single linear form would be acceptable. The existing outbuilding overlaps with the original building in views from the north, the proposal would move this away to the east allowing the form of the original building to be more legible in this view. The increase in height of the northern element would be mitigated by this shift away from the original building and reading as a single element with the existing 'accommodation block'.
- 6.8. The extension to the east of the 'accommodation block' that would form the dining space has been broken up into two connected gabled elements. It would be traditional in scale and form but would have contemporary touches with gable windows, sliding doors and roof lanterns, this approach is acceptable, providing a contemporary contrast while being visually subservient.
- 6.9. The extension that houses the refrigeration units is now proposed to be expressed as a separate, weatherboarded 'shed'. Again, this avoids the need for a deep, lean to structure previously proposed and breaks up the massing of the extensions. This would have a north-south roof creating contrast with the dining room extension and contributing to the feeling of a collection of outbuildings rather than a single mass.
- 6.10. The kitchen extract flue would be accommodated on the eastern roof slope of the 'accommodation block' partly obscured within the valley between this and the refrigeration structure, minimising the visual impact of this often-prominent feature. It would be clad in matte materials to reduce shine which further mitigates its visual impact. The existing external space between the rear extensions and the accommodation block would be infilled with a flat roofed extension. There is an existing flat roofed extension on the rear of the original building so this proposal is to extend this northward. This would be acceptable as there would still be a recess between the existing northern extensions and the extended 'accommodation block' allowing the different elements to remain visually distinct.
- 6.11. An outdoor dining area is proposed to the east of the proposed dining room extension. This would be paved in sandstone and would connect with the side gate access to the front of

the pub allowing level access to the dining area without the need for interventions into the original building which is positive. There is a change in level to the east of the site so this external dining area would be raised approx. 1m from the lawned area to the east. The change in level would be softened by planting (full details to be agreed by condition), balustrades around the seating area would be required for safety, a simple metal fence is proposed, this is acceptable. The seating courtyard to the rear is proposed to be enclosed - details are required of this boundary treatment. Close-boarded fences should be avoided in favour of high quality, contextual treatments, no more than is required for safety/screening purposes.

- 6.12. The proposed extensions are substantial in scale but the massing has been broken up by the use of different roof forms. This has resulted in the current design where the site retains the sense of ad-hoc development of outbuildings surrounding the listed building. The gable roof form is repeated across the site creating the sense of distinct elements. These elements are connected by flat roofs to allow the uninterrupted internal space required by the business. The flat roofs are set back to ensure they are subservient and it is the gabled forms that draw the eye. The key view of the principal elevation of the original building and views of the original building when approaching along Church Lane will be unchanged by the proposals and the interior of the listed building will also not be impacted.
- 6.13. This application is judged to protect the architectural and historic interest of the listed building and its setting, and therefore meets the requirements of Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, policies SCLP11.3 and SCLP11.4 and the relevant provisions of the NPPF.

#### Other

- 6.14. A Listed Building Consent Application only requires consideration of the effect of the proposal on the fabric and setting of the listed building. Other concerns raised during the consultation period have been addressed under the associated application for planning permission DC/23/2694/FUL.

### **7. Conclusion**

- 7.1. As the design is acceptable and there is no harm to the historic interest of the listed building and its setting, the proposals are considered to comply with the policies listed above.

### **8. Recommendation**

- 8.1. Approval subject to the conditions below.

#### **Conditions:**

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

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

2. The works to which this consent relates shall be completed in all respects strictly in accordance with the Site location Plan, Proposed Layout Plan, Proposed South and West Elevations, Proposed East and North Elevations and Proposed Site Block Plan received 07/07/2023, for which consent is hereby granted, or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

4. Prior to commencement of any works, details in respect of the following shall be submitted to and approved by the Council as Local Planning Authority. The work shall be carried out in accordance with such approved details:

- Representative door and windows and details to show materials, finish, appearance, ironmongery, type of glazing, glazing bar profile

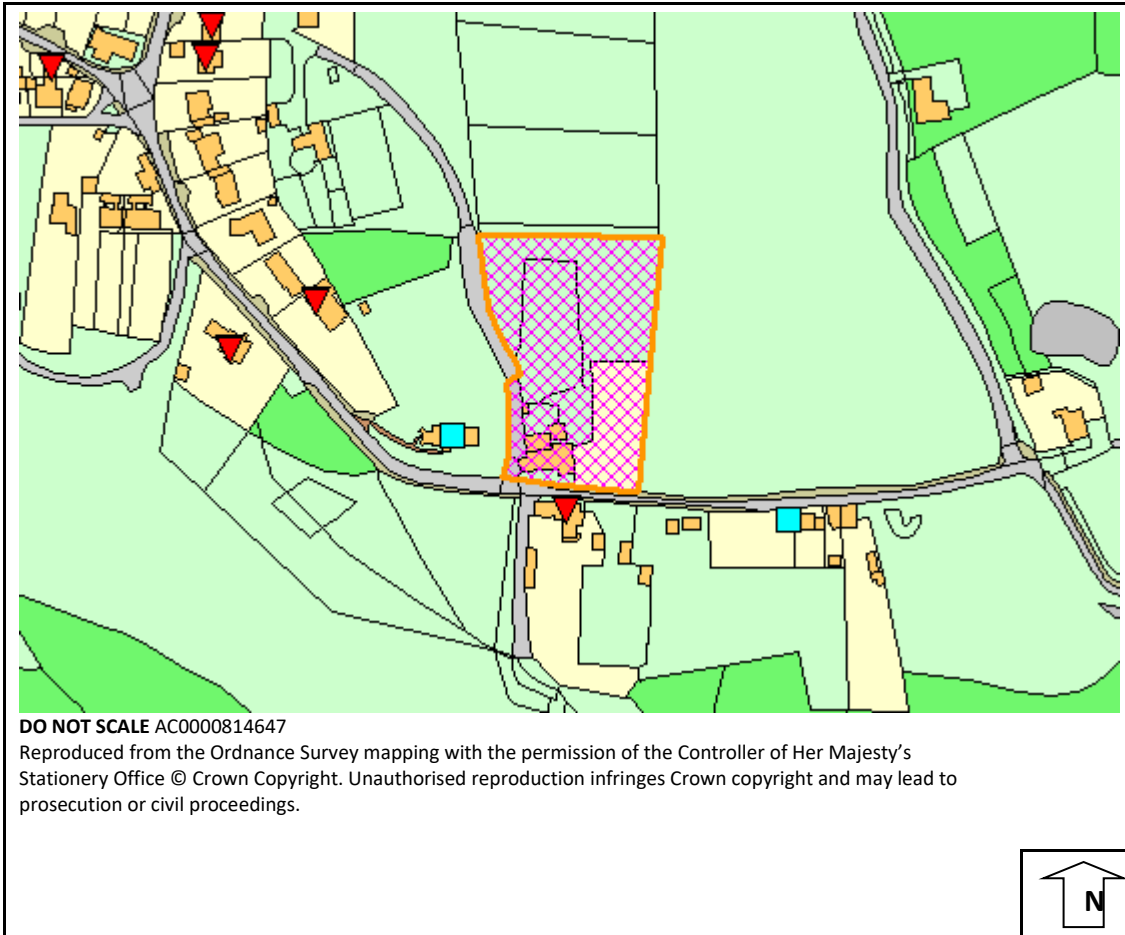
Reason: In order to safeguard the special architectural or historic interest of the building.

### **Background information**

See application reference DC/23/2695/LBC on [Public Access](#)



## Map



## Key



Notified, no comments received



Objection



Representation



Support

## Committee Report

**Planning Committee South – 6 March 2024**

**Application no** DC/23/3698/FUL

**Location**

Ford Gatehouse  
Ford Road  
Marlesford  
Woodbridge  
Suffolk  
IP13 0AS

**Expiry date** 30 November 2023  
**Application type** Full Application  
**Applicant** Mr Dominic Gravener

**Parish** Marlesford  
**Proposal** First floor extension and internal alterations  
**Case Officer** Jamie Behling  
07919 303788  
[Jamie.Behling@eastsoffolk.gov.uk](mailto:Jamie.Behling@eastsoffolk.gov.uk)

### 1. Summary

- 1.1. This application seeks planning permission to add a first floor to Ford Gatehouse, Ford Road, Marlesford.
- 1.2. The application was presented to the Referral Panel on 19 December 2023 as the officer recommendation of approval is contrary to the Parish Council's objection to the scheme. The Panel decided that the application should be determined by Planning Committee South due to the significant impact of the alterations on the character of the dwelling and the wider landscape.
- 1.3. The proposal is considered, on balance, to comply with the Development Plan and the application is therefore recommended for approval.

## 2. Site Description

- 2.1. Ford Gatehouse is a detached chalet bungalow located outside of a settlement boundary and therefore is within the countryside. The property has no immediate neighbours and is slightly set back from the road and features a single storey detached garage adjacent with a large garden to the rear. There is a public right of way (PRoW) which runs along the northeast boundary of the site. The site is located in the B6 Ore Valley landscape character area, which is defined by often steep valley slopes and a distinct valley floor containing the tightly meandering and treelined course of the River Ore.
- 2.2. The site has previously been granted permission for the wholesale replacement of the dwelling under ref. C/13/0785 in 2013. This was never implemented. Permission was also granted in 2019 for an extension to the property, raising the eaves and ridge, under ref. DC/19/1944/FUL.

## 3. Proposal

- 3.1. The current proposal seeks to erect a first floor over the main part of the original house and the extension directly to the rear. The first floor would accommodate four bedrooms, a bathroom, landing and ensuite. The roof would be finished in matching slate tiles with the walls being rendered and painted.

## 4. Consultees

### Third Party Representations

- 4.1. One representation has been received, from the Suffolk Preservation Society, making the following summarised comments:
- Given the historic links of the dwelling with the Wickham Market to Framlingham branch railway line, Ford Gatehouse could be a non-designated heritage asset.
  - The increase is excessive and will increase the prominence of the building in the surrounding river valley landscape.

### Parish/Town Council

Consultee	Date consulted	Date reply received
Marlesford Parish Council	11 October 2023	1 November 2023
Summary of comments: Marlesford Parish Council (MPC) is concerned about the considerable expansion proposed for the crossing -keeper's cottage on three counts.  Firstly, the location, in the fields just outside the village at the old railway crossing, means that the existing design and proportions fits in with the historic context of the site. A large property, isolated on its own would stick out like a sore thumb.		

Secondly, expanding a small single-story cottage into a large two-story house would degrade the housing mix of the village. MPC is aware of several young couples, who would have liked to remain in the village (and MPC believe would have enhanced the life of the village) have been forced to relocate in order to get their feet on the housing ladder. Changing a small cottage into a large house exacerbates this problem.

Thirdly, changing a small cottage into a large house statistically means more cars. Access to the site from either direction is via single track Quiet Lanes. We are against more traffic on our Quiet Lanes.

For the above reasons MPC opposes the application.

Please note that there is an error in the application. Under the heading "Site Visit", it is stated that the site cannot be seen from a public road or public footpath. In fact, the site is clearly visible from Marlesford Road.

Consultee	Date consulted	Date reply received
Hacheston Parish Council	11 October 2023	No response
Summary of comments: No comments received.		

#### Statutory consultees

Consultee	Date consulted	Date reply received
SCC Rights Of Way	11 October 2023	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	3 November 2023	21 November 2023
Summary of comments: No objections.		

#### Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	3 November 2023	8 November 2023 & 23 November 2023
Summary of comments: Comments received 8 November 2023: Concerned about scale of development proposed within a sensitive river valley location.		

Comments received 23 November 2023:

Further to my site assessment I have undertaken a brief assessment to establish potential landscape and visual impacts as a result of the development. Visual impacts are not considered to be significantly adverse, and there are opportunities for new hedge planting to better screen the site. Additionally, the existing residential curtilage is to remain the same so there will be no further expansion of the site into the countryside. Glazing and lighting should be carefully designed so as to reduce potential light spill into the surrounding river valley landscape.

## Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 12 October 2023

Expiry date: 2 November 2023

## 5. Planning policy

National Planning Policy Framework 2023

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

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

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

## 6. Planning Considerations

### Design, Visual Amenity, Street Scene and Landscape

- 6.1. The application proposes a large extension to the property resulting in a modest cottage becoming a two-storey dwelling. There is relevant planning history to take into account when considering this proposal, most notably that the Local Planning Authority permitted the dwelling's replacement (and therefore the loss of the existing dwelling) in 2013 and subsequently approved relatively large-scale extensions in 2019.
- 6.2. This proposal seeks to go further than what was previously granted in extending the dwelling by making it fully two-storey. The overall roof height would be 7.2 metres, with a depth of 11.5 metres. This however is smaller than the replacement dwelling permitted in 2013 which had an overall height of 7.7 metres and a depth of 17.5 metres. The width would be wider, but not to such an extent that it would substantially alter the massing of the building.
- 6.3. The enlargement is proposed on the existing footprint of the building and does not extend beyond this. The extension creates space directly above the existing ground floor of the main part of the house. The design is relatively simple, with a shallow pitched roof, standard window arrangement and rendered finish.

- 6.4. The Council's Senior Landscape Officer visited the site in order to make an assessment of the impact on the surrounding landscape. They noted the approach to the site from the west is well screened due to the sunken nature of the lane and the existing field boundary hedgerow, which is currently out of management, however, there are some wider views across from Marlesford Road. Close proximity views are possible from the public right of way (PRoW) opposite the site and on the approach from the east along Ford Road, however, existing garden trees help to soften these. Back garden trees and scrubby riverside vegetation help to screen views from PRoWs to the east and from the Church. The visual impacts of the proposal are not considered to be significantly adverse such that the application should be refused. The Landscape Officer highlighted potential gains which could be achieved through the development which included the replacement of a hedge at the front of the site.
- 6.5. The applicant however advised that they would not be agreeable to replace this hedge as the spray from the road damages the planting along the front. As this is not considered by officers to be necessary to make the scheme acceptable, this should not be conditioned as part of any approval.
- 6.6. The level of glazing on the proposal is not considered excessive and is deemed acceptable based on the location of the dwelling within a sensitive landscape area.
- 6.7. Overall the proposal, although substantially increasing the size of the property, would not significantly harm the appearance of the street scene or the character of the area. The character and appeal of the Ore Valley landscape character area is preserved with limited harm to the appearance of the wider landscape.

#### Residential Amenity

- 6.8. There are no nearby neighbours who would be affected by the changes. The proposal therefore would not harm the residential amenity of the occupants or neighbours and is compliant with policy SCLP11.2.

#### Landscaping/Trees

- 6.9. The proposal would not require any trees or vegetation to be removed in order to be completed.

#### Parking and Highway Safety

- 6.10. The site has sufficient space for the parking of three vehicles on site, which meets the guidelines for a four-bedroom property. The proposal is not considered to lead to such a substantial increase in vehicular movements that the development would be considered unacceptable due to being on a single track, quiet lane.

#### Flooding

- 6.11. The site lies within flood zone 1, with part of the site within 20 metres of a main river. The Environment Agency have been consulted but have no objections to the proposal, which does not see an increase in ground floor space.

## Other

- 6.12. There are no policies which restrict the enlargement of a property due to reducing the housing mix in an area. Although the Parish Council's concerns are noted, this is not a reason to refuse the application.

## **7. Conclusion**

- 7.1. The proposed design is much larger than the previously approved extension and not as attractive as the previously approved replacement dwelling, but on balance it is acceptable and would not substantially harm the wider landscape, or have any impact on neighbour amenity. The development is considered to comply with the policies listed above.

## **8. Recommendation**

- 8.1. Approval subject to the conditions below.

### **Conditions:**

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Proposed Floor Plans and Proposed Elevations, Block and Site Location Plan received 26/09/2023, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

### **Informatives:**

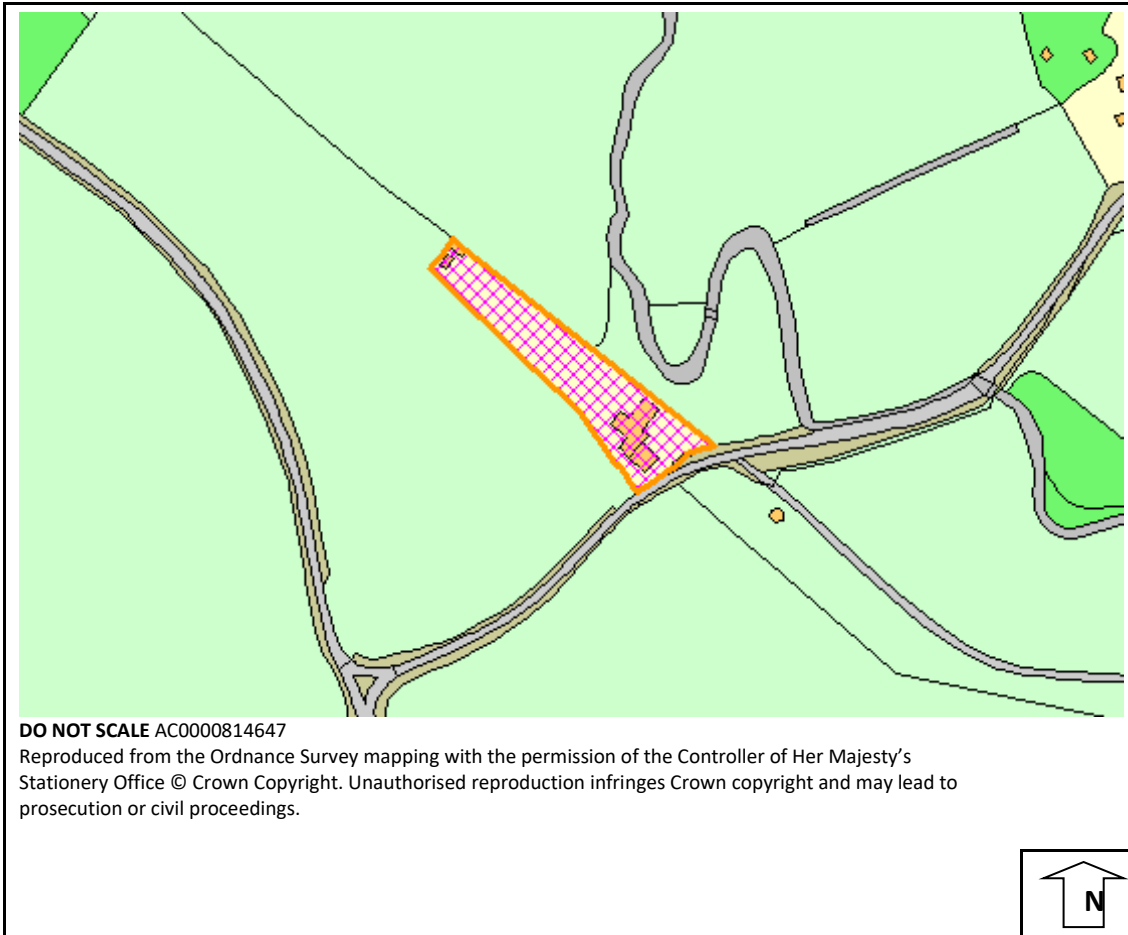
1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan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

## **Background information**





See application reference DC/23/3698/FUL on [Public Access](#)



## Map



## Key

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

## Committee Report

**Planning Committee South** – 6 March 2024

**Application no** DC/23/3760/FUL

**Location**

10 Levington Lane  
Bucklesham  
Ipswich  
Suffolk  
IP10 0DZ

**Expiry date** 7 December 2023

**Application type** Full Application

**Applicant** Mr Dennis Last

**Parish** Bucklesham

**Proposal** Retrospective Application - Erection of boundary fence

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

### 1. Summary

- 1.1. This application seeks planning permission for the retention of a boundary fence at 10 Levington Lane in Bucklesham.
- 1.2. The application was presented to the Referral Panel on 9 January 2024 as the parish council object to the scheme, contrary to officers' recommendation for approval. The Panel voted in favour of referring the application to Planning Committee South for determination.
- 1.3. The development is considered to comply with the Local Plan and the National Planning Policy Framework (NPPF) and is therefore recommended for approval.

### 2. Site Description

- 2.1. The application site is located within the settlement boundary of Bucklesham village, along Levington Lane. The site accommodates a detached bungalow set back from the road with off-road parking in the form of a driveway. A low-level wall surrounds the front boundary of

the curtilage with a timber fence added to the front wall. The surrounding built environment consists of bungalows of similar size, scale and design, with the Bucklesham Village Hall located to the south of the site. The site is not located within a conservation area or within the Suffolk & Essex Coast & Heaths National Landscape. No tree preservation orders affect the site. The erection of a replacement front porch and a single storey rear extension were approved under planning permission DC/20/0524/FUL.

### 3. Proposal

3.1. The application seeks planning permission to retain the timber fence that has been erected on top of the pre-existing low-level brick wall to the front of the property. The combined height is approximately 1.7m (0.73m high brick wall plus 95cm high fence above). It is located on the front boundary and approximately 12.4m in length. The fence is constructed from timber boards.

### 4. Consultees

#### Third Party Representations

4.1. Two third-party comments have been received, one objecting to the scheme and the other neither objecting nor supporting the application.

4.2. The neutral comments received wish to record that the Village Hall Committee have not at any point informed the applicant of their support for the fence, nor has the committee commented that it is a 'great improvement'.

4.3. Comments objecting to the scheme raise the following summarised concerns:

- Fence is out of keeping with the character of the area and would set an undesirable precedent.
- Loss of the hedge previously in situ as habitat for nesting birds and native wildlife.

### Parish/Town Council

Consultee	Date consulted	Date reply received
Bucklesham Parish Council	12 October 2023	2 November 2023
<p>Summary of comments:            "Bucklesham Parish Council wish to register an 'Objection' to the above application. A full meeting of the Parish Council was held on the 1st November 2023 where the above planning application was discussed. All Councillors had visited the site and had studied all planning documents in relation to the application. The conclusion to this meeting was that the Council wish to register an 'Objection' to this planning application. For the following reasons:</p> <ul style="list-style-type: none"> <li>• The Clerk had asked the neighbours for their opinions as the applicant had stated in their supporting documentation that the fence 'was commented upon as being a great improvement by all our neighbours including the Village Hall committee members'. Many neighbours had informed the Council of their own objections stating the fence 'was an</li> </ul>		

eyesore', 'was not in keeping with the lane', 'had resulted in the removal of substantial habitat', 'would set a precedent', 'was not of a high standard', and 'was certainly not an improvement, and we would never have said otherwise'.

- The height is a breach of development control as it clearly contravenes The Town and Country Planning (General Permitted Development) (England) Order 2015, stating a development is not permitted if;
  - i. The height of any gate, fence, wall or means of enclosure erected or constructed adjacent to a highway used by vehicular traffic would, after carrying out the development, exceed -
  - (ii) in any other case 1 meter above ground level;
- There has been the removal of natural habitat hedgerow and trees to erect the fence.
- There is a possibility of a precedent being set if permission is granted.
- Many neighbours are opposed to the fence.
- The Village Hall Committee (direct neighbour) has not supported the application.”

### Other consultees

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

Consultee	Date consulted	Date reply received
SCC Highways Department	28 November 2023	22 December 2023
<p>Summary of comments: Notice is hereby given that the County Council as Highways Authority does not wish to restrict the grant of permission due to the application not having a detrimental effect upon the adopted highway.</p> <p>Comments: We have reviewed the application taking all matters into account. Firstly, it does not appear that the fence shown would encroach on highway land, as the brick wall has been in place for over 10 years and as such any land ownership disputes would have been ongoing for 10+ years as a result. The visibility from both the access to the property and the access to the adjacent village hall do not appear to be affected by the fence installation, and both access' can still achieve the required visibility.</p>		

### Publicity

None

### Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 23 October 2023

Expiry date: 13 November 2023

## 5. Planning policy

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

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

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

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

National Planning Policy Framework 2023

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

## 6. Planning Considerations

### Visual Amenity

- 6.1. The fence occupies a prominent position within the streetscene as it is located on the front boundary wall. It has a material impact on the visual amenity of are area because it can be viewed from numerous public vantage points throughout Levington Lane. Concerns have been raised by a neighbouring property and by the Parish Council regarding the fence's incompatibility with the surrounding built environment and its harmful impact to the visual amenity of the area.
- 6.2. Although it would have been preferable for some vegetation to have been retained to soften the visual impact of the fence and maintain a degree of design continuity with the surrounding low brick walls and hedgerows/trees at no.5 and 8, the removal of vegetation is not development, and so does not require planning permission, and a lower fence could have been erected under permitted development rights without the need for formal planning permission.
- 6.3. Under Schedule 2 Part 2 Class A of the Town and Country General Permitted Development Order, a fence can be erected adjacent to a highway used by vehicular traffic up to 1m in height. The current brick wall does not fully extend up to 1m in height (it is approximately 0.73m), and therefore the applicant could have added timber panels so the combined height was up to 1m without planning permission.
- 6.4. This is a material fall back consideration, and therefore it is reasonable to consider the impact of the additional height above that which could be erected as permitted development. If the applicants had chosen to erect just approximately 0.27m of fence on top of the wall this could have looked rather odd in terms of proportion of fence to wall.

- 6.5. The additional 0.65m of fence above that which would be permitted development is clearly taller and therefore more visible. Ideally the fence would be lower in height, but in the view of officers the visual impact of this additional height in this particular context is not sufficiently harmful to the streetscene and character of the area as to warrant a refusal of the scheme.
- 6.6. It should also be noted that there is a section of large close-boarded fencing which is prominent along Main Road, opposite the junction with Levington Lane. Although this fencing is along rear boundaries, it still occupies a prominent position within the streetscene. Part of this tall close-boarded fence was approved at 15 St Mary's Park under DC/19/3960/FUL and was viewed as having an acceptable impact on the visual amenity of the area.
- 6.7. It should also be noted that a 1.83m high fence was approved along the front and side boundaries of 70 Levington Lane, under permission C/13/0884. That property is located further south than the application site but on the same road. It is on a junction and on top of a bank higher than the pavement, so the fencing is very prominent.
- 6.8. Whilst neither of these two existing fences are seen in the same view as the application site, they demonstrate that fencing over 1m in height has been permitted adjacent to highways in other nearby locations.
- 6.9. The currently sought fence does not extend as high as what was approved under DC/19/3960/FUL or C/13/0884, and the low brick wall has been retained which breaks up the appearance of the means of enclosure, therefore, officers are satisfied that the scheme is acceptable in terms of its surroundings, and so complies with SCLP 11.1.

#### Residential Amenity

- 6.10. The fence is located to the front of the property away from the nearest residential neighbouring occupiers at no.8 Levington Lane. Its modest height and distance from the occupiers at no.8 mean that it does not have an adverse overbearing impact on residential amenity or reduce the availability of light entering the habitable rooms of no.8. This complies with SCLP 11.2.

#### Ecology and Wildlife

- 6.11. It has been commented that the removal of the hedge has reduced the availability of habitats for nesting birds and local wildlife. East Suffolk's Ecology Team has been consulted on the application but has not submitted comments. Although the removal of the hedge is regrettable and preferably some soft landscaping would have been retained, the removal of the vegetation did not constitute development and could therefore be carried out without planning permission.

#### Highway Safety

- 6.12. Officers have considered the impact of the fence on visibility from the access to the property. Given the location of the previous hedge, up to the opening of the driveway, visibility is not so materially impacted by the timber fence that officers would view this as having an adverse impact on vehicular and pedestrian safety. The Highways Authority have

been consulted and have raised no objections, noting that the application does not have a detrimental impact on the adopted highway. The Highway Authority also comment that the visibility from both the access to the property and the access to the adjacent village hall do not appear to be affected by the fence installation, and both access' can still achieve the required visibility. This complies with SCLP 7.2.

## **7. Conclusion**

7.1. This application is acceptable in terms of all material planning considerations and complies with Policies SCLP7.2, SCLP10.1, SCLP11.1 and SCLP11.2 of the Local Plan and the relevant provisions of the NPPF.

## **8. Recommendation**

8.1. Approve subject to the conditions below.

### **Conditions:**

1. The development hereby permitted shall be completed in all respects strictly in accordance with the Location Plan received on 29.09.2023 and the Block Plan, dimensioned photographs, and applicant's email with photographs received on 12.10.2023, for which permission is hereby granted.

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

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

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

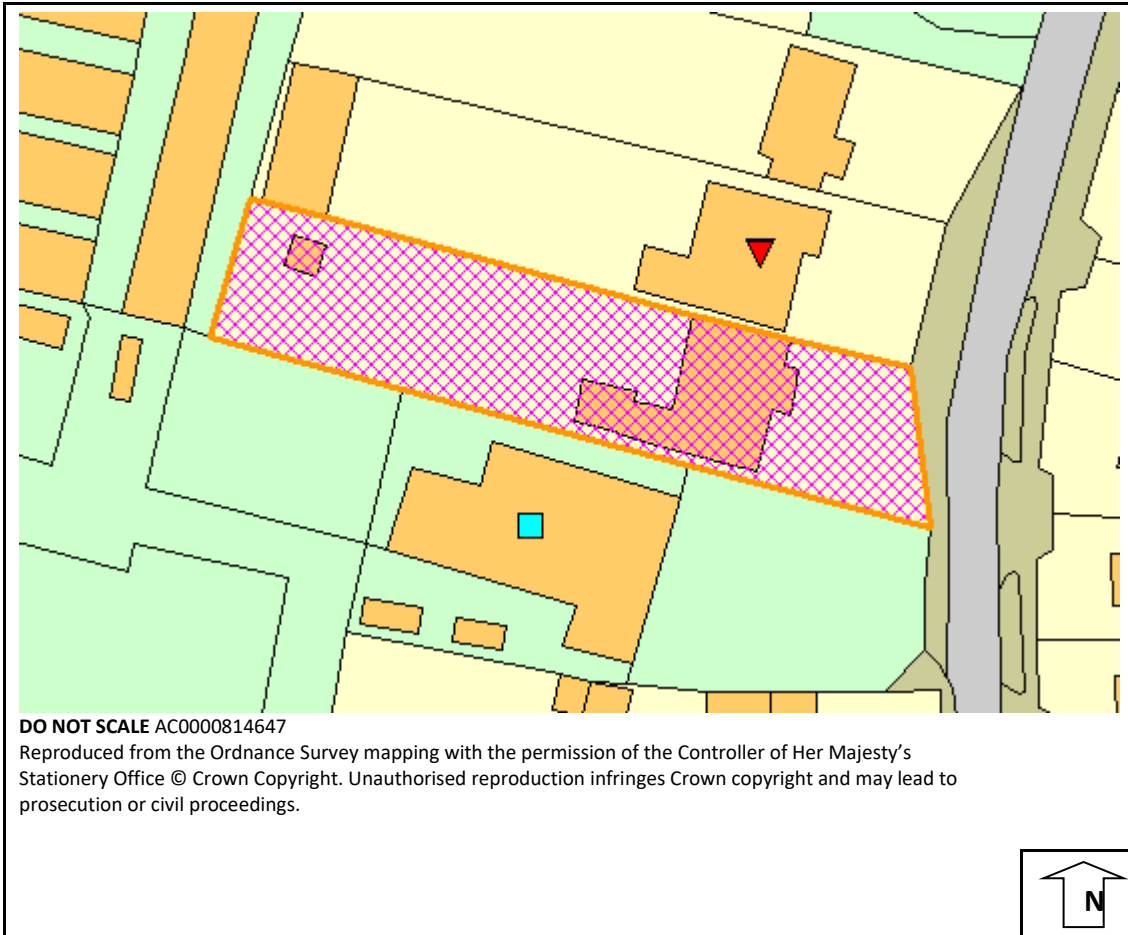
### **Informatives:**

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

## **Background information**

See application reference DC/23/3760/FUL on [Public Access](#)

## Map



## Key



Notified, no comments received



Objection



Representation



Support