



Planning Committee North

Members are invited to a **Meeting of the Planning Committee North** to be held in the Conference Room, Riverside, Lowestoft on **Tuesday, 14 May 2024 at 2.00pm**

This meeting will be broadcast to the public via the East Suffolk YouTube Channel at <https://youtube.com/live/zNORHhuaBp8?feature=share>

Members:

Councillor Sarah Plummer (Chair), Councillor Julia Ewart (Vice-Chair), Councillor Paul Ashdown, Councillor Paul Ashton, Councillor Andree Gee, Councillor Katie Graham, Councillor Graham Parker, Councillor Malcolm Pitchers, Councillor Geoff Wakeling.

An Agenda is set out below.

Part One – Open to the Public		Pages
1	Apologies for Absence and Substitutions	
2	Declarations of Interest Members and Officers are invited to make any declarations of interests, and the nature of that interest, that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.	
3	Declarations of Lobbying and Responses to Lobbying To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.	
4	Minutes To confirm as a correct record the minutes of the meeting held on 9 April 2024.	1 - 12
5	East Suffolk Enforcement Action - Case Update ES/1946 Report of the Interim Joint Head of Planning	13 - 29
6	DC/21/4006/OUT - Land South of Darsham Station, Main Road, Darsham ES/1947 Report of the Interim Joint Head of Planning.	30 - 78
7	DC/24/0695/FUL - Darsham Village Hall, Cheyney Green, Darsham, IP17 3FA ES/1948 Report of the Interim Joint Head of Planning.	79 - 89

Part One – Open to the Public		Pages
8	DC/24/0415/FUL - Box Bush, Seven Acres Lane, Walberswick, IP18 6UL ES/1949 Report of the Interim Joint Head of Planning.	90 - 102
9	DC/24/0416/LBC - Box Bush, Seven Acres Lane, Walberswick, IP18 6UL ES/1950 Report of the Interim Joint Head of Planning.	103 - 114
10	DC/24/0394/ADN - Oulton Country Park, Lime Avenue, Oulton, Suffolk ES/1951 Report of the Joint Interim Head of Planning.	115 - 119

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

Close



Chris Bally, Chief Executive

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democraticservices@eastsoffolk.gov.uk

Speaking at Planning Committee Meetings

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

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

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

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Unconfirmed



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, on **Tuesday, 09 April 2024 at 2:00 PM**

Members of the Committee present:

Councillor Paul Ashdown, Councillor Paul Ashton, Councillor Julia Ewart, Councillor Andree Gee, Councillor Graham Parker, Councillor Malcolm Pitchers, Councillor Sarah Plummer, Councillor Geoff Wakeling

Other Members present:

Councillor Katie Graham

Officers present: Katy Cassidy (Democratic Services Officer), Fabian Danielsson (Assistant Planner), Mia Glass (Enforcement Planner), Agnes Ogundiran (Conservative Political Group Support Officer), Rachel Smith (Principal Planner (Development Management, Central Area Lead)), Becky Taylor (Assistant Planner), Ben Woolnough (Interim Joint Head of Planning)

1 Apologies for Absence and Substitutions

Apologies for absence were received from Councillor Hammond. Councillor Graham attended as Councillor Hammond's substitute.

2 Declarations of Interest

Councillor Graham declared an other registerable interest and recused themselves from agenda item 6 as they were ward member and had been in discussion with the Parish Council regarding the item and visited the neighbouring property.

Councillor Ewart declared a non registerable interest in agenda item 7.

3 Declarations of Lobbying and Responses to Lobbying

There were no declarations of Lobbying received.

4 Minutes

Councillor Gee raised a point of order regarding P13 of the minutes, paragraph 8 should state "The Chair confirmed the angle test demonstrated that the adjacent property would be losing some light".

On the proposition of Councillor Ashdown, seconded by Councillor Pitcher

It was by a unanimous vote

RESOLVED

That the minutes of the meeting held on 12 March 2024 be agreed as a correct record subject to the above amendment and signed by the Chair

5 East Suffolk Enforcement Action - Case Update

The Committee received report ES/1919 of the Head of Planning and Coastal Management which provided a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 20 March 2024. At that time there were 17 such cases. The Chair invited the Enforcement Planner to comment on the report.

The Enforcement Planner advised that there was one update, which was for a new notice served on 19 March 2024 on 88 Bridge Road, Oulton Broad for the change of a single residential dwelling to the use of two holiday lets which would come into effect on 19 April with a 4 month compliance period if no appeal was lodged within the month.

The Enforcement Planner advised that there were no further updates to the report and the Chair invited questions from the members.

Councillor Ashdown noted that 2 The Street, Lound was due for compliance on 17 April but there was also a Certificate of Lawful Development (CLD) application that had still not been decided, questioning whether this would delay the rest of the buildings being taken off the site. The Enforcement Officer advised that this would be reviewed after the compliance period to take into account where the CLD was at, they were hoping that the CLD was issued before the review visit. The Principal Planner agreed to find out the details and update.

Councillor Ewart noted that the volume of enforcement cases and the resources available was discussed at the April Strategic Planning Committee.

On the proposition of Councillor Gee, seconded by Councillor Pitcher, it was by a unanimous vote

RESOLVED

That the outstanding enforcement matters up to 20 March 2024 be noted.

6 DC/24/0178/FUL - 12 Aldringham Park, Aldringham Cum Thorpe, Leiston, IP16 4QZ

The Committee received report ES/1916 of the Head of Planning and Coastal Management which related to planning application DC/24/0178/FUL.

The application sought full planning permission for the retention of a partly built structure and its completion into a sunroom.

The application was before the Committee at the request of the referral panel as it was considered that the views of the Parish Council should be discussed.

The Committee received a presentation from the Assistant Planner, who was the case officer for the application. The site's location plan and an aerial photograph were shared with the Committee, noting that the site was located in a largely residential area, although not within a settlement boundary and therefore for planning purposes it was deemed to be in the Countryside. The property was situated in the corner of a cul-de-sac with a sizeable garden to the front and rear of the property. The Assistant Planner pointed out the proposed rear extension alongside the partly built blockwork structure. The Committee was shown the plans from the previously approved planning application in 2022 as concerns had been raised regarding overdevelopment of the plot although the garden was considered large. The block plans, existing elevations and floor plans were shared with the Committee, showing the partly built structure and highlighting the dimensions. The Assistant Planner noted that the extension would be clad with grey cladding to match the existing property. Referring to the concerns regarding the scale of the development and the possible overbearing impact, the Assistant Planner showed photos demonstrating the view from the neighbouring property. It was noted that the extension would be set back to mitigate this and a condition had been added for the blockwork to be rendered and painted. The material planning considerations and key issues were summarised as design and residential amenity.

The recommendation to delegate authority to the Head of Planning and Coastal Management to approve the application for planning permission was outlined to the Committee.

The Chair invited questions to the Assistant Planner.

In response to a question from Councillor Ashdown, noting the comments in the report regarding the lanterns, the Assistant Planner confirmed that the three lanterns would not contribute to light pollution any more than that of the existing residential dwellings.

Councillor Gee sought clarification for the partially constructed part of the building and whether that was started with planning permission. The Assistant Planner confirmed that it was started without Planning Permission and there was an enforcement case on it leading to the applicant seeking permission. The Assistant Planner confirmed that the sunroom was in addition to the original garden room, and on a site visit the applicant had said that there were not plans to replace the garden room, however both still needed to be accounted for.

In response to a question from Councillor Ewart, the Principal Planner clarified the rules around permitted development and confirmed that this extension required planning permission for various reasons.

The Assistant Planner confirmed to Councillor Pitchers that the neighbouring property was just over 16 metres from the sunroom.

There being no further questions for the Assistant Planner, the Chair invited Councillor Wheeler from Aldringham Cum Thorpe Parish Council to speak.

Councillor Wheeler told the Committee that Aldringham Park was a development of 21 detached houses which were built in the 1970s with generous gardens providing an open aspect of each property. He noted that number 12 had been the subject of several alterations and additions which had resulted in a significant increase to the property's footprint. He added that the latest proposal would extend the normal flank wall of the property which was adjacent to the rear garden boundaries of its neighbouring properties – in particular number 4 where the development would dominate the entirety of their rear boundary. Councillor Wheeler asked the Committee to consider that number 12 sat above the level of number 4 and therefore the extension visibility was exaggerated due to the difference in level. Councillor Wheeler referred to the planning permission granted in August 2022 for the opposite side and stated that the present proposal would almost double the footprint of the property and would be disproportionate in scale, adding the Committee could see the concern from the photos that were shown. Finally Councillor Wheeler expressed concern regarding the light spill from the lanterns and asked should the Committee be minded to approve, that consideration be given to the removal of the lanterns or to incorporate suitable glazing to minimise the impact on neighbouring properties.

There being no questions for Councillor Wheeler, the Chair invited Stephen Skinner, the applicant, to speak.

Mr Skinner told the Committee that they never intended to mislead the Planning Committee and genuinely believed that what they had started was covered by permitted development rules, adding they had subsequently learned that it would have been more appropriate to apply to the larger house extension scheme and that would have avoided the need for this current retrospective application. Mr Skinner advised that the intention was to not use the sunroom as living space but instead it would be an unheated enclosed area accessible from the house to be used for overwintering plants and in the summertime easily accessible and linked to the garden. There would be no need for significant internal lighting within the sunroom, and therefore negligible threat of light spill, the purpose of the lanterns was to let in natural light and not to let electric light escape. He noted that the supporting wall was unfinished and looked unappealing at the moment and was more than happy to lighten the colour to benefit the impression to the neighbours. Mr Skinner told the Committee that the previous planning application approved 2 years ago could not be withdrawn, however they had no intention to build it as it would not be a practical addition to the house and was in the wrong place. Mr Skinner noted that the wall that they intended to build the sunroom off of was about 0.6 metres lower than the wall of the extension that had already been granted. Mr Skinner thanked the Committee for their time.

The Chair invited questions to the applicant, Mr Skinner.

In response to a question from Councillor Ewart, Mr Skinner confirmed that they had lived in the property since the summer of 2021. Regarding the options for light, Mr Skinner told Councillor Ewart that they were proposing to have three wall lights installed instead of ceiling lighting.

There being no further questions for the applicant, the Chair invited the Committee to debate the application that was before them.

Councillor Graham addressed the Committee as Ward Member, stating they disagreed with the interpretation that the extension would not have an adverse effect on the neighbouring property, noting that the property was not consulted at any point regarding the extension. Councillor Graham made a site visit prior to the Planning Committee and witnessed the construction in its current state from the neighbour's garden. Following that visit they felt that the photos shown did not convey the overbearing nature of the construction fully. Councillor Graham reiterated the comments from Councillor Wheeler that the housing estate was a development of detached homes and referred to the Suffolk Coastal Plan and Policy Point 11.1 which stated that the council will support proposed development that demonstrates a clear understanding of the local character of the built environment – the overall scale and development of house alterations and extensions should demonstrate consideration of the component parts of the buildings and the development as a whole in relation to its surroundings. Councillor Graham did not feel this was the case with this development and that the neighbours at number 4 were compromised and recommended refusal.

The Chair advised the Committee that Councillor Graham should have been invited to speak as an official speaker prior to the commencement of debate and this was noted as their speech and as such they would not be participating in the vote for this item.

Councillor Pitchers had particular concerns regarding the neighbouring properties, however having been reassured with the distance and having had the light issue explained, they were happy to accept the recommendation. Councillor Ashdown agreed and was happy to second the application.

Councillor Ewart stated that if the applicant had planning permission in 2022 they would have known in 2023/24 that they needed further planning permission, adding without being able to close the original approval the risk was that both buildings could be built and therefore they were against the application being approved.

Councillor Ashton expressed frustration at retrospective planning permission, however this application conformed with planning policy and therefore would follow the recommendation given and support it.

In response to a question from Councillor Gee, it was confirmed that the neighbours at number 4 were listed as consultees of the planning application.

In response to a question from Councillor Ewart regarding the possibility of the original 2022 planning being delivered along with the current planning application, the Principal Planner confirmed that the recommendation was made taking both

extensions into account and it all could be constructed. Given the size of the plot and the distance between the neighbours, they were satisfied that this would be acceptable.

The Chair moved the proposal to a vote. On the recommendation of Councillor Pitchers, seconded by Councillor Ashdown, it was by a majority vote

RESOLVED

To approve, subject to the conditions below.

Conditions:

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

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

2. The development hereby permitted shall be carried out in all respects strictly in accordance with:

Drawing No. 23172 1 (Site Plan)

Drawing No. 23172 2 (Existing Floor Plans and Elevations)

Drawing No. 23172 3 (Block Plan(s)/Site Layout - Existing)

Drawing No. 23172 4 (Proposed Floor and Elevations)

received 17th January 2024 ;, 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. With the exception of the northern elevation as referred to in Condition 4, 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. Within 6 months of the date of this permission, the rear (northern) elevation of the extension hereby permitted shall be finished in render and painted in Tinge of Silver (Armstead Trade). Thereafter, the render and colour shall be retained in this form.

Reason: In the interests of 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.

7 DC/23/4513/FUL - 23 Park Lane, Southwold, IP18 6HL

The Committee received report ES/1917 of the Head of Planning and Coastal Management which related to planning application DC/23/4513/FUL.

The application sought full planning permission for the removal of a flint and brick boundary wall and the construction of a new flint and brick wall and access gate in order to create an additional parking space. The application was before the Committee at the request of the referral panel as it was considered that the views of the Town Council should be discussed.

The Committee received a presentation from the Assistant Planner, who was the case officer for the application. The site's location plan and an aerial photograph were shared with the Committee showing the wall and site in context, noting that 23 Park Lane was listed and the garage and wall was built in the 1990s. The Assistant Planner told the Committee that given the likely historic nature of the rear wall and the listing of the main building, it was considered that the wall was curtilage listed and therefore a listed building consent application had been submitted alongside. Photos were shared showing the section of the wall to be removed the Committee was advised that the replacement wall would be constructed with materials reclaimed from the removal of the wall.

The existing block plan and existing and proposed elevations were shared, highlighting that the replacement wall was intended to be in a similar character to that being removed. The material planning consideration and key issues were summarised as visual impact, heritage, residential amenity and highways/parking.

The recommendation to delegate authority to the Head of Planning and Coastal Management to approve the application for planning permission was outlined to the Committee.

The Chair invited questions to the Assistant Planner.

Councillor Pitchers returned to the photo of the wall proposed to be knocked down and referred to the substantial hedge and whether that was going to be replaced as that would reduce the visual impact. In response the Assistant Planner noted it was a domestic garden and there wasn't any protection of the planting inside although the block plan showed a large shrub to be retained, this wasn't able to be conditioned.

There being no further questions the Chair invited the objector to speak.

The objector told the committee that they objected as they could not see the justification for another car parking space. The Grade 2 listed building was in a conservation area and already had a large garage and parking bay as well as parking in

front of the property and access to a carpark at the end of road. The objector stated if the open frontage was allowed to accommodate another car then the street scene would be changed forever, noting no other properties in Lorne Road had open frontage, this would be out of character and would spoil the views from the opposite properties. The objector stated that adding another car parking space at number 23 would take away space in Lorne Road which was currently available to all users, including disability badge holders. The objector told the committee that the road was extremely narrow with busy daily two-way traffic flow including heavy delivery vehicles and on one side of the road there was a large stretch with little or no pavement. The objector felt that the short distance available to reverse from number 23 would mean that they would be reversing within inches of their front fence and on to the pavement and pedestrian and traffic problems could occur. Finally, the objector felt that the original old wall could be affected during the removal as part of it was in number 23 and part was in the neighbour's garden.

The Chair invited questions to the objector.

In response to a question from Councillor Pitchers regarding the potential open frontage increase, the objector explained that part of the historic wall was within the property at number 23 and the rest was in the garden, adding if they were to remove the pier then the historical wall would be affected, and if they added another pier, two cars wouldn't access easily, they felt it was unnecessary.

In response to a question from Councillor Ewart regarding use of the garage, the objector commented that currently there was nobody residing in the property and the garage wasn't being used, adding at certain times parking was available on Lorne Road, however this development would affect the availability of that parking.

The Chair requested that the Assistant Planner shared the proposed block plan showing the historic wall and the line of the existing modern wall to be removed, this confirmed that the width at street scene level wouldn't change.

There being no further questions the Chair invited Councillor Wells of Southwold Town Council to speak.

Councillor Wells outlined Southwold Town Council's main objection which was that there was no net gain to the parking, although the plans appeared to show two car parking spaces, they were encroaching on to the garage. They added there was no need for extra parking at the property as it already had the garage and a parking space at the front of the property. Councillor Wells mentioned the issues from the County Council regarding traffic and noted that the plans shown did not truly represent the width of the road and the space needed to manoeuvre in and outside of the spaces there despite the fact that the frontage was not actually being widened.

There being no questions for Councillor Wells the Chair invited the applicant's agent, Mr Bennett to speak.

Mr Bennett noted that the Officer had covered everything and wished to reinforce that the street-scape along Lorne Road was not going to be altered, with the opening remaining essentially the same and the pier would maintain the structure of the wall

and finish it nicely on the edge. It was proposed to reuse materials and retain the planting that was there as part of the conservation area. They added that in Southwold it was always a good idea to take cars off the road and into sites, as mentioned in the Neighbourhood Plan, and this proposal allowed for it to be done sensibly.

The Chair invited questions to the applicant's agent.

In response to a question from Councillor Ewart, Mr Bennett confirmed that the proposal aimed to create two parking spaces instead of one in front of the garage.

There being no further questions, the Chair invited the Committee to debate the application that was before them.

Cllr Ashdown stated that the Committee had received a good description of the proposal and parking in Southwold was of a high premium. The application created off-road parking at the property and by retaining the wall material and the wall line there would be no effect on the street scene and was happy to recommend approval.

The Chair noted that two cars navigating in and out on a small road presented some concern. Councillor Wakelin agreed that navigating in and out could be difficult and clarified that at the front of the property it was on street parking with no driveway.

Cllr Pitchers seconded the proposal.

Councillor Ewart discussed the proposed parking arrangements alongside the potential parking space in the garage, the Chair clarified that the proposal was for two parking spaces.

Councillor Graham referred to the report and the number of residents that were displeased with the proposal adding that developments in a conservation area should seek to conserve or enhance heritage assets, which didn't appear to be happening here and therefore was minded to refuse it.

In response to a question from Councillor Wakelin regarding the historic wall, the Assistant Planner referred to photographs and noted that the pier was built to join the newer wall to the historic wall adding it was expected that the new pier and removal of the wall would affect the same parts of the wall and should not cause further damage to rear wall.

Councillor Ashton stated that the opening would remain exactly the same and the pier would be replaced with the same, the parking was restricted on one side completely and between 08:00 and 18:00 every day on the other side of the road, the Committee was here to make decisions based on planning policy and therefore completely supported the proposal.

Councillor Ewart questioned if there should be a proportional value between the size of the house and the number of parking spaces.

The Chair moved the proposal to a vote. On the recommendation of Councillor Ashdown, seconded by Councillor Pitchers, it was by a majority vote

RESOLVED

To approve, subject to the conditions below.

Conditions:

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

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

2. The development hereby permitted shall be carried out in all respects strictly in accordance with the following approved plans and documents for which permission is hereby granted:

- Drawing nos. Drwg.No. 162102 A received on 21 November 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. The use shall not commence until the area(s) within the site shown on Drawing No. 162/02A for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

Informatives:

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

8 DC/24/0163/LBC - 23 Park Lane, Southwold, IP18 6HL

The Committee received report ES/1918 of the Head of Planning and Coastal Management which related to planning application DC/24/0163/LBC.

The application sought listed building consent for the removal of a flint and brick boundary wall and the construction of a new flint and brick wall and access gate in order to create an additional parking space. The application was before the Committee at the request of the referral panel as it was considered that the views of the Town Council should be discussed.

The Committee received a presentation from the Assistant Planner, who was the case officer for the application. The slides were the same as those shown in the associated planning permission (agenda item 7) and the Assistant Planner notified the Committee that the associated listed Building Consent application was necessary as the historic wall at the rear of the building was old enough to be considered as curtilage listed and the removal and rebuilding of the pier would have an effect on the wall. The heritage team were consulted and did not consider there to be any impact on the listed building as the garden would be maintained and the construction would be of a size and in materials that would be appropriate for the listed building approval.

The recommendation to delegate authority to the Head of Planning and Coastal Management to approve the application for planning permission was outlined to the Committee.

The Chair invited questions to the Assistant Planner.

In response to a question from Councillor Gee regarding protection of the original wall, the Principal Planner confirmed that the consent was for the limit of the works within the proposal only and should any further alterations to the wall be planned there would need to be a further listed building application.

There being no further questions, the Chair invited the Committee to debate the application that was before them.

Councillor Ashdown recommended approval and Councillor Ashton seconded, adding the Design and Heritage Officers report made it clear there were no objections. It was by a unanimous vote

RESOLVED

to approve subject to conditions.

Conditions:

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

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

amended).

2. The development hereby permitted shall be carried out in all respects strictly in accordance with the following approved plans and documents for which permission is hereby granted:

- Drawing nos. 162102A received on 21 November 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

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.

The meeting concluded at TBC

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Chair



Planning Committee North

Title of Report:

East Suffolk Enforcement Action – Case Update

Meeting Date

14 May 2024

Report Author and Tel No

Mia Glass
01502 523081

Is the report Open or Exempt?	Open
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REPORT

The attached is a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has either been sanctioned under delegated powers or through the Committee up until 24 April 2024. At present there are 17 such cases.

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

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

The cases are organised into categories based upon current status:

A. Cases on which a formal enforcement notice has been served, and the compliance period is still ongoing. *3 current cases*

B. Cases on which a formal enforcement notice has been served and is now the subject of an appeal. *7 current cases*

C. Cases on which a formal enforcement notice has been served, upheld on appeal, and is now within a compliance period. *1 current case*

D. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and is currently the subject of court action. *0 current cases*

E. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and now in the period for compliance following court action. *0 current case*

F. Cases on which a formal enforcement notice has been served, upheld on appeal, and the period for compliance following court action has now expired, so further legal proceedings are being considered and/or are underway. *5 current cases*

G. Cases on which a formal enforcement action has been placed on hold or where it is not currently expedient to pursue. *1 current case*

RECOMMENDATION

That the outstanding enforcement matters up to 24 April 2024 be noted.

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

A.1

LPA Enforcement Case Reference	ENF/22/0133/USE
Location / Address	Patience Acre, Chenerys Loke, Weston
North or South Area	North
Date of Report of Breach	22.04.2022
<u>Nature of Breach:</u> Residential occupation of holiday let	
<u>Summary timeline of actions on case</u> 28/03/2023 –Breach of Condition Notice served. Comes into effect on the 27/04/2023. There is an ongoing appeal against refusal of planning application, DC/22/3482/FUL, therefore extended compliance given. 05/07/2023 - appeal against refusal of planning application refused.	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	27/04/2024

A.2

LPA Enforcement Case Reference	ENF/2018/0476/USE
Location / Address	Part Os 1028 Highgate Lane Dallinghoo
North or South Area	South
Date of Report of Breach	15.11.2018
<u>Nature of Breach:</u> Siting of a converted vehicle for residential use	
<u>Summary timeline of actions on case</u> 11/09/2023 - Enforcement Notice served. Comes into effect on the 11/10/2023 19/03/2024 – Extension of time given until May, due to ground conditions.	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	24.05.2024

A.3

LPA Enforcement Case Reference	ENF/22/0038/DEV
Location / Address	The Queen The Street Brandeston
North or South Area	South
Date of Report of Breach	11.02.2022
<u>Nature of Breach:</u> Change of use for the property from public house with ancillary accommodation to an independent residential dwelling.	
<u>Summary timeline of actions on case</u> 11/04/2024 -Enforcement notice served. Comes into effect on the 11/05/2024	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	11.05.2025

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

B.1

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

B.2

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

B.3

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

B.4

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

B.5

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

B.6

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

B.7

LPA Enforcement Case Reference	ENF/23/0129/USE
Location / Address	88 Bridge Road, Lowestoft
North or South Area	North
Date of Report of Breach	28.04.2023
Nature of Breach: Residential property split into two flats and used for holiday use	

<u>Summary timeline of actions on case</u>	
19/03/2024 - Enforcement Notice served. Comes into effect on the 19/04/2023	
11/04/2024 – Appeal submitted.	
<u>Current Status/Position</u>	
Awaiting appeal start date.	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

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

C.1

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

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

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

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

F.1

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

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

F.2

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

<p>17/10/2019 – Appeal Decision issued by PINS. Enforcement Notice relating to the Use of the land quashed and to be re-issued as soon as possible, Notice relating to the operational development was upheld with an amendment.</p> <p>13/11/2019 – Enforcement Notice served in relation to the residential use of the site. Compliance by 13/04/2020. Appeal then received in relation to the Enforcement Notice for the residential use</p> <p>16/06/2020 – Submission of Appeal Statement</p> <p>11/08/2020 - Appeal dismissed with some amendments.</p> <p>11/12/2020 - Compliance with notice required. Site visit subsequently undertaken. Enforcement Notices had not been complied with so case then pass to Legal Department for further action.</p> <p>25/03/2021 - Further site visit undertaken. Notices not complied with, file passed to Legal services for further action.</p> <p>2022 - Application for an Injunction has been made to the High Court.</p> <p>06/10/2022 - Hearing in the High Court granted and injunction with 5 months for compliance and costs of £8000 awarded.</p> <p>08/03/2023 - Site visit conducted; injunction not complied with therefore matter passed to legal for further action.</p> <p>30/03/2023 - appeal submitted to High Court against Injunction – awaiting decision from Court.</p> <p>10/07/2023 -Injunction appeal failed, 2 weeks given to comply with Injunction by 10am on 24th July.</p> <p>25/07/2023-Site Visit conducted; injunction not complied with. Information sent to legal team.</p> <p>22/02/2024 -Site visit conducted, required by the Legal Team.</p>	
<p><u>Current Status/Position</u> With Legal Team to take further action under the TCPA 1990.</p>	
<p>Date by which Compliance expected (or prosecution date)</p>	<p>24th July 2023</p>

F.3

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

<p>25/08/2022 - Site visit to check for compliance with Notices. File has been passed to the Legal Dept for further action.</p> <p>19/12/2022 – Court date set following non compliance at Ipswich magistrates for 30th January 2023.</p> <p>30/01/2023- Court over listed and therefore case relisted for 27th March 2023</p> <p>27/03/2023- Defendant did not attend, warrant issued, awaiting decision from court.</p> <p>31/07/2023- Defendant attended court, plead guilty to all charges and was fined £5134.78 in total.</p>	
<p><u>Current Status/Position</u> Considering legal options under the TCPA 1990, following court appearance</p>	
<p>Date by which Compliance expected (or prosecution date)</p>	<p>Depending on legal advice</p>

F.4

<p>LPA Enforcement Case Reference</p>	<p>ENF/21/0441/SEC215</p>
<p>Location / Address</p>	<p>28 Brick Kiln Avenue, Beccles</p>
<p>North or South Area</p>	<p>North</p>
<p>Date of Report of Breach</p>	<p>29.09.2021</p>
<p><u>Nature of Breach:</u> Untidy site</p>	
<p><u>Summary timeline of actions on case</u></p> <p>07/02/2022 - S215 (Land adversely affecting amenity of Neighbourhood) Notice served - compliance due by 11/06/2022</p> <p>17/06/2022 - Site visit undertaken to check compliance. Site remains untidy. Internal discussion to be held regarding further action. File passed to Legal Department for further action.</p> <p>21/11/2022– Attended court, defendant plead guilty, fined £120 and ordered to pay £640 costs and £48 victim surcharge. A Total of £808. Has until 24th February 2023 to comply with notice.</p> <p>10/03/2023- Site visit conducted, notice not complied with. Matter passed to Legal for further action.</p> <p>23/10/2023- Courts decided to adjourn the case for 3 months, to allow further time for compliance. Therefore, a further court date set for 15th January 2024.</p> <p>15/01/2024- Court appearance for prosecution for a second time for failing to comply with a Section 215 Notice. The defendant pleaded guilty and was fined a total of £1,100. The defendant has improved the condition of the site but not fully complied the notice.</p>	
<p><u>Current Status/Position</u> Considering further options.</p>	
<p>Date by which Compliance expected (or prosecution date)</p>	<p>Dependent on further discussions.</p>

F.5

LPA Enforcement Case Reference	ENF/20/0404/USE
Location / Address	200 Bridge Road, Lowestoft
North or South Area	North
Date of Report of Breach	24.09.2020
<u>Nature of Breach:</u> Change of use of land for the storage of building materials	
<u>Summary timeline of actions on case</u> 19/01/2023 –Enforcement Notice served. Comes into effect on the 20/02/2023 26/06/2023 –Site visited, notice not complied with, case will be passed to the legal team for further action. 23/10/2023 - Court found defendant guilty and fined a total of £4400. 11/11/2023 - Further compliance date set for 11 th January 2024. 15/01/2024 - Site visited, notice not complied with, case has been passed to the legal team to make a decision on what further action should be taken under the TCPA 1990.	
<u>Current Status/Position</u> With Legal Team	
Date by which Compliance expected (or prosecution date)	Depending on legal advice

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

G.1

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

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

Application no DC/21/4006/OUT

Location

Land South Of Darsham Station
Main Road
Darsham

Expiry date 23 November 2021

Application type Outline Application

Applicant M Scott Properties Ltd

Parish Darsham

Proposal A phased development for the erection of up to 110 residential dwellings, public open space and associated infrastructure.

Case Officer Phil Perkin
07585 123438
philip.perkin@eastsoffolk.gov.uk

1. Summary

- 1.1. This application seeks outline planning permission for up to 110 dwellings, public open space, and associated infrastructure. Details of the access into the site have been submitted for approval whilst appearance, landscaping, layout, and scale are reserved matters for future determination.
- 1.2. The East Suffolk Council (Suffolk Coastal) Local Plan Policy SCLP12.47 allocates the site for the development of approximately 120 dwellings and open space.
- 1.3. The proposal would deliver substantial public benefits that outweigh any harms arising. The number of dwellings proposed, at up to 110, accords with the plan-led approach to deliver sustainable housing growth in Darsham. The proposal is therefore in accordance with the Local Plan and the NPPF.
- 1.4. The application is recommended for approval subject to conditions and the completion of a Section 106 legal agreement to secure the necessary obligations.

2. Site Description

- 2.1. The Site extends to 7.46 hectares (18.43 acres) and is located to the south-west of Darsham. It is approximately 200m to the south of Darsham Railway Station, and less than 1km to the north-east of Yoxford.
- 2.2. The Site is approximately rectangular in shape and is contained on three sides by existing infrastructure and to the north by residential properties. The A12 adjoins the western boundary, with a mature hedgerow and trees enclosing the Site along the majority of this boundary. The Site's eastern boundary adjoins the Greater Anglia East Suffolk railway line, demarcated by a post and rail fence. To the south-east corner the Site adjoins a detached residential property and a small area of woodland. Westleton Road abuts the southern boundary, with a row of residential properties to the south. To the north, the Site adjoins the front and rear gardens of a residential property (10 Granary Cottages).
- 2.3. The Site is currently in agricultural (arable) use and is identified as Grade 2 within the Agricultural Land Classification. In terms of topography, the Site forms part of a spur of higher ground, which is aligned approximately north-west/south-east. Levels rise and fall across the Site, from around 17m AOD in the north-east corner of the Site, rising to around 23m AOD across the central ridge of the Site. It then falls to around 11m AOD in the south-west corner at the junction of Westleton Road and the A12.
- 2.4. Currently there is no existing vehicular access into the Site, with two informal agricultural accesses off Westleton Road to the south and a further access off the A12 to the north. There are no public rights of way crossing the Site.
- 2.5. The site does not fall within a designated landscape area and there are no listed buildings on the site. There are however five listed buildings in fairly close proximity to the site these being the Grade I listed Cockfield Hall, on the opposite side of the A12 to the site, and the Grade II listed Cockfield Hall Lodge, Trustan's Farmhouse, York's Tenement and Darsham Old Hall.
- 2.6. In January 2024, the parkland and gardens at Cockfield Hall at Yoxford were added to the Register of Parks and Gardens of Special Historic Interest in England at Grade II. The site was previously locally listed and also falls within the boundary of Yoxford Conservation Area which was extended in February 2020 to include the parkland.
- 2.7. Within the Suffolk Coastal Local Plan (September 2020) the site is allocated under Policy SCLP12.47 for the development of approximately 120 dwellings and open space.

3. Proposal

- 3.1. Outline planning permission with all matters reserved except for access is sought for the erection of up to 110no. residential dwellings, public open space, and associated infrastructure.
- 3.2. Details of the layout, scale and appearance of the development and its associated landscaping (the "Reserved Matters") are not submitted for approval as part of this application. Should outline planning permission be granted, these matters would be subject

of further application(s) for approval of reserved matters before development could proceed.

- 3.3. The application provides full details of the access arrangements in the form of a new vehicular access from Westleton Road and a Transport Assessment that has been reviewed by the County Council Local Highways Authority in their role as statutory consultee. A new 1.8m footway is proposed to the north of Westleton Road along the site's southern boundary and two new pedestrian crossings are proposed on the A12 via central islands to provide connectivity to Yoxford and to Darsham Station via the existing footway on the western side of the A12, which would be improved in places. The internal road layout is reserved for future consideration.
- 3.4. Whilst this is an outline application with all matters (apart from the access) reserved for future determination, the principle of development on the site is largely established through the allocation in the Local Plan under policy SCLP12.47 for approximately 120 dwellings and open space. Since the application was submitted officers have worked closely with the applicant's agent to establish development parameters and principles of design to fix certain aspects to guide any future reserved matters applications, should outline planning permission be granted.
- 3.5. The application is accompanied by a Framework Plan which sets out the key principles which it is expected will inform the detailed design at Reserved Matters stage. An Illustrative Masterplan demonstrates how the proposed quantum of development could be accommodated on the site.
- 3.6. The Illustrative Masterplan indicates that the majority of the houses would be located in the northern part of site with a smaller cluster of houses in the southern part of the site fronting Westleton Road. The remainder of the southern section would consist of open space to the west of the main access road extending up to the western boundary of the site. In total approximately 3.91ha of public open space would be provided across the site. Surface water attenuation basins are proposed in the two lowest points of the site, one in the north adjacent to the railway line and one in the south alongside Westleton Road.
- 3.7. The application is accompanied by the following supporting documents:
 - Design and Access Statement (incorporating the Sustainability Statement)
 - Form 1 - CIL Additional Information
 - Air Quality Assessment
 - Preliminary Ecological Appraisal
 - Bat Scoping and Activity Survey
 - Biodiversity Net Gain Assessment
 - 'Shadow' Habitat Regulations Assessment
 - Arboricultural Survey
 - Health Impact Assessment
 - Heritage Impact Assessment
 - Letter from Colchester Archaeological Trust regarding the Archaeology Assessment
 - Pre-application advice received by Suffolk County Council Archaeological Service
 - Landscape and Visual Impact Assessment (including Landscape Design Strategy)
 - Noise and Vibration Assessment

- Phase 1 Desk Study and Preliminary Risk Assessment
- Flood Risk Assessment and Drainage Strategy
- Transport Assessment
- Framework Travel Plan
- Statement of Community Involvement

4. Consultations/Comments

Third Party Representations

4.1. Two public consultation exercises were undertaken generating a total of 24 representations of objection, which raise the following considerations (inter alia):

- Westleton Road is highly used and too narrow to cope with all the extra traffic.
- Westleton Road is already dangerous to walk and cycle along and will flood from water coming down the new access road.
- The proposal needs an entrance directly off the A12.
- There are no proposed facilities for a footpath and cycle path on the west side of A12. The existing footpath is inadequate for parents with children etc.
- The proposed pedestrian crossings of the A12 are inadequate on such a major road, especially for those with reduced mobility.
- Traffic volumes have increased on the A12 and will increase further with proposed Sizewell C park and ride site.
- Shortening the deceleration lane into Westleton Road is non-sensical.
- Overlooking of properties along Westleton Road due to level differences.
- Car headlights shining into properties opposite the access road.
- Inadequate drains and sewerage infrastructure which is outdated.
- The application site boundary should include details of the surface water outfall.
- The scheme is flawed and should never have been included in the Local Plan.
- Poor residential environment abutting the A12 on one side and the east coast railway line on the other.
- A more appropriate site is to the south of Darsham Station on the west side of the A12.
- This development is too big and in the wrong place.
- The application does not conform to the requirements of Policy SCLP12.47.
- The site is environmentally sensitive adjacent to a Grade I listed building, historic parkland and conservation area.
- Darsham has already had its fair share of housing developments.
- Light, air and noise pollution.
- The local school does not have capacity. The doctor's surgery is busy and dentists hard to get into.
- Access/traffic (parking and road safety issues).
- Impact on views from Cockfield Hall.
- The apartment block will dominate and destroy the skyline and overshadow existing properties.
- Negative effect on wildlife and loss of green space.
- Poor connectivity resulting in housing cut-off from the Darsham and Yoxford and only accessible by car.
- The proposal will greatly change the character of the area.
- Disproportionate to the scale of the existing community.

- Visibly prominent and intruding negatively on the rural setting.
- Need for increased parking at the railway station.

Parish/Town Council

Consultee	Date consulted	Date reply received
Darsham Parish Council	1 September 2021 14 June 2023	28 September 2021 26 June 2023
<p>Comments:</p> <p>28 September 2021: Darsham Parish Council remains convinced that this development is on the wrong side of the road; there is adequate land to the south of Darsham station to the west of the A12 which would negate some of the objections and observations made further in this document. The decision to build 110 houses on the east side of the A12 because of its proximity to Yoxford village and Darsham railway station is flawed as it will inevitably make the A12 more dangerous than it presently is.</p> <p>If however this development is granted planning permission there are several areas which need to be addressed and changed.</p> <p>Policy SCLP2.2: Strategic Infrastructure Priorities <i>The Council will work with partners such as the other local planning authorities in the ISPA, Suffolk County Council, Clinical Commissioning Groups, Suffolk Constabulary, utilities companies, Highways England and Network Rail in supporting and enabling the delivery of key strategic infrastructure, and in particular the timely delivery of:</i></p> <p><i>a. A12 improvements;</i> <i>b. Improved walking and cycle routes;</i> <i>"Enhancements to existing infrastructure, and the provision of new infrastructure, are a central part of the strategy for growth over the Local Plan period" "These include improvements to the A12"</i></p> <p>The A12 at this point is just north of a new proposed roundabout at Yoxford and just south of a proposed park and ride, both necessary for the construction of Sizewell C. We believe that this will make the road , which is unlit and restricted to 40mph, less safe and less efficient as a through road.</p> <p>Policy SCLP7.1: Sustainable Transport <i>Development proposals should be designed from the outset to incorporate measures that will encourage people to travel using non-car modes to access home, school, employment, services and facilities. Development will be supported where:</i> a) <i>Any significant impacts on the highways network are mitigated;</i> b) <i>It is proportionate in scale to the existing transport network;</i> c) <i>All available opportunities to enable and support travel on foot, by cycle or public transport have been considered and taken;</i> d) <i>It is located close to, <u>and provides safe pedestrian and cycle access to services and facilities;</u></i> e) <i><u>It is well integrated into and enhances the existing cycle network including the safe design and layout of new cycle routes</u> and provision of covered, secure cycle parking;</i> f) <i>It is well integrated into, protects and enhances the existing pedestrian routes and the public rights of way network;</i> g) <i><u>It reduces conflict between users of the transport network including pedestrians, cyclists, users of mobility vehicles and drivers</u> and does not reduce road safety;</i> and h) <i>The</i></p>		

cumulative impact of new development will not create severe impacts on the existing transport network.

The submitted plans do not in our opinion deliver these priorities, quite the opposite. Placing bollards in two places of an unlit section of the A12 to allow pedestrians to cross to the footpath increases conflict between users of the transport network and is inherently unsafe. It does not improve connectivity. There were two pedestrian fatalities on this section of the road in 2006. If parents of children are to be encouraged to walk their children to school, probably in Yoxford, then they need to be certain it is a safe route. **For this reason a bridge over the A12 is necessary as part of this development.**

The current footpath on the western side of the A12 is extremely narrow, less than 1 metre and very overgrown, and is not suitable for both pedestrians and cycles as detailed in the Design and Access statement. **This would need to be upgraded as part of this development; the Travel Plan says it will upgrade this footpath, a measure that is vital for pedestrian and cyclist's safety.**

Policy SCLP7.2: Parking Proposals and Standards

7.13 Some people, either self employed, or as a condition of their employment, are required to take their work vehicle home with them. Modern vehicles tend to be bigger than the size of residential garages and parking spaces which means they are not always suitable or available for parking. Where possible the Council will encourage larger residential garages and parking spaces on new and renovated residential developments to help address this.

The D&A statement shows 244 parking spaces for 110 dwellings. There is no indication of whether these are purely parking spaces or garages. In addition previous developments (Hopkins and Moore) have had covenants that specifically prohibit work vehicles from being parked on the development. There is no mention of this in the D&A statement.

Policy SCLP9.2: Sustainable Construction

All new developments of more than 10 dwellings should achieve higher energy efficiency standards that result in a 20% reduction in CO2 emissions below the Target CO2 Emission Rate (TER) set out in the Building Regulations. Exceptions should only apply where they are expressed in the Building Regulations or where applicants can demonstrate, to the satisfaction of the Council, that it is not viable or feasible to meet the standards.

All new residential development in the plan area should achieve the optional technical standard in terms of water efficiency of 110 litres/person/day. The use of locally sourced, reused and recycled materials, along with on-site renewable energy generation are encouraged in order to achieve environmental net gain in new build or conversion developments. Development proposals are also encouraged to set out measures for minimising waste arising from the construction process.

We cannot find any reference to solar panels in any of the documentation and would like to recommend that these are included as part of this priority.

Policy SCLP9.7: Holistic Water Management

All development will be expected to demonstrate that water can be made available to support the development and that adequate foul water treatment and disposal already exists or can be provided in time to serve the development. Development will be phased to allow water and water recycling infrastructure to be in place where needed.

All new developments will be expected to incorporate water efficiency and re-use measures to maximise the opportunities to reduce water use. This includes, but is not limited to:

- a. Grey water recycling;*
- b. Rainwater harvesting; or*
- c. Water use minimisation technologies.*

Infrastructure that leads to a reduction in the amount of water released to the sewer system and allows for natural infiltration into groundwater tables will be favoured in this instance.

It is noted that the SCC Flood and Waste Water report has placed a holding objection to this development; and that mention of flooding of a neighbouring property has also been logged by a property in Westleton Road.

26 June 2023:

Policy SCLP2.2: Strategic Infrastructure Priorities

The Council will work with partners such as the other local planning authorities in the ISPA, Suffolk County Council, Clinical Commissioning Groups, Suffolk Constabulary, utilities companies, Highways England and Network Rail in supporting and enabling the delivery of key strategic infrastructure, and in particular the timely delivery of: a. A12 improvements; b. Improved walking and cycle routes; "Enhancements to existing infrastructure, and the provision of new infrastructure, are a central part of the strategy for growth over the Local Plan period" "These include improvements to the A12"

The A12 at this point is just north of a new proposed roundabout at Yoxford and just south of a proposed park and ride, both necessary for the construction of Sizewell C. We believe that this will make the road, which is unlit and restricted to 40mph, less safe and less efficient as a through road.

Policy SCLP7.1: Sustainable Transport

Development proposals should be designed from the outset to incorporate measures that will encourage people to travel using non-car modes to access home, school, employment, services and facilities. Development will be supported where: a) Any significant impacts on the highways network are mitigated; b) It is proportionate in scale to the existing transport network; c) All available opportunities to enable and support travel on foot, by cycle or public transport have been considered and taken; d) It is located close to, and provides safe pedestrian and cycle access to services and facilities; e) It is well integrated into and enhances the existing cycle network including the safe design and layout of new cycle routes and provision of covered, secure cycle parking; f) It is well integrated into, protects and enhances the existing pedestrian routes and the public rights of way network; g) It reduces conflict between users of the transport network including pedestrians, cyclists, users of mobility vehicles and drivers and does not reduce road safety; and h) The cumulative impact of new development will not create severe impacts on the existing transport network.

The submitted plans do not in our opinion deliver these priorities, quite the opposite. Placing bollards in two places of an unlit section of the A12 to allow pedestrians to cross to the footpath increases conflict between users of the transport network and is inherently unsafe. It does not improve connectivity. There were two pedestrian fatalities on this section of the road in 2006. If parents of children are to be encouraged to walk their children to school, probably in Yoxford, then they need to be certain it is a safe route. For this reason a bridge over the A12 is necessary as part of this development. The current footpath on the western side of the A12 is extremely narrow, less than 1 metre and very overgrown, and is not suitable for both pedestrians and cycles as detailed in the Design and Access statement. This would need to be upgraded as part of this development; the Travel Plan says it will upgrade this footpath, a measure that is vital for pedestrian and cyclist's safety

This upgraded plan does nothing to allay the fears about safety for pedestrians and cyclists. At times the proposed pathway is 1.2m wide ranging up to 3m wide in places. There is also the suggestion of removing the verges to allow the space for the footpaths, assuming from the information provided that this places the pedestrians right next to the A12 without any barrier between them and the traffic. This will not fulfil the brief of sustainability as parents with young children will not feel safe when walking their children to school in Yoxford. There is so much of this application that is unsatisfactory, if the developer wants to encourage sustainable travel then asking pedestrians, possibly with young children to share a not wide enough footpath with cyclists is not the way to achieve this. The upper crossing place appears to have had the bollards in the middle of the road removed to be replaced with dropped kerbs either side of the road. Our original submission suggested a bridge across the A12 due to the proposed position of the crossing point and the fact is it where it changes from 30 to 40 mph and is unlit. Obviously looking at these plans this has not been adopted.

Consultee	Date consulted	Date reply received
Yoxford Parish Council	1 September 2021 14 June 2023	22 October 2021 21 June 2023

Comments:

22 October 2021:

Yoxford Parish Council (YPC) objects to the Application on the following grounds.

PRELIMINARY

Local Plan Policy SCLP12.47: Land to the South of Darsham Station

It is accepted that the Site is specified within the Local Plan as land suitable for residential development, but was included - despite strong opposition from YPC, Darsham PC and local residents and in conflict with all good planning principles.

Whilst there is now a presumption in favour of development of the Site, there are several important criteria specified in the Policy to be achieved in order to allow development and these are clearly either ignored or not achieved in the Application:

- a) Residential use to be contained within the northern half of the Site alongside communal open space provision;
- e) Improved pedestrian and cycle connectivity with the station and Yoxford village will be required including a crossing point to provide links to the existing footway network;
- f) Vehicle access from the south of the Site through the southern half of the Site which is to be otherwise retained as agricultural land reflecting the rural setting in proximity to Cockfield Hall Park.

The underlined requirements of paragraphs a) and f) have been ignored in the Application and (for the reasons specified in paragraphs 2 and 3 below), even the rather vague, limited and (in our view) inadequate requirements of paragraph e) have not been achieved in the Application.

OBJECTIONS

1. The Application does not comply with the following Local Plan Policies

Policy SCLP2.2: Strategic Infrastructure Priorities

“The Council will work with partners such as the other local planning authorities in the ISPA, Suffolk County Council, Clinical Commissioning Groups, Suffolk Constabulary, utilities companies, Highways England and Network Rail in supporting and enabling the delivery of key strategic infrastructure, and in particular the timely delivery of:

- a) A12 improvements;*
- d) Improved walking and cycle routes...”*

No improvements to the A12 are proposed as part of the Application and, for the reasons given below, any improvements to walking and cycling routes proposed as part of the Application are totally inadequate.

Policy SCLP7.1: Sustainable Transport

“Development proposals should be designed from the outset to incorporate measures that will encourage people to travel using non-car modes to access home, school, employment, services and facilities. Development will be supported where:

- a) Any significant impacts on the highways network are mitigated;*
- b) It is proportionate in scale to the existing transport network;*
- c) All available opportunities to enable and support travel on foot, by cycle or public transport have been considered and taken;*
- d) It is located close to, and provides safe pedestrian and cycle access to services and facilities;*
- e) It is well integrated into and enhances the existing cycle network including the safe design and layout of new cycle routes and provision of covered, secure cycle parking;*
- f) It is well integrated into, protects and enhances the existing pedestrian routes and the public rights of way network;*
- g) It reduces conflict between users of the transport network including pedestrians, cyclists, users of mobility vehicles and drivers and does not reduce road safety; and*
- h) The cumulative impact of new development will not create severe impacts on the existing transport network.”*

The Application does not realistically address any of the requirements described in Policy SCLP7.1.

2. Disconnectivity:

- The Site is remote and disconnected from both Yoxford and Darsham;
- The Site should not have been included in the Local Plan because it is not consistent with policies in the Local Plan – any development of the scale proposed by the Application should be in existing settlements and development in the countryside should be limited to small scale. If, despite these

arguments, the Site is still considered suitable for development on the scale proposed, then much more detailed focus is required on changes to the Application in order to comply with the policies that make it suitable according to the Local Plan - especially sustainable transport (in particular walking and cycling);

- The Site is within Darsham parish but, due to the proximity to Yoxford parish, residents are more likely to use Yoxford's amenities;
- 110 dwellings is likely to result in over 200 residents, including 22 primary school children. The development is effectively a stand-alone village with no self-sustaining amenities;
- Residents would need to use an unsuitable and dangerous footpath/cycleway to reach Yoxford which is half a mile away;
- Residents would need to cross the busy A12 twice to reach the shop at Darsham petrol station;
- Residents are more likely to drive to these amenities which is not sustainable. The Application should include ways to provide safe pedestrian connections to Yoxford and Darsham to ensure vehicle use is not essential;
- The adopted Local Plan cites the shop at the petrol station as an amenity for this site however residents would need to cross the A12 twice and no central refuge has been proposed north of the railway station to enable a safe pedestrian crossing from west to east on the busy A12;
- Highways should require and the Application should include signalised pedestrian crossings and street lighting at central refuges to increase pedestrian safety;
- Highways should require and the Application should include a signalised crossing, or a central refuge, to enable pedestrians to cross the A12 safely at the petrol station as the existing dropped kerb is inadequate. It is not valid to cite the shop at the petrol station as an amenity for the Site if it continues to be unsafe for pedestrian access;
- We would also challenge the petrol station / shop as an amenity on the grounds that it may become unviable as more cars become electric;
- Highways to recognise that the proposed development will create many additional pedestrians accessing the petrol station shop both from the development and users of the railway station;
- The Application does not recognise and take account of the fact that should Sizewell C go ahead there will be additional pedestrians from the Northern Park and Ride site accessing the petrol station shop and traffic volumes will also be significantly increased on the A12;
- YPC does not accept that EDF Energy's traffic modelling is robust and up-to-date particularly during the early years of construction when traffic volumes will be significantly higher on the A12, the number of Abnormal Inadmissible Loads and Park and Ride buses will be significant, and during the construction of the Northern Park and Ride site and the Yoxford Roundabout;
- YPC does not accept and will require SCC Highways to provide evidence/assurance to demonstrate that its traffic modelling is robust for this development of the Site.

3. Unsuitable and Dangerous Footpath/Cycleway:

- The existing footpath from Darsham station to Yoxford is narrow and impassable in places for not only pedestrians but cyclists, wheelchair users and pushchair users;
- The skirting and hedges on the existing footpath are not regularly maintained by Highways, despite repeated requests from YPC;

- The existing footpaths runs adjacent to the busy A12 in places making it dangerous and frightening for users when vehicles, including HGVs, regularly exceed the 40 mph speed limit;
- Existing residents are reluctant to use the footpath because it is unusable and dangerous and, if they do so, they are forced to walk on the A12 in places during the busy daytime and in darkness;
- Many residents, including 22 children with parents, are expected to use the footpath daily to reach the primary school and Yoxford amenities;
- If parents and their children are uncomfortable about using the footpath they will drive to the primary school where local roads are already dangerously congested during drop-off and pick-up times;
- It is likely that residents, existing and new, will not use the footpath resulting in more journeys by car;
- Widening the footpath to 2 metres in places is still narrow for two passing cyclists, wheelchair users and pushchair users;
- From measuring the existing width of the footpath and also the width of any available adjacent highway land, it is not possible to widen the footpath to 2 metres in some places due to the unavailability of land, (owned by third parties);
- There is no available land to create a verge for the whole of its length to separate a widened (2m minimum) footpath from the A12.

4. Westleton Road Access:

- Existing residents have expressed concerns that the only vehicle access to the Site is from Westleton Road;
- Westleton Road is slow, narrow and winding in places and can be busy due to the Farm Shop and the main route to Westleton;
- There are concerns that extra volumes of traffic will cause a back-log at the junction;
- There are also concerns about the adverse impact on amenity of the Westleton Road residents and in particular the impact of light pollution from the headlights of cars exiting the development and shining directly onto existing houses on the opposite side of Westleton Road;
- Whilst not an ideal solution, the Applicant and SCC Highways should consider direct access to the Site from the A12.

5. Site Design:

- YPC objects to dwellings in the south east corner as opposed to the northern part of the site as set out in the adopted Local Plan;

- YPC will wish to ensure that no further future development will be permitted within the boundary of the site;
- YPC objects to three storey flats being outlined for the north east corner of the Site which does not seem logical in a rural setting.

6. Flood Risk:

- YPC on behalf of local residents is concerned about increased run-off from the developed Site contributing to flood risk. The residents’ concerns on flood risk are clearly borne out by experience;
- We note that the Applicant has carried out a flood risk assessment, but we are not technically in a position to assess and challenge its conclusions. We do therefore require and expect ESDC/SCC to do this and to confirm that the conclusions are robust. In the event they are not able so to confirm, then we will expect additional evidence to be provided by the Applicant. The extra capacity in the attenuation basins must be adequate to deal with all known and anticipated events and risks.

21 June 2023:

Following discussion at an Extraordinary Meeting on June 20th 2023, Yoxford Parish Council (YPC) sees insufficient shift, change or design mitigation in the application's amended plans of June 9th 2023 and so objects to the Application on the following grounds.

The comments were the same as those submitted 21 October 2021 above, except for:

3. Unsuitable and Dangerous Footpath/Cycleway:

- The existing footpath from Darsham station to Yoxford is narrow and impassable in places for not only pedestrians but cyclists, wheelchair users and pushchair users **and the submission in the amended Application, to widen it in places, remains insufficient to ensure its safety;**

Consultee	Date consulted	Date reply received
Westleton Parish Council	5 July 2023	10 July 2023

Comments:

We understand that the developers have made amendments to the application. Westleton Parish Council remains strongly opposed to the development and would wish to endorse the recent objections raised by Darsham Parish Council and Yoxford PC. In addition, although not a statutory consultee, I have been on your Public Access system this morning to formally register further concerns (reproduced below) which have been raised by Members of the Westleton Parish Council Planning Committee:-

RESPONSE OF WESTLETON PARISH COUNCIL

Westleton Parish Council remains very concerned about the scale and vehicle access design of the site. For completeness, appended is our response of April 2021 to the developer's consultation.

POINTS OF OBJECTION:

1. Significant potential traffic flow increase onto the already busy A12, and, the narrow/bendy Westleton Road. 110 residential units, with 2 vehicles per unit, could imply 220 additional vehicles, as the location is not particularly close to local amenities. 2 movements per vehicle for each unit per day implies more than 3000 per week (220 x 2 movements x 7 days). This would increase significantly accident risk on the A12 intersection, and on the Westleton Road, already busy with Emmerdale Farm Shop traffic and as a through road to the Suffolk Heritage Coast, from the A12. [Note the plans state 244 parking spaces on the site]

2. On the proposed plans, the exit onto the A12 does not have a dedicated lane for traffic turning right onto the A12. This means that traffic turning left will be held up behind the inevitable build-up of cars wanting to turn right, but having to wait because of passing traffic. Consequently, the absence of a dedicated left and right turn lane leading up to the A12 junction, will cause significant traffic congestion, and, air pollution. If Sizewell C is built, A12 traffic volumes will increase significantly exacerbating the safety, congestion and pollution concerns presented by the additional housing estate traffic.

3. It is already very dangerous for pedestrians to cross the A12, without taking into account the population increase associated with 110 proposed residential units. In the revised plan drawings, there are 2 marked crossing points on the A12, and 1 on the Westleton Road. It is unclear from a pedestrian safety perspective, how these would work in practice, and the impact on traffic congestion. (Zebra crossings or overhead walkways?)

4. The surrounding infrastructure is not sufficient to cater for the number of additional people in the proposed housing estate - the sewage system is already stretched for the surrounding area, schools are at capacity, and there is no pedestrian bridge across the A12.

5. The potential impact on wildlife and nature is negatively significant: - there are bats, slow worms, adders, grass snakes, newts, multiple bird species and many more around that land.

6. Overall the road from Westleton to Yoxford is very narrow and already dangerous with a significant volume of car, van and lorry traffic using this road as well as tractors, other farm vehicles, and caravans. In addition, there are large numbers of cyclists using the road going through to Dunwich etc. This project would cause a significant increase in traffic volume on this road, when the reality is we need less traffic.

APPENDIX Westleton PC April 2021 response to the developer's consultation:

'Westleton Parish Council is very concerned about the scale and vehicle access design of the site. We understand that the allocation has been made by the Suffolk Coastal Local Plan ' but we believe this is a poor decision as it is difficult to see how placing such a large number of properties so far from amenities can be considered appropriate. The residents will most likely use their cars for every journey as the nearest stores/services are simply too far away to walk to on a regular basis. This then means that there will be vehicle access in and out throughout the day from 110 properties (or even 120 as per the allocation) ' potentially at least 240 vehicles making 480 exits/entries. The plan proposes only one estate access point: onto the Westleton Road just before its junction with the A12. This is a wholly unsuitable design and we are very surprised that it has been considered by Highways ' it will cause congestion just before a main junction and so present a

very real road safety concern. At peak times, the congestion and road safety concerns will increase exponentially and cause traffic delays for Westleton residents using the Westleton road. The proposal does note that the 'Westleton Road will also be widened to along the site's southern boundary to provide a 1.8m footway' but makes no mention of the road itself which currently is hardly wide enough for two cars to pass easily. The pedestrians using the footpath will then be expected to cross the 40mph A12 to access Yoxford and Darsham villages (which as above we expect they will rarely do) and close to the slip road from the southbound A12 to the Westleton Road ' which will anyway be much busier as a result of the estate. Result: congestion and an accident waiting to happen.

Recognising that the allocation for the site has (inappropriately) been given in the SC Local Plan, the only acceptable solution is for the A12 to be a 30 mph zone from Yoxford to Darsham train station and for two additional vehicle exits be provided from the estate directly onto the A12. Exits from residences are already a feature of that stretch of the A12 (Granary Cottages) so this is a reasonable expectation.”

Consultees

The following summarises the most recent consultee responses. Previous responses can be found on Public Access:

Consultee	Date consulted	Date reply received
Historic England	10 September 2021 5 July 2023 6 March 2024	28 September 2021 19 July 2023 2 April 2024
<p>Summary of comments:</p> <p>28 September 2021:</p> <p>Cockfield Hall is a designated heritage asset being listed at grade II* and the significance of the hall is enhanced and positively contributed to by its surrounding parkland.</p> <p>Historic England have some concerns relating to the impact of the proposed scheme upon non designated heritage assets which could impact upon their significance. We therefore consider that the scheme has the potential to cause less than substantial harm, low in scale to their character and significance.</p> <p>19 July 2023:</p> <p>In our earlier advice dated 28th September 2021 we noted the presence of two historic parks in the vicinity of the development site but as these are not registered we defer to the Council to consider them. As regards the parkland setting of the grade II* listed Cockfield Hall we noted that it is well-screened along the line of the A12 road which would help reduce visual impact from the proposed development, but that enhanced screen planting might help this mitigation further. We leave that matter to the Council have no further comments to make on the application.</p> <p>2 April 2024:</p>		

Thank you for consulting us on the further documents submitted in support of the above application, including the Heritage Review and Framework Plan (submitted 5th and 11th March 2024 respectively). These have been produced since the Registering of the historic park and gardens to Cockfield Hall (at grade II) and are welcome additions. We do not have any specific further comments to make on the application and refer you to our earlier advice.

Consultee	Date consulted	Date reply received
SCC Highways Department	1 September 2021 28 April 2023 14 June 2023	24 November 2021 22 February 2024
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	1 September 2021 5 July 2023	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Natural England	1 September 2021 5 July 2023	30 September 2021 11 July 2023
Summary of comments: No objection subject to mitigation.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	1 September 2021 5 November 2021 29 April 2022 9 August 2023	3 September 2021 12 November 2021 11 May 2022 30 August 2023
Summary of comments: Approval of this application subject to conditions.		

Consultee	Date consulted	Date reply received
The Gardens Trust	6 March 2024	26 March 2024
Summary of comments: Thank you for consulting the Gardens Trust (GT), a Statutory Consultee with regard to proposed development affecting a site listed by Historic England (HE) on their Register of Parks and Gardens. We have liaised with our colleagues in the Suffolk Gardens Trust and their local knowledge informs this response.		

We have considered the online documentation, and appreciate that the applicant has now provided a Heritage Review as the parkland and gardens surrounded Cockfield Hall has been registered as a Grade II registered park and garden (RPG) since the application was first submitted. The RPG is a multi-phased designed landscape with medieval fishponds, woodland and riverside walks, developed from at least the C15, but which was mainly laid out in the late C18 and early C19, providing a setting for the Grade I registered Cockfield Hall and its Grade II entrance gate lodges, as well as numerous estate buildings, many of which are individually listed.

The application site is allocated for housing, for approximately 120 dwellings, on the Suffolk Coastal Local Plan (SCLP12.47). The application site lies on the opposite side of the A12 to the eastern boundary of the RPG, and the southern half of the development area is directly opposite the north-eastern extent of the RPG. As per the Design & Conservation response, Para 4.1, there is *'a high level of intervisibility between Cockfield Park and the southern half of the development site.'* Google Earth shows there is already some sparse boundary planting of trees within the RPG adjacent to the junction with Westleton Road northwards. The Framework Plan shows that the southern half of the application site (which approximates to where the RPG boundary ends) has been designated mainly as open land with some tree cover. A wooded area is indicated on this plan, partially blocking off the housing from the more open landscape to the south. We would suggest that should your officers allow this application, the western boundary of the application site should have its woodland cover thickened and widened, continuing a little further north than the woodland block, in order to eventually screen the new housing. Mitigation of this scheme depends entirely on the tree screening which will take many years to mature in order to become effective.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	10 September 2021 5 July 2023	27 September 2021 1 August 2023
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
Network Rail Property (Eastern Region - Anglia)	1 September 2021 5 July 2023	4 April 2022
Summary of comments: No objections to the proposals at this stage, unless there are any significant changes, when we will reactivate the project.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	1 September 2021 5 July 2023	23 September 2021 5 July 2023
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
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East Suffolk Ecology	1 September 2021 14 June 2023	29 September 2021
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	1 September 2021 5 July 2023	20 September 2021
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
East Suffolk CIL	1 September 2021 5 July 2023	7 October 2021
Summary of comments: Internal consultation.		

Consultee	Date consulted	Date reply received
East Suffolk Economic Development	1 September 2021 5 July 2023	13 September 2021
Summary of comments: No comment.		

Consultee	Date consulted	Date reply received
Anglian Water	1 September 2021 5 July 2023	10 December 2021
Summary of comments: The foul drainage from this development is in the catchment of Yoxford Water Recycling Centre that will have available capacity for these flows.		

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	1 September 2021 5 July 2023	20 September 2021 14 July 2023
Summary of comments: No objection.		

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	1 September 2021 5 July 2023	No response 26 July 2023

Summary of comments:

This development is not of a size and nature that would attract a specific Section 106 planning obligation. Therefore, a proportion of the required funding for the provision of increased capacity by way of extension, refurbishment or reconfiguration at Leiston Surgery including branch, servicing the residents of this development, would be sought from the CIL contributions collected by the District Council.

Consultee	Date consulted	Date reply received
East Suffolk Major Sites	1 September 2021 5 July 2023	No response

Summary of comments:
Internal consultation.

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	1 September 2021 14 June 2023	8 November 2021 16 June 2023

Summary of comments:
Internal response; see report.

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	1 September 2021 5 July 2023	2 September 2021 5 July 2023

Summary of comments:
A condition is required for fire hydrants.

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	1 September 2021 5 July 2023	15 September 2021 10 July 2023 16 November 2023 27 February 2024

Summary of comments:
CIL contributions will be sought for school expansions, libraries improvements and waste infrastructure.
Updated summary of infrastructure requirements split between CIL and s106.

Consultee	Date consulted	Date reply received
SCC Cycling Officer	1 September 2021 5 July 2023	No response

Summary of comments:
No response.

Consultee	Date consulted	Date reply received
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SCC Ecology	1 September 2021 5 July 2023	2 September 2021 18 July 2023
Summary of comments: There should not be any long-term negative impacts subject to any conditions listed in the Preliminary Ecological Appraisal submitted with the planning application		

Consultee	Date consulted	Date reply received
SUSTRANS	1 September 2021 5 July 2023	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Building Control	1 September 2021 5 July 2023	3 September 2021
Summary of comments: Advice regarding private drives and fire brigade access.		

Consultee	Date consulted	Date reply received
East Suffolk Planning Policy	1 September 2021 5 July 2023	
Summary of comments: Internal consultation; see report.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	1 September 2021 5 July 2023	1 October 2021 19 July 2023
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
SCC Rights Of Way	20 October 2021 5 July 2023	No response
Summary of comments: No response.		

Publicity

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

Category	Published	Expiry	Publication
Major Application	16 September 2021	7 October 2021	East Anglian Daily Times
Category	Published	Expiry	Publication
Major Application	9 September 2021	30 September 2021	East Anglian Daily Times

Site notices

General Site Notice	Reason for site notice: Major Application; Affects Setting of Listed Building Date posted: 17 September 2021 Expiry date: 8 October 2021
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5. Planning policy

SCLP3.1 - Strategy for Growth (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

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

SCLP5.9 - Self Build and Custom Build Housing (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

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

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

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

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

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

SCLP9.7 - Holistic Water Management (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

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

SCLP10.3 - Environmental Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

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

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

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

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

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

SCLP11.8 - Parks and Gardens of Historic or Landscape Interest (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP12.47 - Land to the South of Darsham Station (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

NPPF – National Planning Policy Framework (2023)

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

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

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

Recreational Disturbance Avoidance and Mitigation Strategy Supplementary Planning Document (SPD) adopted May 2021

6. Planning Considerations

Principle of Development

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the plan unless material considerations indicate otherwise. The relevant policies are set out above.
- 6.2. The Local Plan was adopted in September 2020 and sets out the level of growth which needs to be planned in the area and identifies where that growth should be located for the period up to 2036.
- 6.3. The site is allocated in the Local Plan under Policy SCLP12.47 for the development of approximately 120 dwellings and open space. The application seeks up to 110 dwellings. The principle of residential development on the site is therefore accepted. This allocation forms part of the delivery of the strategy of the Local Plan as set out in Policy SCLP3.1 - Strategy for Growth, which sets out the plans for growth during the plan period which includes not only the ambition to significantly boost the supply of housing but also to support appropriate growth in the rural areas to help sustain and support existing communities.

Housing Mix and Self-Build

- 6.4. Policy SCLP5.8 of the Local Plan states that proposals for new housing development will be expected to deliver the housing needed for different groups in the community as identified in the Strategic Housing Market Assessment. There should be a mix of housing tenures, types and sizes with a focus on smaller dwellings (1 and 2 bedrooms). Whilst the application is submitted in outline form only, the indicative housing mix as shown on the Illustrative Masterplan is as follows:
 - 12 no. 1-bed apartments (11%)
 - 12 no. 2-bed apartments (11%)
 - 10 no. 2-bed bungalow (9%)
 - 20 no. 2-bed house (18%)
 - 43 no. 3-bed house/chalet (39%)
 - 13 no. 4-bed house (12%)
- 6.5. It is considered that the indicative mix shows a good range of house types and sizes with 49% being smaller 1 and 2 bed dwellings. The indicative mix also includes 10 bungalows. Paragraph 5.49 of the Local Plan recognises bungalows as a type of property which could be suitable for older people in meeting the requirement for proposals for ten or more dwellings to contribute towards meeting the significant need for housing for older people in Policy SCLP5.8. The applicant has confirmed that at least 50% of the proposed dwellings will also be built to accessible and adaptable standards under Part M4(2) of the Building Regulations as required by Policy SCLP5.8.
- 6.6. If the indicative mix were to be carried through to any reserved matters application, it is considered that it would be in accordance with Policy SCLP5.8 and criterion b) of Policy SCLP12.47.
- 6.7. Policy SCLP5.9 of the Local Plan requires that developments of 100 or more dwellings will be expected to provide a minimum of 5% self or custom build properties on site through the

provision of serviced plots. 6 no. self-build plots are proposed in accordance with the policy which can be secured in the S106 legal agreement.

Affordable Housing

- 6.8. Policy SCLP5.10 states that on sites of ten houses or more 1 in 3 of the units should be affordable dwellings. The proposed development includes a policy compliant amount of affordable housing (36 units,) and whilst in outline form, incorporates the affordable housing mix as advised by the Housing Enabling Manager through the pre-application discussions.
- 6.9. The proposed mix is set out as follows:
- 11 no. 1-bed flats
 - 9 no. 2 bed flats
 - 2 no. 2-bed houses
 - 4 no. 2-bed bungalows
 - 9 no. 3-bed houses
 - 1 no. 4-bed house
- 6.10. The required tenure split will comprise 50% affordable/social rent, 25% shared ownership and 25% discounted home ownership, as required by the policy. The specific location and design of the affordable homes will be determined through a future Reserved Matters application, should this application be approved.
- 6.11. The proposed affordable dwellings would need to be secured by a S106 legal agreement. The affordable housing provision is a policy compliant mix and a public benefit of the scheme that should carry substantial weight in the planning balance.

Highway Considerations

- 6.12. Sustainable transport is promoted in the NPPF, which sets out that in assessing applications for development it should be ensured (inter alia) that:
- Paragraph 114 - a) appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users.
 - Paragraph 115 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
 - Paragraph 116 - Within this context, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport
- 6.13. In accordance with the NPPF Policy SCLP7.1: Sustainable Transport states that development proposals should be designed from the outset to incorporate measures that will encourage

people to travel using non-car modes to access home, school, employment, services, and facilities.

6.14. Site allocation policy SCLP12.47 provides site specific criteria in relation to sustainable transport and access matters:

- e) Improved pedestrian and cycle connectivity with the station and Yoxford village will be required, including a crossing point to provide links to the existing footway network;
- f) Vehicle access from the south of the site through the southern half of the site which is to be otherwise retained as agricultural land reflecting the rural setting in proximity to Cockfield Hall Park.

6.15. As required by Policy SCLP12.47 vehicular access with 1.8m footways either side is proposed from Westleton Road through the southern half of the site. The access is submitted in detail with the internal road layout reserved for future consideration. The proposed access arrangements have been reviewed by the County Council Highways Authority (SCC Highways) in their role as a statutory consultee. SCC Highways have confirmed that the proposed access is acceptable.

6.16. With regards to improved pedestrian and cycle connectivity to station and Yoxford village, both Darsham and Yoxford Parish Council's and members of the public have highlighted their concerns about the safety implications of crossing the A12 and the suitability of the existing footpath on the west side of the A12 between the station and Yoxford, especially for wheelchair and pushchair users, due to its narrowness.

6.17. SCC Highways initially had concerns that the proposed crossing on the A12 in a 40mph for all pedestrians and cyclists, had been designed in the safest locations. This matter resulted in significant and detailed consideration by the applicants transport consultant and SCC Highways over many months. As a result of these discussions a formal signalised crossing of the A12 is proposed to provide a safe walking route to the local primary school in Yoxford. A further crossing of the A12 is proposed in the northern part of the site. To accommodate this crossing the existing layby on the western side of the A12 will be reduced in length.

6.18. In addition to the A12 crossings, improvements are proposed along the entire length of the existing footpath between Yoxford and the railway station. Between the northern A12 crossing and the station the footpath will be widened to a maximum of 3m. In the opposite direction the footpath will be widened to a 3.5m cycle/footway where possible. There will be points along the route where it will not be possible to achieve these maximum widths due to existing constraints and lack of available width, but these width reductions are acceptable to the Highway Authority as they are confined to relatively short stretches where there is good forward visibility. The Highway Authority are of the view that these proposals will be a significant improvement to the existing route.

6.19. The proposed off-site highway works and location of the signalised crossing of the A12 would need to be secured by planning condition and the applicant entering into a section 278 agreement with the Highway Authority to undertake the works. It is important to secure these pedestrian connections to ensure a safe cycling and walking route to Yoxford and the railway station. Within the site, behind the existing frontage vegetation, a 3m wide pedestrian path will run parallel to the A12 between the northern crossing and Westleton Road to the south.

- 6.20. A Transport Assessment has been submitted with the application. In assessing the anticipated traffic impacts of the proposed development, the Transport Assessment has had regard to the Transport Assessment for the Sizewell C nuclear power station proposals and the potential trip rates that will be generated by that proposal. The Transport Assessment concludes that there are expected to be no operational capacity issues in the future assessment years and that the traffic generated by the proposed development is expected to be comfortably accommodated by the existing network and proposed main access junction.
- 6.21. Policy SCLP7.1 of the Local Plan requires a Travel Plan for residential developments for 80 or more dwellings. A Framework Travel Plan accompanies the planning application, setting out suggested measures to promote walking, cycling and public transport use on the Site. It achieves this by raising awareness and encouraging the use of alternative transport modes to the car, including providing information to raise awareness on the existing and benefits of sustainable methods of travel. As the planning application is submitted in outline form, the Framework Travel Plan is intended to be an interim document that will provide the overarching framework of principles to be adopted as part of the detailed design stage of the development, and one which will evolve through to the point of first occupation of the proposed dwellings.
- 6.22. The Transport Assessment and Framework Travel Plan have been reviewed by the County Council Highways Authority who are satisfied with the proposals and recommend any planning permission granted is subject to their suggested conditions and obligations. Officers therefore consider that the proposed development meets the sustainable transport objectives of the NPPF and Local Plan policies SCLP12.47 and SCLP7.1.
- 6.23. Suffolk County Council request a contribution to fund school transport provision for a minimum of five years for secondary age pupils forecast to arise from the proposed development. This contribution can be secured by S106 Agreement.
- 6.24. The East Suffolk Cycling and Walking Strategy was adopted in October 2022. It has the following recommendations for the SCLP12.47 allocation including:
- 1 - A crossing point on the A12 and a cycling and walking track along the western side of the A12 is required to ensure safe pedestrian and cycle access from the site into the existing footway network and to Darsham Station. To enable safe cycling and walking into Yoxford, Footpath 13 should be upgraded to a bridleway and connected to the cycle and pedestrian infrastructure recommended along the A12. Once upgraded to a bridleway, Footpath 13 should be widened and resurfaced to accommodate pedestrians and cyclists. This should be achieved in a manner sensitive to the historic significance of Cockfield Hall Historic Park, the Grade I Cockfield Hall, other nearby listed buildings, and the Yoxford Conservation Area.
 - 2 - A cycle and pedestrian track should be introduced along the western edge of the site, segregated from the A12 by retaining the existing vegetation along the A12. This route should connect with the cycle and pedestrian crossing point on the A12.

3 - Immediately south of Darsham Station it is recognised that property boundaries are tightly bound to the A12. Opportunities to route cycle and pedestrian infrastructure behind these properties should be explored.

4 - Cycle parking and storage should be introduced at Darsham Station.

5 - Ensure cycling and walking infrastructure aligns with and does not prohibit future potential Sizewell C development.

6.25. The application proposes two crossing points on the A12, a cycling and walking route on the west side of the A12 and a route along the western edge of the site. In so doing it is considered to be meeting some of the main recommendations of the strategy. The recommendation to upgrade Footpath 13 to a bridleway is acknowledged but there is no public access to this route (close to the application site). The only access is along the private drive to Cockfield Hall which is land outside the applicants control. Therefore, it is considered that there is insufficient justification to require an upgrade of Footpath 13 as part of this application. Similarly, with regards to cycle storage, land at Darsham Station does not form part of the application and is outside the applicants control. Cycle storage could however be provided by others if it were considered necessary.

6.26. In addition to the C&WS recommendations relating specifically to the allocation, the C&WS includes two Leisure Routes in this area, LR6.1 and 7.1. Both of these leisure routes seek a cycling and walking connection between Darsham Railway Station and Kelsale cum Carlton (LR7.1) and Leiston (LR6.1). The delivery of this allocation could help deliver a small part of this route by connecting the internal street layout to Westleton Road in the Eastern corner of the site. Alongside other proposals, this could help create a cycling and walking connection between Westleton Road and Darsham Railway Station.

Design and Layout Considerations

6.27. The NPPF promotes high quality design in new developments. Paragraph 135 states:

Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

6.28. Policy SCLP12.47 sets down a number of criteria that development of the site will be expected to comply with. Of particular relevance are criterion a) and f) which state:

a) Residential use to be contained within the northern half of the site alongside communal open space provision;

f) Vehicle access from the south of the site through the southern half of the site which is to be otherwise retained as agricultural land reflecting the rural setting in proximity to Cockfield Hall Park;

6.29. It is acknowledged that there is some deviation from these requirements predominantly in the location of the residential dwellings and public open space in the southern half of the site, as shown in the Framework Plan and Illustrative Masterplan. It was accepted during detailed pre-application discussions that a limited amount of housing could be acceptable in the southern part of the site provided it could be demonstrated that it would not be harmful to the setting of Cockfield Hall and the surrounding historic parkland. Further consideration is given to this below in paragraph 6.58. It is nevertheless considered relevant to note that without limited development in the southern part of the site it would be very difficult to meet the policy allocation of 120 dwellings without using inappropriate urban densities in the northern area of the site. As it is, the proposal is for a lower number of dwellings than the site is allocated for.

6.30. Further, to seek to retain the southern area of the site in agricultural use, as required by the policy, is not considered feasible. As the policy requires the vehicular access to be through this part of the site the remaining undeveloped parcels of land would not be viable as farmland, and it would be considerably more difficult to achieve anything near the allocated number of houses if open space was located in the northern part of the site. A key intention of the policy here is to ensure the protection of Cockfield Hall Park. The creation of a large area of public open space in the southern part of the site, as shown on the Framework Plan, is considered to be an appropriate response to the parameters established by the policy.

6.31. This application is made with details of appearance, landscaping, layout, and scale reserved for future determination. However, the application is accompanied by an amended Framework Plan, Illustrative Masterplan and revised Design and Access statement, which provide the key principles that will guide the detailed design of any future reserved matters application, and which is broadly derived from constructive pre-application discussions between officers and the applicant. The Framework Plan is helpful in setting out all of the key elements that generate a layout: the position of the access; the road network and hierarchy; development areas including heights of buildings; development blocks; landscape and open space; and connectivity.

6.32. The layout broadly concentrates development in the northern downslope area of the allocated site, and this is considered appropriate in principle. By doing so, the scheme will connect into the existing area of development that is focussed around the railway station.

6.33. In accordance with Policy SCLP12.47 the proposed access is off Westleton Road and traverses the site northwards in a curved layout that will also be ascending the site, which slopes to a ridge which forms a key transition between the two halves of the site. On its own the access road traversing through the lower half of the site becomes the main feature of it. It is for this reason that the inclusion of a small area of development at the access point is

supported, so that the road does not appear as an entirely isolated feature in the landscape but one that connects areas of development.

- 6.34. The other justifications for the development adjacent the access - which it is accepted is not included for in Policy SCLP12.47 - are that it creates an entrance into the development and a rationale for the access and road being there; and that it will merge with the existing hamlet of development which forms a nucleus around the junction of Westleton Road with the A12. It is considered that in having this small area of development, mitigates some of the unwelcome effects of the entrance and isolated access road. This is considered to be strong rationale for a small area of development within the southern part of the site. Whilst it is acknowledged that development here is not included for in Policy SCLP12.47 officers are of the view that it is appropriate and would not wish to see the layout altered by the removal of this small parcel of dwellings. Furthermore, it would be very difficult, otherwise, to meet the policy allocation of 120 dwellings without using inappropriate urban densities in the northern area of the site. As it is, the application is for a lower number of dwellings than allocated.
- 6.35. It is acknowledged that Policy SCLP12.47 states that, apart from the access, the southern half of the site should be retained as agricultural land. However, officers are of the view that to seek to retain this land in agricultural use is questionable, given that it is required to provide the site entrance and development access (according to the policy). The remaining undeveloped parcels of land would not be viable as farmland. It is considered, therefore, that the entire allocated site (and the policy should have recognised this) will be developed land. Creating public open space with play areas is development: anything that changes the use of the land from agriculture is development. The Framework Plan, therefore, is considered to be an honest and guided response to the parameters established by the policy.
- 6.36. The development form of the layout is influenced by the site's topography and what is a desire for new dwellings to be co-located with existing ones. The ridge that runs across the middle of the site separating it, in effect, into two is used to divide the character of the site between built form and open space, and to aid in the screening of the built form from the open space and its surroundings, which include Yoxford Conservation Area and Cockfield Hall and its parkland. This approach is effective and justified and arises out of the importance of having development connect to existing development. This also partly justifies the inclusion of a small area of development adjacent the site entrance.
- 6.37. The Framework Plan shows a pattern of perimeter blocks that vary in shape and size. This approach helps to avoid any impression of uniformity across the site which would not be appropriate given the rural context of the site. This theme has been developed in a revised Design and Access Statement which creates three character areas across the site and how they might be created within the development to respond to their immediate surroundings using appropriate built forms, materials, and detailing.
- 6.38. With respect to density, the Framework Plan shows that the density would be greater towards the northern corner of the site, where it edges the A12 and SUDs basin. The road will be a major presence and influence on the western side of the development, and by its character will allow for a greater density along it, compared to the countryside-facing eastern edge. In this respect, therefore, the proposed pattern of density is valid.

- 6.39. The rest of the site will have a predominantly uniform level of density, excepting for the edge to the ridge which have single storey dwellings to mitigate the visual effect here of development. Again, this pattern of density is considered valid.
- 6.40. The small area of development adjacent the site entrance is proposed to be predominantly two-storey and this scale is reflective of the existing area of development opposite and is therefore considered appropriate.
- 6.41. With regards to the proposed building heights there has been some public concern about the appropriateness of a three-storey building in the top corner of the site and officers share these concerns about how potentially incongruous that may appear. In response to these concerns the Framework Plan has been amended to remove the three storey element in this part of the site. Furthermore, the overall number of flats has been reduced in order to reduce the massing along the A12 at the highest point of the site. This also ensures that there is no development along the A12 proposed at more than 2 storeys, with a mix of 1, 1.5 and 2 storeys.
- 6.42. It is considered that the design principles in the Framework Plan, Illustrative Masterplan and revised Design and Access Statement that will guide the detailed design of any future reserved matters application, demonstrate that the site can be developed in a way that will respect the setting of Cockfield Hall and its historic park and garden and the setting of Yoxford Conservation Area, in accordance with Policy SCLP12.47.

Landscape and Visual Impact

- 6.43. The application is accompanied by a landscape and visual impact assessment (LVIA) in accordance with Policy SCLP12.47. The Suffolk Coastal Landscape Character Assessment (July 2018) places the western part of the Site within L1 Heveningham and Knodishall Estate Claylands Landscape Character Area (LCA) and the eastern and southern parts within the B3 Yox Valley LCA. Within this landscape character area, the key landscape strategy objectives are:
- Protect the river valley settings. Development should avoid physical and visual encroachment on the valley floor.
 - Protect and enhance the setting of listed or other historic buildings, particularly those buildings that visual focal points.
- 6.44. The LVIA concludes that the setting of Cockfield Hall and its setting is of Low susceptibility to change from the proposed development. This conclusion is reached through reliance on the claimed negative impact of the A12 and the strongly vegetated western boundary of the site.
- 6.45. The Principal Landscape and Arboricultural Officer¹ is not convinced that this is the right conclusion given that precedent has been established that there does not need to be a visual connection between a heritage asset and its setting for there to be an adverse impact on that setting. If it is established that Cockfield Hall and its park have long enjoyed a rural agricultural setting, whether visually connected or not, then any potential loss of that agricultural setting as in this case through development, suggests that the Hall and its park have at least a Medium susceptibility to change thus giving it a Medium/High landscape sensitivity. Given that it is established that there is a presumption in favour of development on this site through Local Plan Policy allocation, it is unnecessary to consider the sensitivity

of the site further although it will prove useful in informing the landscape mitigation strategy to ensure that the landscape impacts arising for a landscape setting of such sensitivity are minimised as far as possible without adversely affecting landscape character in their own right.

- 6.46. In terms of overall landscape character, the impacts of the development are judged in the LVIA to be adverse and of minor significance. Officers consider this conclusion to be reliable but on the assumption that a robust landscape planting strategy can be agreed and is successfully established. It is considered above that the landscape setting of Cockfield Hall is of greater sensitivity than the LVIA concludes because officers accept the principle that there does not have to be visual connectivity to accord significance to setting whereas this assessment does rely on visual connectivity, or in this case a lack of it because of the western site boundary vegetation. The assessment concludes that the magnitude of change on the setting of Cockfield Hall is Negligible and that any adverse effects arising to be Minor to Negligible. Officers consider this to be an under-estimate and that the conclusions should be nearer to Medium/High and Major/Moderate for significance of effects. However, as discussed above, the site is allocated for development so this is a point that can only be addressed through the mitigation proposals.
- 6.47. In terms of visual impacts, it is accepted that these only arise generally within the localised context of the site and in most cases, they can be addressed through the mitigating landscape planting strategy which should aim to achieve maximum moderation of any initial adverse effects over time once fully established.
- 6.48. Overall, the LVIA concludes that the proposed development is acceptable on landscape and visual grounds provided that the proposed landscape strategy is implemented in order to protect views from the south, west and east and to help settle the proposed development into the existing landscape setting. Notwithstanding the difference in opinion regarding the impact on the setting of Cockfield Hall, it is considered that the large expanse of open space proposed for the south western sector of the site together with a robust landscaping strategy, which can be secured by condition should the application be approved, will satisfactorily mitigate the impact of the development on the character and appearance of the surrounding landscape.

Heritage Considerations

- 6.49. The application is accompanied by a Heritage Impact Assessment, (HIA) in accordance with Policy SCLP11.3 of the Local Plan. The HIA meets the requirements of the NPPF at paragraph 200. Allocation policy SCLP12.47 (g) requires the design and layout of the development to respond to the Cockfield Hall Park historic park and garden and to be sympathetic to the setting of the Grade I listed Cockfield Hall and the setting of Yoxford Conservation Area.
- 6.50. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty 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 National Planning Policy Framework identifies protection and enhancement of the historic environment as an important element of sustainable development. Paragraphs 205 and 206 require planning authorities to place 'great weight' on the conservation of designated heritage assets, and state that the more important the asset the greater the weight should be. They also recognise that significance can be harmed by development within the setting

of an asset. Paragraph 206 also states that any harm or loss should require clear and convincing justification.

- 6.51. It is also important to note that paragraphs 205 and 206 apply to all designated heritage assets. Therefore, although the statutory duty in s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is not engaged by development outside the boundary of a Conservation Area, the NPPF makes clear that (i) the Conservation Area still has a setting and (ii) the approach should be the same for all types of designated heritage asset; therefore harm to the setting of a Conservation Area should be treated in the same way as harm to a listed building or its setting when a planning application is being determined.
- 6.52. In January 2024, the parkland and gardens at Cockfield Hall at Yoxford were added to the Register of Parks and Gardens of Special Historic Interest in England at Grade II and therefore have the status of Designated Heritage Assets. Policy SCLP11.8 states that applications for planning permission will be permitted where the development proposal will not have a materially adverse impact on the character, features or immediate setting of the park or garden. To reflect the inclusion of the Parkland and Garden on the Register a Heritage Review has been prepared to consider any potential impacts.
- 6.53. Policy SLP11.5 concerns Conservation Areas, requiring proposals for development with the potential to affect the setting of a Conservation Area to demonstrate a clear understanding of its significance alongside an assessment of the potential impact of the proposals on that significance, be of an appropriate design, scale, form, height, massing and position, as well as use high quality materials and methods of construction which complement the character of the area.
- 6.54. Paragraph 208 of the NPPF applies where a development proposal would lead to "less than substantial harm" to the significance of a designated heritage asset. In such cases, it says that the harm (which, as per paragraph 205, must be given great weight) should be weighed against the public benefits of the proposal.
- 6.55. The Principal Design and Conservation Officer has given detailed consideration to the impact of the proposal on designated and non-designated heritage assets and the conclusions of the Heritage Impact Assessment. With regards to Cockfield Hall and Cockfield Park, it is not agreed that the proposal will have a negligible impact on the wider setting of the Hall, its associated listed buildings and parkland. Rather, it is considered that the combined change in the landscape setting to the Hall and parkland resulting from the change of use from agricultural to developed land, the addition of an access road, footpath and associated engineering, and the addition of some residential development, will have an adverse impact. It is the change in the established and historic character of the landscape surrounding this part of Cockfield Hall and its parkland from farmland to developed land that is considered to adversely impact the significance of the hall and its parkland.
- 6.56. However, the proposed woodland screen planting along the western edge of the development, the retention of a large site area for informal open space, and the inclusion of a small area of development that will not, by itself, appear alien or intrusive (see para 6.35 – 6.38 above) it is considered that the character change identified above will be partly mitigated. The harm arising, therefore, to the significance of Cockfield Hall and its parkland is considered less-than-substantial and of a low level, only. This is not a site where the

majority of the new built form will impinge on these heritage assets and the allocation policy was designed to ensure this as an intended outcome.

- 6.57. With regards to other listed buildings - Cockfield Hall Lodge, Trustan's Farmhouse, York's Tenement and Darsham Old Hall - officers agree with the conclusions of the HIA that the proposed development would have a negligible impact only on their significance. None of these heritage assets derives any of their significance directly from the application site and, although there will be some change to this part of their surroundings through the proposed development, the effects arising would not be adverse. Similarly, it is agreed that there would be no impact arising from the development on the significance of the non-designated heritage asset that is the locally listed parkland Rookery Park.
- 6.58. Yoxford Conservation Area was extended in February 2020 to include the three locally listed parklands that surround the village. The setting to the Conservation Area, therefore, has extended considerably, and now largely consists of what can be defined as the setting to these three parklands - that is, the undesigned landscape of the countryside: man-managed and farmed. The change in character described above which will adversely affect Cockfield Hall and its parkland will also, by default, affect the setting to the extended Conservation Area albeit modestly. As above, it is considered that harm on the setting of the Conservation Area will be the same less than-substantial harm of a low level, only.
- 6.59. Overall, it is considered that the development proposal will give rise to a low level of less-than-substantial harm on the identified designated heritage assets. Paragraph 208 requires the harm to be weighed against the public benefits of the proposal. These benefits include the contribution of up to 110 dwellings on an allocated housing site within the Local Plan (and which forms part of the local plans strategy for growth) including up to 36 affordable dwellings and a proportion of bungalows suitable for older people. The proposals will also deliver a substantial area of new public open space including footpath routes, as well as improvements to the existing footway network, with linkages from the site. Other benefits include including employment during the construction phase of the development, investment in the local economy and increased spend in the local economy. It is considered that these benefits outweigh the identified less than substantial harm.
- 6.60. The scale of harm to the designated heritage asset that is the Cockfield Hall parkland of Special Historic Interest is of a low level, only. The asset will not be directly affected. Its significance lies more importantly in forming the curtilage to Cockfield Hall and by falling within the Conservation Area and, thus, its significance is already accounted for in the consideration, above, of impacts on these designated heritage assets.

Ecology

- 6.61. The application is supported by a Preliminary Ecological Appraisal (PEA) (Geosphere Environmental, July 2021); a Bat Scoping and Activity Survey Report (Geosphere Environmental, July 2021) and Biodiversity Net Gain Calculation Report (Geosphere Environmental, August 2021). The PEA identifies that the site is predominantly arable land, with tree, hedgerow and scrub boundaries and a small area of woodland in the south-east.
- 6.62. In line with the recommendations of the PEA, the existing trees and hedgerow along the site's boundaries are proposed to be retained and enhanced, with additional tree planting proposed within the areas of open space. The Bat Scoping and Activity Survey has identified

three trees with 'Moderate' bat roost potential, all of which are located in the small area of woodland to the south-east of the site and are not affected by the proposed development. Any external lighting can be adequately controlled to ensure that there is no impact on them.

6.63. The Council's Ecologist has considered the submitted reports and is generally in agreement with their conclusions and the ecological avoidance, mitigation, compensation, and enhancement measures identified, which should be secured by condition should consent be granted. To ensure that the long-term ecological value of the site is maintained and enhanced a landscape and ecological management plan (LEMP), should also be secured by condition. These requirements should ensure that the final development secures ecological enhancements as part of its design in accordance with the objectives of policy SCLP10.1 (Biodiversity and Geodiversity).

6.64. In addition to the above, the site is within the Suffolk Coast RAMS Zone of Influence Zone B, within 13km of the following European sites:

- Benacre to Easton Bavents SPA
- Minsmere-Walberswick SPA
- Minsmere-Walberswick Ramsar Site
- Minsmere-Walberswick Heaths and Marshes SAC
- Sandlings SPA
- Alde-Ore Estuary SPA and the
- Alde-Ore Estuary Ramsar Site

6.65. In accordance with the Conservation of Habitats and Species Regulations 2017 (Habitats Regulations) the competent authority (in this case the Council) is required to determine whether the development is likely to have a significant effect on the interest features of protected European sites. The applicant has submitted a 'Shadow' Habitats Regulation Assessment which has informed the Council's Ecologist in preparing a draft Habitats Regulations Assessment (HRA) assessing the likely impact of the development on European designated sites and the mitigation measures required. A copy of the draft HRA has been sent to Natural England in their role as statutory consultee.

6.66. Given the scale of the development proposed mitigation measures beyond a financial contribution to the Suffolk Coast RAMS are required to mitigate recreational disturbance impacts arising from this development in-combination with other residential developments. Based on the 'Shadow' HRA and the development proposals including on site open space and circular walking route and connections to the wider footpath network (via crossings of the A12), the draft HRA summarises the recreational disturbance mitigation package as:

- A financial contribution of £35,334.20 (£321.22 x 110 dwellings) to the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS).
- Provision of high quality onsite green space (of approximately 3.91Ha).
- Provision of an onsite circular walking route of approximately 1.6km, with connections to the wider PRoW to enable longer walks.
- A condition to secure details of further mitigation measures (including 'dogs-off-lead' area, dog waste bins and signage) as part of the Reserved Matters Application.
- Condition securing a Landscape and Ecology Management Plan (LEMP) for the site.

- S106 agreement to include details of long-term management responsibilities for the site.

6.67. Natural England have confirmed that they have no objection to the proposed development subject to this appropriate mitigation being secured. On this basis it can be concluded the proposal will not result in likely significant effects on the integrity of the above European sites and that it is acceptable in accordance with SCLP10.1 (Biodiversity and Geodiversity).

Flood Risk and Surface Water Drainage

6.68. Local Plan Policy SCLP9.5 states that proposals for new development will not be permitted in areas at high risk from flooding.

6.69. Chapter 14 of the NPPF sets out planning for flood risk:

- development should be directed away from areas at highest risk (para. 165).
- Flood risk should not be increased elsewhere and applications should be supported by a site-specific Flood Risk Assessment (para.173).
- Major developments should incorporate sustainable drainage systems and should take account of advice from the lead local flood authority (para. 175).

6.70. The policy approach at national and local level is to ensure developments are safe for future occupiers and to ensure no adverse local impacts arise from the development by incorporating sustainable drainage systems.

6.71. The Site is located entirely within Flood Zone 1, the lowest probability risk of flooding. In accordance with paragraph 173 of the NPPF and criterion h) of Policy SCLP12.47, a Flood Risk Assessment and Drainage Strategy (FRA) accompanies the planning application. This confirms that the risk of flooding from tidal influence, rivers or watercourses is considered very low, with a low risk of flooding from groundwater.

6.72. The FRA demonstrates that a sustainable drainage system solution can be provided on the site. It is proposed that surface water will be collected from spine road highway areas through road-side dry swales which will direct surface water into one of the two proposed attenuation basins on the site, through infiltration or underdrains connecting to a conventional piped system. The attenuation basin in the south-west corner of the site is proposed to drain via infiltration, the basin in the north-east is proposed to drain into the existing boundary ditch, which currently accepts greenfield run-off flows from the site surface and via the existing land drains. Discharge rates will be controlled through storage and interception, which will be factored into the design of the basin. Surface water runoff from the proposed dwellings will be directed to on-site soakaways.

6.73. As an outline application with all matters (apart from access) reserved, this is an indicative strategy although one that has been reviewed extensively the Suffolk County Council as the Lead Local Flood Authority resulting in some amendments being made to the strategy. The LLFA recommend approval of the application subject to conditions securing the precise drainage strategy concurrent with reserved matters applications. Officers therefore consider that the proposed development meets the flood risk objectives of the NPPF and policy SCLP9.5.

S106/Community Infrastructure Levy (CIL) contributions

- 6.74 This development will be liable for CIL for the whole of the proposed Gross Internal Area (GIA), chargeable at the Zone 2 (Mid-Higher Value Zone) rate.
- 6.75 Suffolk County Council have set out the infrastructure requirements of this development in accordance with Appendix B - 'Infrastructure and Delivery Framework' of the Local Plan.
- 6.76 The local schools are Yoxford and Peasenhall Primary School, SET Saxmundham School, Alde Valley Academy, and Thomas Mills High School.
- 6.77 At a primary school level there is forecast to be sufficient capacity for 21 of the 22 pupils anticipated to arise from this proposal when taking into account pending applications and local plan site allocations. The proposed strategy for mitigating this growth is via future expansion of existing provision. On this basis, a CIL contribution of (1 pupil x £26,977) = £26,977 is sought as highlighted below.
- 6.78 At a secondary level there is sufficient capacity for the 14 secondary-age pupils anticipated to arise from this proposal. Developer contributions are sought to fund school transport provision for a minimum of five years for secondary-age pupils. Annual school transport cost per pupil is £1,405. Therefore, contribution is £1,405 x 14 pupils x 5 years = £98,350.
- 6.79 At a sixth form level, Thomas Mills High School is currently exceeding 95% and full capacity and is forecast to continue to experience pressure. With such, there is no surplus capacity for the three pupils anticipated to arise from this proposal. The proposed strategy for mitigating this growth is via future expansion of the existing provision. On this basis, a CIL contribution of (3 pupils x £37,466) = £112,398 is sought to accommodate the pupils anticipated to arise from this proposed matter.
- 6.80 With regards to pre-school provision the proposal is in the Wrentham, Wangford and Westleton ward where there is a deficit of places. It is anticipated that this proposal will generate 17 children. On this basis, a CIL contribution of (10 FTEs x £26,977) = £269,770 will be sought to go towards expansion of existing pre-school provision.
- 6.81 Suffolk County Council's infrastructure requirements, split between CIL and S106, can be summarised as follows:
- CIL - Primary expansion @£26,977 per pupil place, totalling £26,977
 - CIL - Sixth Form expansion @£37,466 per pupil place, totalling £112,398
 - CIL - Early years expansion @£26,977 per place, totalling £269,770
 - CIL - Household Waste @£56 per dwelling, totalling £6,160
 - CIL- Libraries improvements @ £216 per dwelling, totalling £23,760
 - S106 – Secondary School transport costs @£1,405 per pupil per annum totalling £98,350
- 6.82 Darsham Parish does not have a Neighbourhood Plan and therefore 15% of CIL collected from this development would be provided to the Parish Council to spend on local infrastructure projects.

Environmental Impact Assessment

- 6.83 A formal request for a Screening Opinion under The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, was submitted in 2021 (DC/21/4044/EIA). The proposal was considered to be an urban development project, as defined under Schedule 2, Section 10(b) (Urban Development Projects). However, the development Site is not located within a sensitive area for the purpose of the Regulations. The screening opinion concludes that the proposal does not represent EIA development as such an Environmental Statement was not required.

Public Benefits of the Development

- 6.84 The proposed development would deliver significant public benefits including:
- Up to 110 houses in accordance with the local plan allocation as part of the plan-led approach to growth in the District;
 - Provision of up to 36 affordable dwellings;
 - Footway improvements along the A12;
 - New footpath links through the site;
 - Signalised pedestrian crossing of the A12;
 - A new uncontrolled pedestrian crossing on the A12;
 - Extensive areas of new public open space and play equipment for new and existing residents;
 - Up to 6 plots to be made available for self-build and custom build housing
 - Biodiversity net gain in the ecological value of the site and,
 - Economic benefit in the short to medium term through creation of jobs in the construction industry;
 - Long term benefit to facilities/services in Yoxford from new resident spend in the local economy.

7. Conclusion

- 7.1. It is considered that the proposed development accords with the allocation in the Local Plan, delivering substantial benefits as set out above. The proposals demonstrate that the site can be delivered in a way that will deliver a high quality residential development in accordance with Policy SCLP12.47 and the design objectives of the Local Plan and NPPF.
- 7.2. It is acknowledged that the proposal is not supported by some local residents and Parish Councils. Those concerns raised have been given due consideration by officers but do not, in the balance, indicate that planning permission should be refused. Many of the matters raised can be addressed either through appropriate planning conditions or proper consideration of detailed design at reserved matters stage.
- 7.3. The proposal would give rise to a low level of less than substantial harm to the significance of the grade I listed Cockfield Hall and its parkland and other listed buildings in the locality. That harm, even though low, will need to be given great weight in the balance by the decision taker and properly weighed against the public benefits. However, officers consider that this proposal delivers substantial public benefits that would significantly and demonstrably outweigh any harm that would arise.

7.4. The proposal is considered to represent sustainable development in accordance with the objectives of the National Planning Policy Framework and the adopted Local Plan. The application is therefore recommended for approval.

8. Recommendation

8.1. AUTHORITY TO APPROVE with conditions subject to the completion of a S106 Legal Agreement to secure obligations including:

- Provision of affordable housing;
- 5% of the residential development as self-build or custom build plots;
- Per dwelling contribution to the Suffolk RAMS;
- Provision and long term management of public open space; and
- Secondary school transport costs.

Conditions:

1. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

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

Reason: To comply with the requirements of section 92 of the Town and Country Planning Act 1990.

2. Details of the layout, design and external appearance of the buildings, and the landscaping of the site (herein called the "reserved matters"), shall be submitted to and approved by the Local Planning Authority before any development is commenced. Development shall be carried out in accordance with the approved details.

Reason: To comply with Sections 91 and 92 of the 1990 Act.

3. A reserved matters application/s pursuant to this outline application shall provide for up to 110 dwellings and demonstrate substantial compliance with the Framework Plan (Drwg. No. 90-04 Rev A).

Reason: To ensure an attractive and high quality design of the development.

4. Any reserved matters application shall demonstrate broad compliance with Section 5 of the Design and Access Statement Revision F, February 2022, and design intent reflected on pages 48 and 49 (Southern Hamlet); 50 and 51 (open spaces) and pages 52 and 53 (Northern Reach).

Reason: The development needs to be sympathetic to the setting of the Grade I listed Cockfield Hall and the setting of Yoxford Conservation Area and therefore it is necessary to establish development parameters to ensure high quality design in any future reserved matters application.

5. Concurrent with the submission of the first reserved matters application, a site-wide phasing plan shall be submitted to and approved by the local planning authority. Thereafter, the development shall be undertaken in accordance with the approved plan.

Reason: To ensure that the works are completed in an appropriate order, and for the purposes of Community Infrastructure Levy (CIL) collection requirements.

6. No other part of the development hereby permitted shall be commenced until the new access has been laid out and completed in broad accordance with drawing no. 1392_HWY_002. Thereafter it shall be retained in its approved form.

Reason: To ensure the access is laid out and completed to an acceptable design in the interests of the safety of persons using the access and users of the highway.

7. Before the development is commenced details of the areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins shall be submitted to and approved in writing by the Local Planning Authority.
The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose (or) the approved bin storage and presentation/collection area shall be provided for each dwelling prior to its first occupation and shall be retained thereafter for no other purpose.

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

8. Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan.

The Construction Management Plan shall include the following matters:

- a) parking and turning for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) piling techniques (if applicable)
- d) storage of plant and materials
- e) provision and use of wheel washing facilities
- f) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works
- g) site working and delivery times
- h) a communications plan to inform local residents of the program of works
- i) provision of boundary hoarding and lighting
- j) details of proposed means of dust suppression
- k) details of measures to prevent mud from vehicles leaving the site during construction
- l) haul routes for construction traffic on the highway network and
- m) monitoring and review mechanisms.
- n) Details of deliveries times to the site during construction phase.
- o) Layout of facilities above to be included on a plan.

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.

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

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

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

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

11. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details.

Reason: In the interests of highway safety to ensure that satisfactory access is provided for the safety of residents and the public

12. Before the development is commenced details of the infrastructure to be provided for electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: In the interests of sustainable travel provision and compliance with Local Plan Sustainable Transport Policies.

13. Before the development is commenced details of the areas and infrastructure to be provided for the loading, unloading, manoeuvring and parking of vehicles including powered two-wheeled vehicles and electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose (or for dwellings) The approved scheme shall be implemented for each dwelling prior to its first occupation and retained as such thereafter.

Reason: To ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with the current Suffolk Guidance for Parking (2023) where on-street parking and or loading, unloading and manoeuvring would be detrimental to highway safety.

14. Before [the development is commenced / any building is constructed above ground floor slab level] details of the areas to be provided for the secure, covered and lit cycle storage

including electric assisted cycles shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.(or for dwellings)
The approved scheme shall be implemented for each dwelling prior to its first occupation and retained as such thereafter.

Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking (2023).

15. Prior to the first occupation of the new development the highway improvements detailed on submitted drawing numbers 1392/HWY/001 A to 1392/HWY/010 , shall be carried out in complete accordance with the approved drawing. The works include, upgraded footways to 3m cycleways with at least 0.5m buffer from carriageway where possible between Yoxford village and Darsham Train Station, crossing points across A12 (lit to safety audit requirements) and junctions improvements.

Reason: To promote and facilitate access to sustainable transport modes and to provide safe and suitable access for all users in accordance with National Planning Policy Framework (Dec 2023) Para. 114 and Para. 116.

16. 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.

17. No part of the development shall be commenced until details of the proposed off-site highway improvements to include a formal signalised crossing of the A12 have been submitted to and approved in writing by the Local Planning Authority and SCC as the local highway authority. The approved scheme shall be laid out and constructed in its entirety prior to occupation.

Reason: To ensure that the necessary highway improvements are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety and sustainable travel, this includes safe routes to schools and is required to safely cross children to access schools and use sustainable transport modes.

18. Before the access is first used visibility splays shall be provided as shown on Drawing No. 1392_HWY_002 with an X dimension of 2.4 metres and a Y dimension of 90m metres [tangential 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.

19. No development above ground floor slab level of any part of the development hereby permitted shall take place until the travel arrangements to and from the site for residents of the dwellings, in the form of a Travel Plan in accordance with the mitigation measures identified in the Transport Assessment, and Highway Authority response shall be submitted for the approval in writing by the local planning authority in consultation with the highway authority. This Travel Plan must contain the following:
- Baseline travel data based upon the information provided in the Transport Assessment, with suitable measures, objectives and targets identified targets to reduce the vehicular trips made by residents across the whole development, with suitable remedial measures identified to be implemented if these objectives and targets are not met
 - Appointment of Travel Plan Coordinator to implement the Travel Plan in full and clearly identify their contact details in the Travel Plan
 - A commitment to monitor the vehicular trips generated by the residents using traffic counters and resident questionnaires and submit a revised (or Full) Travel Plan on occupation of the 100th dwelling
 - A further commitment to monitor the Travel Plan annually on each anniversary of the approval of the Full Travel Plan and provide the outcome in a revised Travel Plan to be submitted to and approved in writing by the Local Planning Authority for a minimum of five years, or one year after occupation of the final dwelling (whichever is the longest duration) using the same methodology as the baseline monitoring
 - A suitable marketing strategy to ensure that all residents on the site are engaged in the Travel Plan process
 - A Travel Plan budget that covers the full implementation of the Travel Plan
 - A copy of a residents travel pack that includes a multi-modal voucher to incentivise residents to use sustainable travel in the local area

No dwelling within the site shall be occupied until the Travel Plan has been agreed. The approved Travel Plan measures shall be implemented in accordance with a timetable that shall be included in the Travel Plan and shall thereafter adhered to in accordance with the approved Travel Plan.

Reason: In the interest of sustainable development as set out in the NPPF, and Policy SCLP7.1.

20. Concurrent with the submission of the first reserved matters application, a housing mix strategy shall be submitted to and approved in writing by the local planning authority, in order to demonstrate how the proposed development will deliver an appropriate mix of dwellings across the development.

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

21. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance

with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7 of Suffolk Coastal Local Plan (2020) and the National Planning Policy Framework (2019).

22. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason:

To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7 of Suffolk Coastal Local Plan (2020) and the National Planning Policy Framework (2019).

23. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority (LPA). The scheme shall be in accordance with the approved FRA and include:

- a. Dimensioned plans and drawings of the surface water drainage scheme;
- b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;

- e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year rainfall event including climate change, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- f. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- g. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.
- h. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:
Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-
 - i. Temporary drainage systems
 - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
 - iii. Measures for managing any on or offsite flood risk associated with construction

The scheme shall be fully implemented as approved.

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

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

- 24. Within 28 days of practical completion of the last dwelling or unit, a Sustainable Drainage System (SuDS) verification report shall be submitted to the LPA, detailing that the SuDS have been inspected, have been built and function in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks have been submitted, in an approved form, to and approved in writing by the LPA for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

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

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

25. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority.

No further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

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

26. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The Statement shall provide for:

- a. parking and turning areas for vehicles of site personnel, operatives and visitors;
- b. loading and unloading of plant and materials;
- c. storage of plant and materials used in constructing the development;
- d. provision and use of wheel washing facilities;
- e. provision of boundary hoarding and lighting;
- f. measures to control the emission of dust and dirt during construction;
- g. a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- h. delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

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

27. No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the site, which shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute recommendation "BS5837:2012 Trees in relation to design, demolition and construction - Recommendations"

Reason: In the interests of visual amenity and the character and appearance of the area.

28. The approved landscaping scheme (as approved by Condition 27) shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of five years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season 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.

29. As part of each reserved matters application for appearance, details of all external facing and roofing materials for all buildings shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the development.

30. The hereby approved development shall include a provision for 50% of all dwellings to meet the requirements of M4(2) (or M4(3)) of the Building Regulations. Concurrent with each reserved matters application, details shall be provided specifying which dwelling(s) are M4(2) (or M4(3)) compliant and thereafter constructed in accordance with regulation requirements.

Reason: To ensure the development provides accessible and adaptable dwellings in accordance with Policy SCLP5.8 of the East Suffolk Council - Suffolk Coastal Local Plan (2020).

31. Concurrent with each reserved matters application, a sustainability statement which demonstrates that sustainable construction methods have been incorporated into the development proposal, shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason: In accordance with sustainable construction objectives of Policy SCLP9.2 of the East Suffolk Council - Suffolk Coastal Local Plan (2020).

32. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Geosphere Environmental, July 2021); the Bat Scoping and Activity Survey Report (Geosphere Environmental, July 2021); the Biodiversity Net Gain Calculation Report

(Geosphere Environmental, August 2021) and the Shadow Habitats Regulations Assessment (sHRA) (Scott Properties, August 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.

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

Reason: To ensure that nesting birds are protected.

34. Commensurate with first Reserved Matters Application, a "lighting design strategy for biodiversity" for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for biodiversity likely to be impacted by lighting and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To ensure that impacts on ecological receptors from external lighting are prevented.

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

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

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

Reason: To ensure that the long-term ecological value of the site is maintained and enhanced.

36. Commensurate with the first Reserved Matters Application an Ecological Enhancement Strategy, addressing how ecological enhancements will be achieved on site, will be submitted to and approved in writing by the local planning authority. Ecological enhancement measures will be delivered and retained in accordance with the approved Strategy.

Reason: To ensure that the development delivers ecological enhancements.

37. The Reserved Matters Application(s) must include an up to date ecological assessment of the site. The approved ecological measures secured through Condition 32 shall be reviewed and, where necessary, amended and updated in line with the up to date assessment. The review shall be informed by further ecological surveys commissioned to i) establish if there have been any changes in the presence and/or abundance of protected or UK Priority habitats and species and ii) identify any likely new ecological impacts that might arise from any changes.

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

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

38. Prior to the commencement of the use, the noise mitigation measures/construction methods will be implemented in accordance with the noise assessment 65203079-SWE-ZZ-XX-YA-0001 as has been submitted to and approved by the Local Planning Authority. Only the approved scheme shall be implemented and shall be retained thereafter.

Reason: In the interest of residential amenity, in accordance with policy SCLP11.2 (Residential Amenity) of the East Suffolk Council - Suffolk Coastal Local Plan (2020).

39. Concurrent with the submission of the first reserved matters application, details of all walls (including retaining walls), fences, gates or other means of enclosure to be erected in or around the development have been submitted to, and approved in writing by, the local

planning authority. Thereafter, no occupation or use of the development shall take place until the walls (including retaining walls), fences, gates or other means of enclosure shall be erected as approved and shall thereafter be permanently retained and maintained.

Reason: To ensure that the finished appearance of the development will enhance the character and visual amenities of the area, and to satisfactorily protect the residential amenities of nearby/future occupiers.

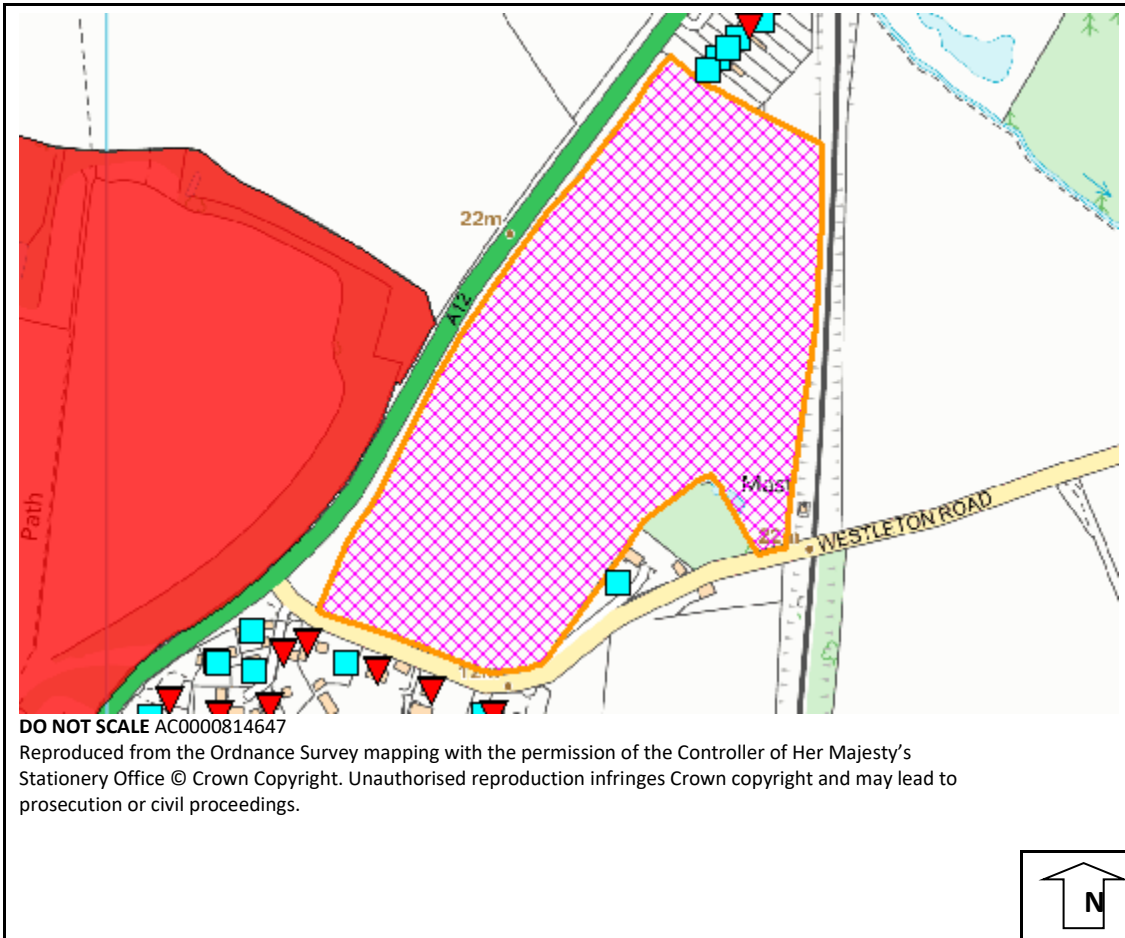
40. Prior to the commencement of development, a scheme for the provision of fire hydrants shall be submitted to and approved by the local planning authority. The approved scheme shall be implemented in its entirety prior to the occupation of the building. It shall thereafter be retained and maintained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

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





Background information

See application reference DC/21/4006/OUT on [Public Access](#)

Map



Key

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



Committee Report

Application no DC/24/0695/FUL

Location

Darsham Village Hall
Cheyney Green
Darsham
Suffolk
IP17 3FA

Expiry date 25 April 2024

Application type Full Application

Applicant Darsham Village Hall Management Committee

Parish Darsham

Proposal Creation of a play area measuring 180sqm to the side of the village hall.

Case Officer Rachel Smith
07887 452719

rachel.smith@eastsoffolk.gov.uk

1. Summary

- 1.1 The application seeks permission for the creation of a play area measuring 180 square metres on land adjacent to Darsham Village Hall.
- 1.2 The application was presented to the Referral Panel at the request of the Ward Member who has commented on the application as follows:

"I have been lobbied extensively about this application. As a member of the Northern Planning Committee, I have been careful not to offer support or opposition to the application and my comments now are not intended to indicate support or opposition either. I note that the application has received a large number of public comments, thirty-three in total. A majority has been in support but there have been nine objections. The proportion of objections is higher amongst those living closest to the proposed play area. The parish council supports the application but not unanimously. Their vote was four in support, two objections and one abstention. This application is of significant interest within the parish, there are strong views on both sides and, although in the minority, there are significant objections. Given the level of interest, I think it would be wise for the application to be determined by the planning committee, in public and with the opportunity for interested parties to make their representations. I ask that the Planning Referral Panel is given a chance to consider this request."

- 1.3 The Referral Panel discussed the application on 30 April 2024 where it was decided that the application should be presented to Planning Committee North for determination given the local interest and differing views within the village.
- 1.4 The proposed development is of a larger scale than that previously indicated however it is not of such a scale that is considered to be harmful visually or to residential amenity. It would provide a valued facility for residents of the village (and visitors). As a play area was originally proposed in this broad location prior to development of the wider Cheyney Green development and this proposal is not so significantly different to this, it is recommended for approval.

2. Site Description

- 2.1 The application site comprises an area of approximately 180 square metres and is located to the south of Darsham Village Hall on part of the area of open space surrounding the hall. The northern boundary would abut the village hall car park. The village hall and its associated open space was granted planning permission as part of a wider development with the neighbouring twenty residential properties within the cul-de-sac now known as Cheyney Green.

3. Proposal

- 3.1 The proposed play area would be situated to the south of the village hall and car park area on the corner of the open space and one 'fork' at the head of the cul-de-sac. This area, in general was indicated to be a play area within the original planning permission for the development of the wider site (DC/13/2933/OUT and DC/17/4682/ARM). The details of any proposed equipment were not indicated at the time of the approval of the Reserved

Matters, nor was there any requirement within this planning permission to carry out such a development.

3.2 The current proposal includes an area of 180 square metres. There would be a fenced boundary around the area with a hedge also planted around the highway and driveway boundary. Pedestrian access gates would be provided from the car park as well as the end of the cul-de-sac.

3.3 The play area would include six pieces of equipment:

- Tower multiplay including net climbing rope, covered platform and slide. Top of covered platform is 3.65m high. Platform/top of slide is 1.5m high.
- Roundabout
- Noughts and Crosses board
- See-saw
- Swings (one baby swings, one seat swing , one basket swing)
- Springer

4. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Darsham Parish Council	6 March 2024	14 March 2024
Summary of comments: At the Darsham Parish Council meeting held on the 12th March, it was agreed by a majority vote to support the application.		

Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Leisure And Play	6 March 2024	10 April 2024
Summary of comments: Following the Fields in Trust definitions of a LAP, LEAP and NEAP, the size of the area would fall into the Local Area for Play and thus meaning that a 5m separation between the activity zone and the nearest property containing a dwelling is observed. The location of the equipment will have good natural surveillance of the site, from those using the village hall, the green and walking/driving past the area. There is no play area within Darsham for young people and the leisure team full support this application		

Consultee	Date consulted	Date reply received
Ward Councillor (Cllr Paul Ashton)	N/A	8 April 2024

Summary of comments:

As discussed here are my comments on this application as ward member. I have been lobbied extensively about this application. As a member of the Northern Planning Committee, I have been careful not to offer support or opposition to the application and my comments now are not intended to indicate support or opposition either. I note that the application has received a large number of public comments, thirty-three in total. A majority has been in support but there have been nine objections. The proportion of objections is higher amongst those living closest to the proposed play area. The parish council supports the application but not unanimously. Their vote was four in support, two objections and one abstention. This application is of significant interest within the parish, there are strong views on both sides and, although in the minority, there are significant objections. Given the level of interest, I think it would be wise for the application to be determined by the planning committee, in public and with the opportunity for interested parties to make their representations. I ask that the Planning Referral Panel is given a chance to consider this request.

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	6 March 2024	7 March 2024

Summary of comments: No objection to the development and do not believe any archaeological work is required. All archaeological works were completed on the previous application, no further archaeological works on the site are needed.

5. Publicity

None.

Site notices

Site Notice Type	Date Posted	Expiry date	Reason
General Site Notice	14 March 2024	4 April 2024	General Site Notice

6. Third Party Representations

- 6.1 A total of 35 letters of representation have been received.
- 6.2 20 of these support the proposal, 8 object and 7 make comments not indicating whether they specifically object or support the proposal. A number of the 'comments' suggest that they would support a play area in principle as previously indicated but not that as now proposed.
- 6.3 Those in support make the following comments/points:

- The village has grown in the last few years and currently has no available area for young children to play.
- This playground is an absolute must for the families of Darsham and the more space they have for the playground the better.
- The Village Hall has adequate parking for any parent who wishes to use the proposed play area
- The tower piece of equipment has a platform height of 1.5m not the 3.65m indicated by some objectors. The roof is part of the noise reduction plan.
- Fields in Trust have been consulted regarding the equipment and have stated that in their opinion the play area would be a LAP. This means the proposal comfortably meets the 5m away rule.
- The installation of the proposed play area is a long overdue facility for Darsham.
- The area indicated within planning permission DC/17/4682 for the play area and landscape buffer is approx. 209 square metres.
- The VHC sent a questionnaire to the village based on two sizes 105 sq metres and 180 sq metres which returned a 60% approval for the 180sq metres.
- The application is for children up to the age of 8 and is still classified as a LAP. The remainder of the village green is available for older children to use now and has not caused any problems.
- No clear evidence to suggest that there will be noise and anti-social behaviour. There is CCTV on the hall to monitor any such use should it did occur.
- This could be beneficial to the village hall to as more people would hire it, bringing in income for the hall

6.4 The objections raise the following main points:

- The issue is whether this current planning application for the play area submitted by the Village Hall Management Committee (VHMC) accords with the original plan for the development.
- The proposed size of the playground slide is 3.65m - removing the 'hut' element would be less intrusive for residents.
- An effective vegetation screen and buffer zone is required to give those residents overlooking the play area their privacy.
- Playground is significantly larger than originally proposed, and now includes structurally tall play equipment designed for children up to age 14.
- Potential to impact significantly on the residential amenity of those living nearby due to increased noise, loss of privacy, littering, anti-social behaviour and/or vandalism.
- Should not be treated as a LAP

6.5 Comments made by those neither objecting or supporting can be summarised as:

- It is very close to some of the houses in Cheney Green.
- A playground of this size is desirable but perhaps the site chosen could be reviewed and repositioned further away or sited somewhere else at the edge of the village.
- Some of the planned equipment (at over 3m tall) is likely, on the present site, to impact on privacy and outlook of the residents.
- Users of the playground will need to park on a private road
- The original plan for a play area was smaller than the proposal and was originally for children up to the age of 6 years old.
- Older unaccompanied children could cause a nuisance and vandalism
- The proposed tower is too high, aesthetically hideous.

- The Village Hall Management Committee is playing a very active and constructive role in developing the social life of the village
- Communication with the villagers on the play area has not been given the priority it deserves.
- Drainage - The swale was full to overflowing during the recent heavy rain.
- Parking on The Street is already busy due to the popular pub that was recently extended.

7. Planning policy

National Planning Policy Framework 2023

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

SCLP8.2 - Open Space (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)

8. Planning Considerations

- 8.1 The proposal seeks permission for a children's play area on land at Darsham Village Hall. The application has been made by the Village Hall Management Committee. The Village Hall is a relatively new building within Darsham as part of a larger, recent development including residential properties and a village green adjacent to the village hall.
- 8.2 As part of the earlier permissions that granted permission for the wider development, a children's play area was indicated in a similar position to that now proposed, however the area shown for this (105 square metres) is smaller than that now being proposed (180 square metres). The earlier permission for development of the wider site did not grant specific permission for any particular play equipment, nor did it condition a specific sized area or any requirement for any play equipment to be installed. It was, however, subject to a legal agreement which, in part, sought a contribution towards play space within the Parish. It is understood that the Village Hall Management Committee will seek to use this funding to enable the development to proceed. As there were previously no conditions or specific details of the play area indicated, this does not have any bearing on the application now being considered which is a new, full application in its own right. The idea of providing play equipment in this approximate location has previously been indicated and the principle of providing play equipment on village green land, adjacent to another community facility (the village hall) is acceptable.

Principle of Development

- 8.3 The Local Plan recognises the importance of open space and recreational facilities and the continued management of these areas across the plan area noting they are vital for the promotion of healthy communities and active lifestyles for all and their importance for

people's mental and physical well-being. The Local Plan states, at para. 8.12 "The Council supports the provision of open space and recreational facilities (or expansion of existing facilities) across the plan area to encourage active lifestyles and community well-being and this should be delivered alongside new development. The National Planning Policy Framework acknowledges the need for open space and recreational facilities and how these contribute to social interaction and the creation of healthy, inclusive communities."

- 8.4 Policy SCLP8.2 relates to Open Space and states:
"The Council supports the provision of open space and recreational facilities and their continued management across the plan area. Primarily to encourage active lifestyles and to increase participation in formal and informal recreation for all sectors of the community, and also to support the biodiversity, promote effective water management and to enhance the public realm. New residential development will be expected to contribute to the provision of open space and recreational facilities in order to benefit community health, well-being and green infrastructure."
- 8.5 The principle of providing some formal play equipment as part of a larger area of open space within a development is therefore supported.
- 8.6 Play areas can be classified in the following ways to identify their effective target audience utilising Fields in Trust (FiT) guidance. The East Suffolk Play Area Strategy sets out the different types/sizes of play areas as follows:
- LAP - a Local Area of Play. Usually small, landscaped areas designed for young children. Equipment is normally age group specific to reduce unintended users.
 - LEAP - a Local Equipped Area of Play. Designed for unsupervised play and a wider age range of users; often containing a wider range of equipment types.
 - NEAP - a Neighbourhood Equipped Area of Play. Cater for all age groups. Often contain an extensive range of play equipment.
- 8.7 A number of the objections received, as well as some who have commented on the application have suggested that the original plans indicated that the proposed play area would be a LAP but that that now proposed is a LEAP, or even a NEAP.
- 8.8 The Council's Leisure Team has considered the application and confirmed that, following the Fields in Trust definitions of a LAP, LEAP and NEAP, the size of the area would fall into the Local Area for Play and thus meaning that a 5m separation between the activity zone and the nearest property containing a dwelling is observed. While only guidelines, the noted minimum size of a LEAP is 400 square metres which this proposal is notably smaller than. While it is noted that the manufacturers guidelines for the age range of some of the play equipment extends to 14 years (notably the Robina tower), the overall size and scale of this piece of equipment, alongside the other equipment and size of the enclosed play area as a whole does not suggest that it should be considered to be a LEAP or NEAP.
- 8.9 One public comment includes an email from Fields in Trust (FiT) regarding the classification of the proposed play area. The questions posed to FiT were based around the degree to which the specific equipment within a play area defines its classification, compared to its area. FiT responded saying "Given that buffer zones provide a degree of protection from noise for neighbours it must follow that they are related to the equipment and the target age group rather than the size of the area." FiT also confirmed that the answer to the question "if a play area of 200 sqm has equipment aimed at older children (8- 14yrs) does

it then become a 'NEAP', regardless of its size?" was 'yes'. Despite this, the local planning authority, supported by the Council's leisure team, consider that, taking the proposal overall, it amounts to a LAP, not a LEAP or NEAP. Considering the characteristics of the proposal as a whole, against FIT's guidance, the size of the area and equipment proposed is not considered to attract either large numbers of visitors or older children such that it is felt that the buffer distance to neighbouring properties should be 30m (as for a NEAP).

Impact on Residential Amenity

- 8.10 Concern has been raised regarding the potential impact of use of the area on residential amenity of neighbouring residents. Many of the letters of concern cite impacts such as noise and disturbance, loss of privacy and anti-social behaviour. The application has shown that there is a minimum 20 metre buffer in between the proposed equipped area and the nearest residential dwelling. This is the suggested minimum separation distance for a LEAP, a noticeably larger play area than that proposed here. This separation distance is therefore considered to be acceptable.
- 8.11 In relation to privacy, the properties immediately opposite have open site frontages with their front gardens/driveway and windows being visible to existing users of Cheyney Green. Although views currently available would not be from a raised platform, the play equipment is further from these properties than the existing foot path and access road. It is therefore not considered that there would be any significant additional loss of privacy as a result of the play area than the current situation. Further to this, the slide which is accessed from the raised platform would face towards the village hall. Although users would be able to face in any direction from here, the nature and orientation of the play equipment would direct views away from neighbouring properties.
- 8.12 The proposed play tower, while is of a noticeable height, would not be so large as to adversely impact on outlook from the windows of neighbouring properties.

Design and Visual Impact

- 8.13 The design of the proposed play equipment is not unattractive. It would mainly be constructed from wood, a natural material, and not be out of keeping with its location as part of a wider community facility and open space. The smaller pieces of equipment would be of a height that, in time, would be screened from Cheyney Green and while it is likely the larger play tower would remain visible, in part, its appearance would not be dominant within, or harmful to, the wider development.

Landscaping

- 8.14 The proposal includes a hedgerow around the perimeter of the proposed play area. Currently the plans indicate that this would be Portuguese Laurel however more specific details are required in terms of the number of plants and therefore details are sought to be agreed by condition. It is also recommended that the applicant considers a more native hedge mix as a more appropriate choice in terms of appearance and biodiversity value.
- 8.15 Public comments have included that the proposed hedge should be fully grown/established prior to play equipment being installed however this would not be reasonable and the proposal is not considered to be harmful without the proposed hedge planting.

Drainage

8.16 Concern has been raised that the swale struggled to cope in recent periods of heavy rain. The application includes removing leftover builders' waste material from the top layer of the site and levelling it. The grassed area would have land drainage installed and laid to fall, discharging into the adjacent swale included as part of the wider development. The play area would have a sub-base with a black wet pour rubber surface which is porous and free draining. The proposal would therefore have little impact on surface water runoff.

9. Conclusion

9.1 The Local Plan is supportive of the provision of play space and recognises the many benefits it brings. While the planning permission for the wider Cheyney Green development did not specifically require the installation of an equipped play area, this was indicated on the plans and funds were secured such that this could be achieved. The location of the proposed play area is as previously indicated, albeit covering a larger area. Despite this, the proposed play area is considered to be of a suitable size for its location and it is not considered that it would result in any demonstrable harm to the residential amenity of nearby residents given its modest size. The proposal is therefore considered to be in accordance with policies SCLP8.2, SCLP11.1 and SCLP11.2

10. Recommendation

10.1 Approve, subject to controlling conditions.

Conditions:

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.
Reason: This condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out in all respects strictly in accordance with Caloo Product Data Sheet, Elevations E.3 and proposed Block Plan GA1 all received 23 February 2024 and Site Plan received 29 February 2024, 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 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. Within 3 months of commencement of development, satisfactory precise details of the hedge planting scheme (which shall include species, size and numbers of plants to be planted) shall be submitted to and approved in writing by the local planning authority.
Reason: To ensure the submission and implementation of a well-laid out scheme of landscaping in the interest of visual amenity.

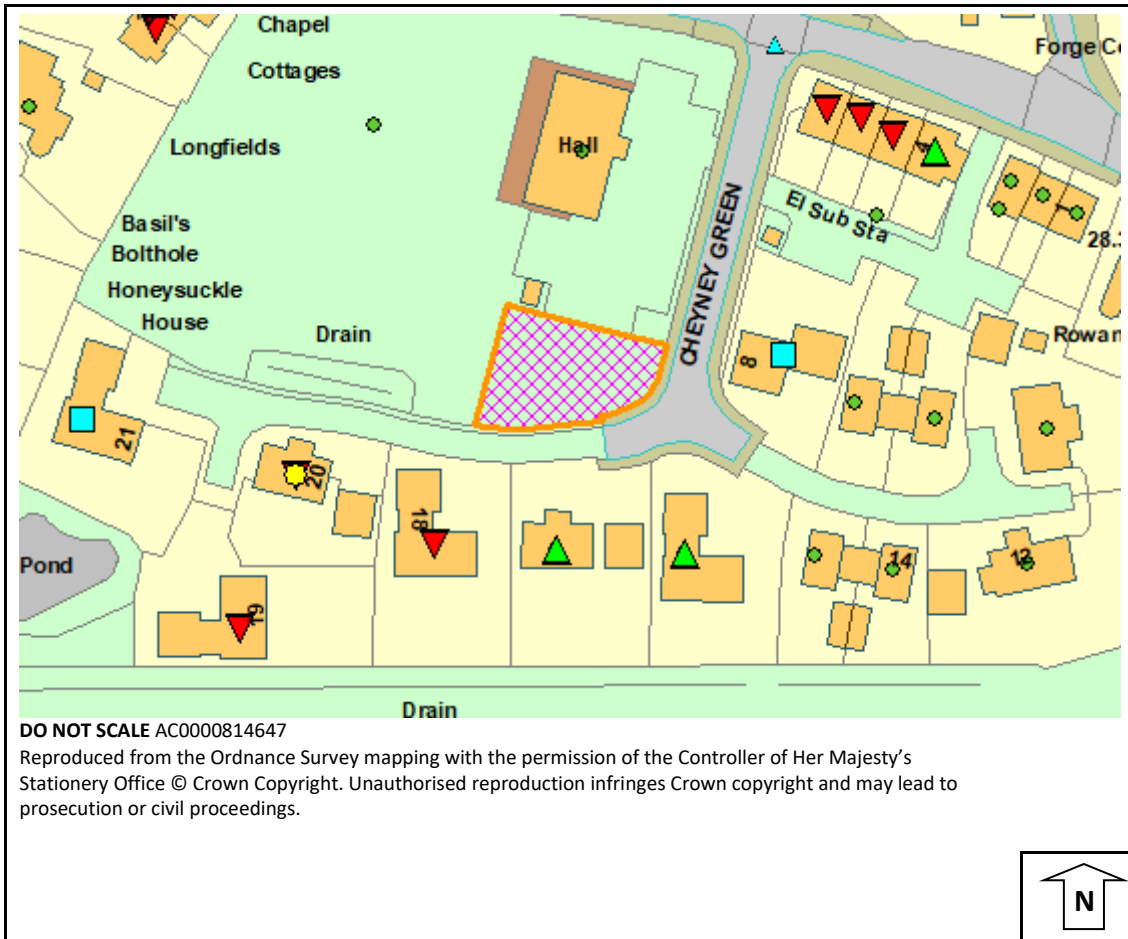
Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. In relation to condition 4, it is noted that the application indicates that a laurel hedge would be planted. The local planning authority would encourage use of native hedgerow plants.





Background information

See application reference DC/24/0695/FUL on [Public Access](#)

Map



Key

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



Committee Report

Application no DC/24/0415/FUL

Location

Box Bush
Seven Acres Lane
Walberswick
Southwold
Suffolk
IP18 6UL

Expiry date 1 April 2024

Application type Full Application

Applicant Mackesy

Parish Walberswick

Proposal New dormer window, alterations to fenestration and internal layout, general repairs to existing fabric and insulation on external walls and roof.

Case Officer Ellie DeGory
07570 969754
ellie.degory@eastsoffolk.gov.uk

1. Summary

- 1.1. Planning permission is sought for a new dormer window and front porch, alterations to fenestration and insulation to the external walls and render finish.
- 1.2. The application was presented to the Referral Panel as the 'minded-to' recommendation of Officers is contrary to the recommendation of refusal from Walberswick Parish Council.

Walberswick Parish Council's objection is summarised as;

"The proposal fails to accord with the NPPF 205 to 208. The application also does not satisfy the following sections from the Suffolk Coastal Local Plan, policy 11.4 (Listed Buildings).

The accumulative effect of the proposed external and internal work represents significant change to a designated heritage asset, and the lack of clarity regarding the age and significance of some of the fabric to be altered, or removed, means there is a danger of harm being caused to the special interest of the listed building.

Finally, the online application details highlight that ESC have not consulted the National Amenity Societies (NAM), specifically The Society for the Protection of Ancient Buildings and The Twentieth Century Society – this is a requirement where applications propose "relevant works" comprising the demolition or partial demolition of a listed building, including:

"(a) a proposal to retain less than 50 per cent of the surface area of that part of a principal building represented on any elevation (ascertained by external measurement on a vertical plane, including the vertical plane of any roof) is treated as a proposal for the demolition of a principal external wall;
(b) a proposal to demolish any principal internal element of the structure including any staircase, load-bearing wall, floor structure or roof structure is treated as a proposal for the demolition of a substantial part of the interior"

- 1.3 The Referral Panel considered the application and decided that the proposal should be presented to Planning Committee North for determination.
- 1.4 Officers do not consider that the proposal is contrary to the NPPF or Local Policy and that the correct procedures have been carried out. It is therefore recommended that the application be approved.

2. Site Description

- 2.1 The site is situated in on the southern edge of Walberswick and is located within the Suffolk and Essex Coast and Heaths National Landscape (Article 2(3) land).
- 2.2 The property is a detached, two-storey house in a generous garden plot on an unadopted lane amongst neighbouring residential properties of a similar scale. The rear garden backs on to open countryside and Walberswick coastline beyond. The rear of the property is visible from the Seven Acres Lane and Stocks Lane Public Right of Ways.

2.3 The property was built around 1938 to designs by Frank Jennings and has been recently listed at Grade II as a well-preserved, timber framed vernacular style house. It is listed for the following principal reasons:

Architectural interest:

- it is a picturesque and idiosyncratic building that demonstrates Jennings' reverence for historic fabric and his care in its re-use;
- its timber-framed structure and architectural detailing are typical of the vernacular style prevalent in Suffolk, characterised by plain and pantile roofs, red brick chimneystacks, weatherboarding and exposed timbers to the gables, and pink coloured render to the exterior;
- it is particularly well-preserved both internally and externally, retaining a high proportion of its exposed timber frame, fixtures, fittings and joinery.

Historic interest:

- it represents a dominant trend in the architectural taste of the inter-war years for recreating older styles, part of the wider craze for Tudor architecture and the perennial myth of Elizabethan 'Merrie England' that was symptomatic of a nostalgia for pre-industrial society;
- for the legacy of Jennings' work in Walberswick, which contributed to the idyllic setting of an important artistic colony.

3. Proposal

3.1 The proposed works are;

- New roof dormer to the front elevation.
- Extension of the existing front roof to form a front porch.
- Alterations to windows and doors to side and rear elevations including demolition of the existing conservatory.
- Insulation to external walls and roof and new render finish.

4. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Walberswick Parish Council	12 February 2024	7 March 2024
<p>Summary of comments:</p> <p>1. Opinion In the opinion of the Parish Council this application proposes significant external and internal change to a designated heritage asset, which would fail to preserve or enhance the significance of the asset, and should be refused.</p> <p>2. Description Box Bush was designated as Grade II listed during August 2023.</p>		

The house is a detached property designed by the acclaimed architect Frank Jennings who worked extensively in Walberswick and left the village with some of its best architectural legacies. Box Bush was built c1938 using a reclaimed timber frame, windows and historic internal joinery.

The submission for planning and listed building consent proposes the following work:

- New large dormer window to the north (entrance) elevation
- Alteration of roof to form an open porch to the north elevation
- Removal of render to all elevations
- Insulation of timber frame (increasing wall thickness by 60mm)
- Re-rendering with lime
- Repair of chimneystacks
- Ridge height raised by approximately 100mm
- Repositioning of all windows and external doors to suit new external wall thickness
- Alteration of bay window to provide French doors to south elevation
- New door in place of a window to the south elevation
- Application of brick slips to existing brick plinth to accommodate off-set of new render
- Removal of modern conservatory to the south elevation
- Changes to the original plan form to the ground floor, first floor and attic, including loss of partition walls and lowering of part of the attic floor to create a bathroom

Prior to listing a similar (but less comprehensive) scheme of alterations was submitted to ESC (DC/23/2257/FUL). This application was withdrawn after the house was listed. The property is located within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB).

3. Comment

The listing description report prepared by Historic England states: “It (Box Bush) is particularly well-preserved both internally and externally”, and it is clear that the preservation of fabric and plan form contributes significantly to the property meeting national listing criteria.

The removal of the modern conservatory to the south elevation is welcomed.

The need for improved thermal performance is understood, but such intervention must be weighed against any harm this could cause to the asset (see p16 Historic England: Energy Efficiency and Historic Buildings: Insulating Timber-Framed Walls). Externally applied insulation requires the removal of existing render (and any laths) and results in an increase of the external wall thickness – in this case an increase of approximately 60mm. This means eaves projections are reduced, all doors, windows and door surrounds need to be removed and repositioned (to maintain a flush relationship with the render) and an increased overhang where the render meets the plinth (resolved here by the proposed use of applied brick slips).

All downpipes would also need to be refixed.

The effect of re-rendering, combined with re-roofing, raising the ridge height (due to insulating between and on top of the existing rafters), a large new dormer and the extension of the roof (to provide an open porch) is considered to effectively be a rebuilding the external envelope, which is not considered to accord with paragraphs 205-8 of the NPPF where “great weight should be given to the asset’s conservation” (para 205).

The application states that the existing render is cementitious, with the inference being this is not original. As lime can be mixed to a whole spectrum of strengths and breathability analysis of the render should be completed to determine its composition. Box Bush is in an exposed location and

the use of cementitious render on properties of this date is not uncommon. As the house is 85 years old and has received little repair or maintenance for several decades, the likelihood of lime render having been applied, failing and to have been replaced with cementitious render in a short period of time seems highly unlikely. It is therefore necessary to understand exactly what exists, its originality and significance, before removal can be justified. The impact of the large dormer and proposed roof extension (to the north elevation) has been commented on in a previous report (DC/23/2257/FUL) and it remains our view that these interventions to the entrance façade are excessive and would erode the character and quality of the original design. The Heritage Impact Statement suggests (p6) that the stair was possibly originally in a different location – if it were (and could be returned without loss of fabric and significance) the need for the dormer is removed. The insertion of a dormer would require a section of purlin (part of the historic re-used timber frame) to be removed.

The extended roof / porch roof would dilute the impact of the original door and surround (obscuring the top of the door surround from view – see proposed north elevation) and would put the door and surround in shadow as well as effecting considerable change to an elevation which exists as originally designed.

French windows are proposed to the south elevation within an existing bay window. This bay (with its current configuration of windows) is shown on the original architect's drawings (usefully provided within the Heritage Impact Statement). The alteration of this feature, and the associated loss of fabric, has not been justified by the application and therefore is not supported. The room the French doors would serve currently has a side door which, as originally designed, lead to an open Loggia; reinstatement of the loggia (currently enclosed and serving the conservatory) would benefit the property and leave the existing bay window as originally designed.

The Heritage Impact Statement identifies work / fabric dating from 1938 as “insignificant” yet this is first phase construction and comprises part of the original design and plan form by Jennings. The original drawings show that the floor plans exist largely as Jennings designed, and this forms part of the special quality of the property. Therefore, the number of walls proposed to be removed would erode the significance of the accommodation and this work is not supported.

It is not clear from the existing and proposed elevations whether the front door is proposed to be changed (the proposed depiction differs from what is shown on the existing elevation). However, the “moulded door surround containing a four panel door with applied vertical panelling to the exterior” is specifically mentioned in the listing description and should be retained.

4. Summary

The proposal fails to accord with the NPPF 205 to 208. The application also does not satisfy the following sections from the Suffolk Coastal Local Plan, policy 11.4 (Listed Buildings), which states: Proposals to alter, extend or change the use of a listed building (including curtilage listed structures) or development affecting its setting will be supported where they:

- a) Demonstrate a clear understanding of the significance of the building and its setting alongside an assessment of the potential impact of the proposal on that significance;
- b) Do not harm the character of the building or any architectural, artistic, historic, or archaeological features that contribute towards its special interest;
- c) Are of an appropriate design, scale, form, height, massing and position which complement the existing building;
- d) Use high quality materials and methods of construction which complement the character of the building;

- e) Retain the historic internal layout of the building; and
- f) Remove existing features that detract from the building to enhance or better reveal its significance.

The accumulative effect of the proposed external and internal work represents significant change to a designated heritage asset, and the lack of clarity regarding the age and significance of some of the fabric to be altered, or removed, means there is a danger of harm being caused to the special interest of the listed building.

Finally, the online application details highlight that ESC have not consulted the National Amenity Societies (NAM), specifically The Society for the Protection of Ancient Buildings and The Twentieth Century Society – this is a requirement where applications propose “relevant works” comprising the demolition or partial demolition of a listed building, including:

- “a) a proposal to retain less than 50 per cent of the surface area of that part of a principal building represented on any elevation (ascertained by external measurement on a vertical plane, including the vertical plane of any roof) is treated as a proposal for the demolition of a principal external wall;
- (b) a proposal to demolish any principal internal element of the structure including any staircase, load-bearing wall, floor structure or roof structure is treated as a proposal for the demolition of a substantial part of the interior”

At the time of writing (01.03.24) the Design & Conservation Officer comments uploaded on the 29th February 2024 are dated 27/07/23 and relate the previous withdrawn scheme.

Statutory consultees

Consultee	Date consulted	Date reply received
National Amenity Societies	N/A	11 March 2024
Summary of comments: Need for consultation contested with the C20th Society. No response received.		

Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Design And Heritage	12 February 2024	29 February 2024
Summary of comments: While a low level of less than substantial harm has been identified it is considered that the harm has been mitigated by the design of the specific elements and the reuse of historic fabric where possible. There are also substantial benefits of the scheme including the reinstatement of a traditional, breathable external finish, general repair and refurbishment, and the improvement to the energy efficiency and habitability of the building which will help to ensure its long term conservation.		

Consultee	Date consulted	Date reply received
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East Suffolk Ecology	12 February 2024	13 February 2024
<p>Summary of comments: Works have the potential to cause the disturbance to bat roosts and the death/injury to roosting bats. Works should therefore take place under a European protected species mitigation license from Natural England. No other HRA considerations and no likely impact on other Statutory and Non-Statutory Designated Nature Conservation Sites.</p>		

5. Third Party Representations

- 5.1 One neighbour letter of support has been received.
- 5.2 The Suffolk Preservation Society raised concerns relating to the removal of the render and the application of external insulation together with the degree of proposed external alterations and in respect of the proposed external alterations that individually these represent quite benign interventions however, cumulatively the degree of alteration is more.

6. Publicity

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

Publication	Published date	Expiry date	Reason
East Anglian Daily Times	15 February 2024	7 March 2024	Listed Building

Site notices

Site Notice Type	Date Posted	Expiry date	Reason
General Site Notice	21 February 2024	13 March 2024	Listed Building

7. Planning policy

National Planning Policy Framework 2023

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)

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

Historic Environment Supplementary Planning Document

8. Planning Considerations

- 8.1 The proposals are assessed against Policy SCLP10.1: Biodiversity and Geodiversity, Policy SCLP10.4: Landscape Character, Policy SCP11:1: Design Quality, Policy SCLP11.2: Residential Amenity, and Policy SCLP11.4: Listed Buildings of the Suffolk Coastal Local Plan, which seeks high quality design, that protects and enhances the distinctive natural habitats and landscape and no adverse neighbour amenity impact.
- 8.2 Visual amenity and design
Dormer window;
The existing stair to the second floor has very restricted headroom. A new dormer is proposed to allow improved access at this point. While the introduction of a dormer is a departure from Jennings and Coleridge's design, the design of the dormer references dormers in other Jennings houses as well as the existing dormer on the opposite roof slope. Although large, is considered to be in keeping with the character and appearance of the building and not over scaled in context. The removal of sections of timber frame would result in less than substantial harm but this would be mitigated by their reuse in the dormer's structure. It is also proposed to reuse the window proposed to be removed at ground floor. This is continuing the tradition of reuse of historic timbers and features across this building.
- 8.3 The existing roof slope of the front elevation is proposed to be extended to provide a covered porch over the front door. In principle this extension of the roof is acceptable, overhanging roofs and covered porches are characteristic of Jennings' designs, but full details are required to ensure that the detailing is appropriate. The extension of the roof in this location would also help to balance the proposed new dormer within the roof slope. The first floor window would be covered by the extended roof but would otherwise be untouched
- 8.4 Alterations to windows and doors to side and rear elevations and rear elevations including demolition of the existing conservatory;
The existing window within the projecting bay on the rear elevation is proposed to be replaced with reclaimed Crittal doors, the window itself is proposed to be reused in the new dormer. There is no timber frame within the bay therefore the installation of doors would result in the loss of brickwork but would have no impact on the timber frame. The bay is part of Coleridge and Jennings' design and does contribute to the significance of the building, however it is not considered that the change from window to doors would impact this significance. The proposed Crittal windows would be in keeping with the character of the building and the re-use of the window mitigates concern about loss of fabric.

- 8.5 It is also noted that the modern conservatory is proposed to be removed from this elevation this would be a benefit of the scheme, removing an inappropriately detailed modern feature. This benefit is considered to outweigh any minor harm from the redesign of the fenestration in the bay.
- 8.6 The installation of a new door into the ground floor rear lobby is also proposed. This is in a location where there is no historic frame, only modern studwork and a modern window. Therefore, no historic fabric would be impacted, the location and scale of the proposed door is acceptable, full details are required by condition. Further new windows are proposed at first and ground floor, full details are required by condition.
- 8.7 Insulation to external walls and new render finish;
The existing render is an inappropriate cementitious render that has led to moisture being trapped against the frame. The render has failed on the east gable requiring temporary protection. As well as this inappropriate finish there is no insulation on the walls or the roof. The proposal is to address the lack of insulation and re-finish the exterior in lime render. The proposed wall insulation would be on the exterior of the frame and between the timbers to ensure this important feature remains exposed internally. Breathable wood fibre insulation is proposed in an appropriate material. The external build-up of the insulation will have an impact on the relationship of the windows with the external wall, it is therefore proposed to move the existing windows out to maintain the existing flush relationship externally. This will result in a deeper window surround internally but this is not considered to be out of keeping with the character of the building. The external finish will be a lime render with the existing pargeetting detail replicated, this would be an improvement on the existing cement render finish. The brick plinth would need to be built out to avoid an overhang due to the added insulation. The half bricks proposed need to be a good match and should replicate the existing in bond, mortar mix and relationship to the wall face.
- 8.8 The roof is also proposed to be insulated with a breathable wood fibre above and between the rafters again maintaining exposed timbers internally. The existing roof is failing with defects in the existing dormer and the flashings and needs renewing. The existing roof tiles will be re-used where possible, but it is anticipated that a substantial proportion will need replacing. Sourcing well matched replacements will be key to ensuring the conservation of the external appearance of the building. The existing ridge line is characterful in its movement and every effort should be made to retain this character during the re-roofing.
- 8.9 The addition of insulation would result in a very low level of less than substantial harm to the significance of the building due to the external build out which changes the relationship at the windows, plinth and eaves. However, the approach proposed is considered acceptable as it conserves the significant feature, the timber frame, which also maintaining a very similar external appearance. The use of a breathable insulation and the reinstatement of a lime render finish will help to ensure the long term conservation of the building. Alongside this there are the energy efficiency and habitability benefits of providing a well-insulated dwelling.
- 8.10 Residential amenity
The proposed front dormer introduces a new window at second floor level to the front elevation. The new window serves the stair well and neighbouring properties are set well

back from the lane and so the window is not considered to pose any overlooking impact to neighbouring amenity.

8.11 Protected Species and UK priority Habitats and Species

Bat activity surveys undertaken on the site by Anglian Ecology confirmed the presence of a single pipistrelle species bat roost between the barge board and soffit on the southwestern corner of the house.

8.12 A further roof inspection for bats in February 2024 found further potential roosting features as well as droppings from pipistrelles and brown long eared in a hitherto inaccessible area of the loft.

8.13 Current plans show that a bathroom will be placed in the existing loft area and that the floor will be dropped by 500mm to facilitate this. These works therefore have the potential to cause the disturbance to bat roosts and the death/injury to roosting bats.

8.14 Works should therefore take place under a European protected species mitigation license from Natural England.

8.15 Other matters

With regards to the Parish Council's comment in relation to consultation with the Twentieth Century Society, the Council's Design and Heritage Team has advised them that we do not consider the replacement of render to meet the requirements for consultation of the Amenity Societies, which is why we did not request consultation in this case. The removal of render only affects the thin top layer of the external walls, a non-structural element (in this case using a non-traditional material), leaving the timber frame behind it intact. We therefore don't consider that it counts as demolition under the definition: "A proposal to retain less than 50 per cent of the surface area of that part of a principal building represented on any elevation (ascertained by external measurement on a vertical plane, including the vertical plane of any roof) is treated as a proposal for the demolition of a principal external wall". Measuring on a vertical plane, the external walls would be retained, with their 'cladding material' proposed to be changed.

9. Conclusion

9.1 In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

10. Recommendation

10.1 Approve, subject to controlling conditions.

11. Conditions:

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

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

2. The development hereby permitted shall be carried out in all respects strictly in accordance with the submitted Design and Access Statement and drawing nos. 204 PL 001, 110,111,115,116 and 120; received 05.02.2024; and revised drawing no. 204 PL 121B; received 08.04.2024;, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.
Reason: For the avoidance of doubt as to what has been considered and approved.

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

4. No works to the second floor which may kill, injure or disturb bats or damage or destroy a bat roost, shall in any circumstances commence unless the Local Planning Authority has been provided with either:
 - a) a licence issued by Natural England pursuant to The Conservation of Habitats and Species Regulations (2017) (as amended) authorising the specified development to go ahead or demonstration that the appropriate Natural England Class Licence is in place to allow works to commence; or
 - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified development will require a licence.
 Reason: To ensure that the legislation relating to protected species has been adequately addressed as part of the implementation of the development.

5. No building work shall commence on the items below until details of the following have been submitted to and approved in writing by the local planning authority:
 1. Specification of new roof tiles
 2. Full details of the porch
 3. Full details of the new fenestration
 4. Section through the bathroom ceiling
 5. Specification of the bricks for the plinth - panel on site

Thereafter, all work must be carried out using the approved materials and in accordance with the approved details.

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

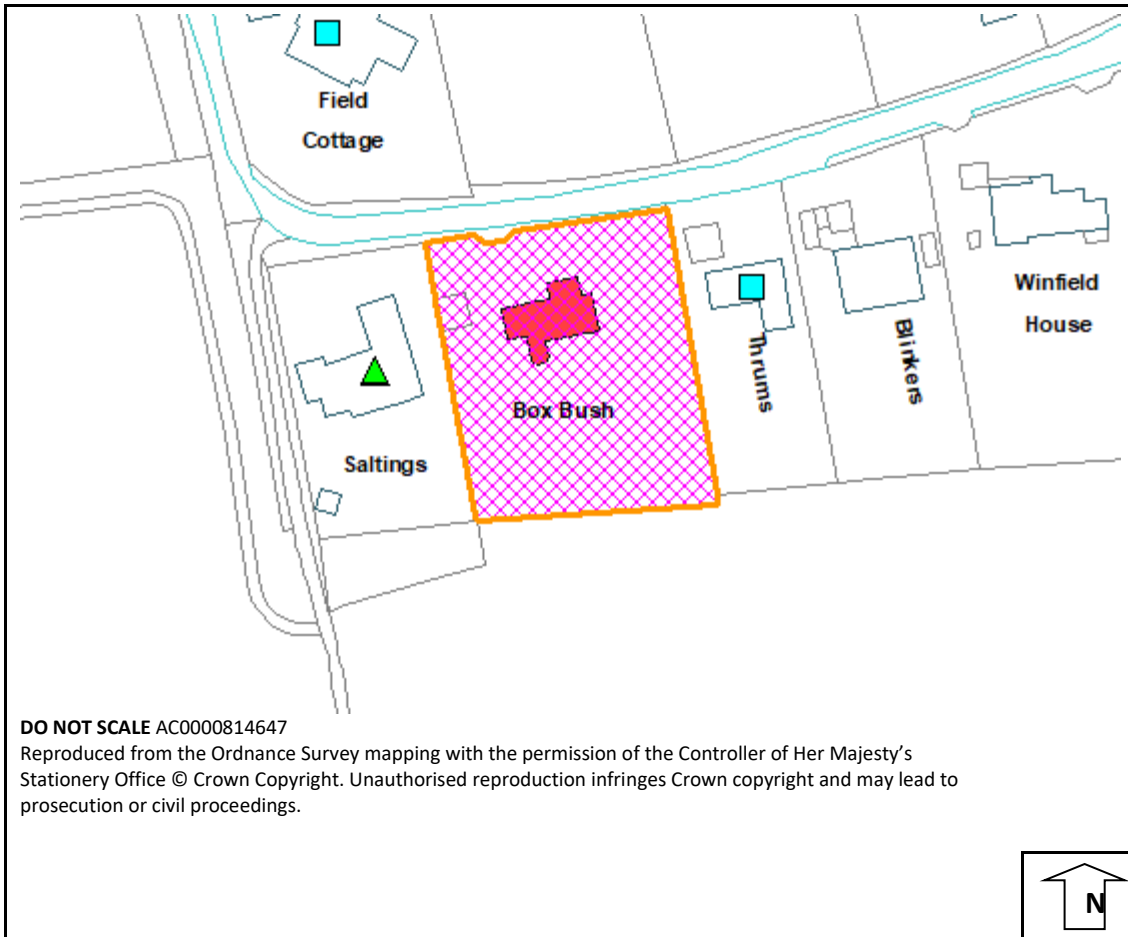
12. Informatives:

- 12.1 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.





13. Background information

See application reference DC/24/0415/FUL on [Public Access](#)

Map



Key

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



Committee Report

Application no DC/24/0416/LBC

Location

Box Bush
Seven Acres Lane
Walberswick
Southwold
Suffolk
IP18 6UL

Expiry date 1 April 2024

Application type Listed Building Consent

Applicant Mackesy

Parish Walberswick

Proposal Listed Building Consent - New dormer window, alterations to fenestration and internal layout, general repairs to existing fabric and insulation on external walls and roof.

Case Officer Ellie DeGory
07570 969754
ellie.degory@eastssuffolk.gov.uk

1. Summary

- 1.1 Listed Building Consent is sought for a new dormer window and front porch, alterations to fenestration and insulation to the external walls and render finish.
- 1.2 Although a Listed Building Consent application wouldn't trigger the Referral Panel process on its own, the application was presented to the Referral Panel alongside the associated planning application (DC/24/0415/FUL) as the 'minded-to' recommendation of Officers is contrary to the recommendation of refusal from Walberswick Parish Council.

Walberswick Parish Council's objection is summarised as;

"The proposal fails to accord with the NPPF 205 to 208. The application also does not satisfy the following sections from the Suffolk Coastal Local Plan, policy 11.4 (Listed Buildings).

The accumulative effect of the proposed external and internal work represents significant change to a designated heritage asset, and the lack of clarity regarding the age and significance of some of the fabric to be altered, or removed, means there is a danger of harm being caused to the special interest of the listed building.

Finally, the online application details highlight that ESC have not consulted the National Amenity Societies (NAM), specifically The Society for the Protection of Ancient Buildings and The Twentieth Century Society – this is a requirement where applications propose "relevant works" comprising the demolition or partial demolition of a listed building, including:

"a) a proposal to retain less than 50 per cent of the surface area of that part of a principal building represented on any elevation (ascertained by external measurement on a vertical plane, including the vertical plane of any roof) is treated as a proposal for the demolition of a principal external wall;
(b) a proposal to demolish any principal internal element of the structure including any staircase, load-bearing wall, floor structure or roof structure is treated as a proposal for the demolition of a substantial part of the interior"

- 1.3 The Referral Panel considered the application and decided that the proposal should be presented to Planning Committee North for determination.
- 1.4 Officers do not consider that the proposal is contrary to the NPPF or Local Policy and that the correct procedures have been carried out. It is therefore recommended that the application be approved.

2. Site Description

- 2.1 The site is situated in on the southern edge of Walberswick and is located within the Suffolk and Essex Coast and Heaths National Landscape (Article 2(3) land) and the Suffolk River Valley environmentally sensitive area.
- 2.2 The property is a detached, two-storey house in a generous garden plot on an unadopted lane amongst neighbouring residential properties of a similar scale. The rear garden backs

on to open countryside and Walberswick coastline beyond. The rear of the property is visible from the Seven Acres Lane and Stocks Lane Public Right of Ways.

2.3 Box Bush is a recently listed grade II listed property built around 1938 to designs by Frank Jennings, is listed at Grade II for the following principal reasons:

Architectural interest:

- it is a picturesque and idiosyncratic building that demonstrates Jennings' reverence for historic fabric and his care in its re-use;
- its timber-framed structure and architectural detailing are typical of the vernacular style prevalent in Suffolk, characterised by plain and pantile roofs, red brick chimneystacks, weatherboarding and exposed timbers to the gables, and pink coloured render to the exterior;
- it is particularly well-preserved both internally and externally, retaining a high proportion of its exposed timber frame, fixtures, fittings and joinery.

Historic interest:

- it represents a dominant trend in the architectural taste of the inter-war years for recreating older styles, part of the wider craze for Tudor architecture and the perennial myth of Elizabethan 'Merrie England' that was symptomatic of a nostalgia for pre-industrial society;
- for the legacy of Jennings' work in Walberswick, which contributed to the idyllic setting of an important artistic colony.

3. Proposal

3.1 The proposed works are;

- New roof dormer to the front elevation.
- Extension of the existing front roof to form a front porch.
- Alterations to windows and doors to side and rear elevations including demolition of the existing conservatory.
- Insulation to external walls and roof and new render finish.
- Alterations to the internal layout

4. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Walberswick Parish Council	12 February 2024	7 March 2024
<p>Summary of comments:</p> <p>1. Opinion</p> <p>In the opinion of the Parish Council this application proposes significant external and internal change to a designated heritage asset, which would fail to preserve or enhance the significance of the asset, and should be refused.</p>		

2. Description

Box Bush was designated as Grade II listed during August 2023.

The house is a detached property designed by the acclaimed architect Frank Jennings who worked extensively in Walberswick and left the village with some of its best architectural legacies. Box Bush was built c1938 using a reclaimed timber frame, windows and historic internal joinery.

The submission for planning and listed building consent proposes the following work:

- New large dormer window to the north (entrance) elevation
- Alteration of roof to form an open porch to the north elevation
- Removal of render to all elevations
- Insulation of timber frame (increasing wall thickness by 60mm)
- Re-rendering with lime
- Repair of chimneystacks
- Ridge height raised by approximately 100mm
- Repositioning of all windows and external doors to suit new external wall thickness
- Alteration of bay window to provide French doors to south elevation
- New door in place of a window to the south elevation
- Application of brick slips to existing brick plinth to accommodate off-set of new render
- Removal of modern conservatory to the south elevation
- Changes to the original plan form to the ground floor, first floor and attic, including loss of partition walls and lowering of part of the attic floor to create a bathroom

Prior to listing a similar (but less comprehensive) scheme of alterations was submitted to ESC (DC/23/2257/FUL). This application was withdrawn after the house was listed.

The property is located within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB).

3. Comment

The listing description report prepared by Historic England states: “It (Box Bush) is particularly well-preserved both internally and externally”, and it is clear that the preservation of fabric and plan form contributes significantly to the property meeting national listing criteria.

The removal of the modern conservatory to the south elevation is welcomed.

The need for improved thermal performance is understood, but such intervention must be weighed against any harm this could cause to the asset (see p16 Historic England: Energy Efficiency and Historic Buildings: Insulating Timber-Framed Walls). Externally applied insulation requires the removal of existing render (and any laths) and results in an increase of the external wall thickness – in this case an increase of approximately 60mm. This means eaves projections are reduced, all doors, windows and door surrounds need to be removed and repositioned (to maintain a flush relationship with the render) and an increased overhang where the render meets the plinth (resolved here by the proposed use of applied brick slips). All downpipes would also need to be refixed.

The effect of re-rendering, combined with re-roofing, raising the ridge height (due to insulating between and on top of the existing rafters), a large new dormer and the extension of the roof (to provide an open porch) is considered to effectively be a rebuilding the external envelope, which is not considered to accord with paragraphs 205-8 of the NPPF where “great weight should be given to the asset’s conservation” (para 205).

The application states that the existing render is cementitious, with the inference being this is not original. As lime can be mixed to a whole spectrum of strengths and breathability analysis of the render should be completed to determine its composition. Box Bush is in an exposed location and the use of cementitious render on properties of this date is not uncommon. As the house is 85 years old and has received little repair or maintenance for several decades, the likelihood of lime render having been applied, failing and to have been replaced with cementitious render in a short period of time seems highly unlikely. It is therefore necessary to understand exactly what exists, its originality and significance, before removal can be justified. The impact of the large dormer and proposed roof extension (to the north elevation) has been commented on in a previous report (DC/23/2257/FUL) and it remains our view that these interventions to the entrance façade are excessive and would erode the character and quality of the original design. The Heritage Impact Statement suggests (p6) that the stair was possibly originally in a different location – if it were (and could be returned without loss of fabric and significance) the need for the dormer is removed. The insertion of a dormer would require a section of purlin (part of the historic re-used timber frame) to be removed.

The extended roof / porch roof would dilute the impact of the original door and surround (obscuring the top of the door surround from view – see proposed north elevation) and would put the door and surround in shadow as well as effecting considerable change to an elevation which exists as originally designed.

French windows are proposed to the south elevation within an existing bay window. This bay (with its current configuration of windows) is shown on the original architect's drawings (usefully provided within the Heritage Impact Statement). The alteration of this feature, and the associated loss of fabric, has not been justified by the application and therefore is not supported. The room the French doors would serve currently has a side door which, as originally designed, lead to an open Loggia; reinstatement of the loggia (currently enclosed and serving the conservatory) would benefit the property and leave the existing bay window as originally designed.

The Heritage Impact Statement identifies work / fabric dating from 1938 as “insignificant” yet this is first phase construction and comprises part of the original design and plan form by Jennings. The original drawings show that the floor plans exist largely as Jennings designed, and this forms part of the special quality of the property. Therefore, the number of walls proposed to be removed would erode the significance of the accommodation and this work is not supported.

It is not clear from the existing and proposed elevations whether the front door is proposed to be changed (the proposed depiction differs from what is shown on the existing elevation). However, the “moulded door surround containing a four panel door with applied vertical panelling to the exterior” is specifically mentioned in the listing description and should be retained.

4. Summary

The proposal fails to accord with the NPPF 205 to 208. The application also does not satisfy the following sections from the Suffolk Coastal Local Plan, policy 11.4 (Listed Buildings), which states:

Proposals to alter, extend or change the use of a listed building (including curtilage listed structures) or development affecting its setting will be supported where they:

- a) Demonstrate a clear understanding of the significance of the building and its setting alongside an assessment of the potential impact of the proposal on that significance;
- b) Do not harm the character of the building or any architectural, artistic, historic, or archaeological features that contribute towards its special interest;
- c) Are of an appropriate design, scale, form, height, massing and position which complement the existing building;
- d) Use high quality materials and methods of construction which complement the character of the building;
- e) Retain the historic internal layout of the building; and
- f) Remove existing features that detract from the building to enhance or better reveal its significance.

The accumulative effect of the proposed external and internal work represents significant change to a designated heritage asset, and the lack of clarity regarding the age and significance of some of the fabric to be altered, or removed, means there is a danger of harm being caused to the special interest of the listed building.

Finally, the online application details highlight that ESC have not consulted the National Amenity Societies (NAM), specifically The Society for the Protection of Ancient Buildings and The Twentieth Century Society – this is a requirement where applications propose “relevant works” comprising the demolition or partial demolition of a listed building, including:
 “a) a proposal to retain less than 50 per cent of the surface area of that part of a principal building represented on any elevation (ascertained by external measurement on a vertical plane, including the vertical plane of any roof) is treated as a proposal for the demolition of a principal external wall;
 (b) a proposal to demolish any principal internal element of the structure including any staircase, load-bearing wall, floor structure or roof structure is treated as a proposal for the demolition of a substantial part of the interior”

At the time of writing (01.03.24) the Design & Conservation Officer comments uploaded on the 29th February 2024 are dated 27/07/23 and relate the previous withdrawn scheme.

Statutory consultees

Consultee	Date consulted	Date reply received
National Amenity Societies	N/A	11 March 2024
Summary of comments: Need for consultation contested with the C20th Society. No response received.		

Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Design And Heritage	12 February 2024	29 February 2024
Summary of comments:		

While a low level of less than substantial harm has been identified it is considered that the harm has been mitigated by the design of the specific elements and the reuse of historic fabric where possible.

There are also substantial benefits of the scheme including the reinstatement of a traditional, breathable external finish, general repair and refurbishment, and the improvement to the energy efficiency and habitability of the building which will help to ensure its long term conservation.

5. Third Party Representations

5.1 One neighbour letter of support has been received.

5.2 The Suffolk Preservation Society raised concerns relating to the removal of the render and the application of external insulation together with the degree of proposed external alterations and in respect of the proposed external alterations that individually these represent quite benign interventions however, cumulatively the degree of alteration is more.

6. Publicity

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

Publication	Published date	Expiry date	Reason
East Anglian Daily Times	15 February 2024	7 March 2024	Listed Building
East Anglian Daily Times	15 February 2024	7 March 2024	Listed Building

Site notices

Site Notice Type	Date Posted	Expiry date	Reason
General Site Notice	21 February 2024	13 March 2024	Listed Building

7. Planning policy

National Planning Policy Framework 2023

SCLP11.1 - Design Quality (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 Guidance

8. Planning Considerations

- 8.1 The proposals are assessed against Policy SCP11:1: Design Quality and Policy SCLP11.4: Listed Buildings of the Suffolk Coastal Local Plan, which seeks high quality design, materials and methods of construction and to cause no harm to character of the listed building and protects and enhances the distinctive natural habitats and landscape.
- 8.2 New roof dormer to the front elevation;
The existing stair to the second floor has very restricted headroom. A new dormer is proposed to allow improved access at this point. While the introduction of a dormer is a departure from Jennings and Coleridge's design, the design of the dormer references dormers in other Jennings houses as well as the existing dormer on the opposite roof slope. Although large, is considered to be in keeping with the character and appearance of the building and not over scaled in context. The removal of sections of timber frame would result in less than substantial harm but this would be mitigated by their reuse in the dormer's structure. It is also proposed to reuse the window proposed to be removed at ground floor. This is continuing the tradition of reuse of historic timbers and features across this building.
- 8.3 Extension of the existing front roof to form a front porch;
The existing roof slope of the front elevation is proposed to be extended to provide a covered porch over the front door. In principle this extension of the roof is acceptable, overhanging roofs and covered porches are characteristic of Jennings' designs, but full details are required to ensure that the detailing is appropriate. The extension of the roof in This location would also help to balance the proposed new dormer within the roof slope. The first floor window would be covered by the extended roof but would otherwise be untouched.
- 8.4 Alterations to windows and doors to side and rear elevations and rear elevations including demolition of the existing conservatory;
The existing window within the projecting bay on the rear elevation is proposed to be replaced with reclaimed Crittal doors, the window itself is proposed to be reused in the new dormer. There is no timber frame within the bay therefore the installation of doors would result in the loss of brickwork but would have no impact on the timber frame. The bay is part of Coleridge and Jennings' design and does contribute to the significance of the building, however it is not considered that the change from window to doors would impact this significance. The proposed Crittal windows would be in keeping with the character of the building and the re-use of the window mitigates concern about loss of fabric.
- 8.5 It is also noted that the modern conservatory is proposed to be removed from this elevation this would be a benefit of the scheme, removing an inappropriately detailed modern feature. This benefit is considered to outweigh any minor harm from the redesign of the fenestration in the bay.
- 8.6 The installation of a new door into the ground floor rear lobby is also proposed. This is in a location where there is no historic frame, only modern studwork and a modern window. Therefore, no historic fabric would be impacted, the location and scale of the proposed door is acceptable, full details are required by condition. Further new windows are proposed at first and ground floor, full details are required by condition.
- 8.7 Insulation to external walls and roof and new render finish;

The existing render is an inappropriate cementitious render that has led to moisture being trapped against the frame. The render has failed on the east gable requiring temporary proposal is to address the lack of insulation and re-finish the exterior in lime render. The proposed wall insulation would be on the exterior of the frame and between the timbers to ensure this important feature remains exposed internally. Breathable wood fibre insulation is proposed in an appropriate material. The external build-up of the insulation will have an impact on the relationship of the windows with the external wall, it is therefore proposed to move the existing windows out to maintain the existing flush relationship externally. This will result in a deeper window surround internally but this is not considered to be out of keeping with the character of the building. The external finish will be a lime render with the existing pargetting detail replicated, this would be an improvement on the existing cement render finish. The brick plinth would need to be built out to avoid an overhang due to the added insulation. The half bricks proposed need to be a good match and should replicate the existing in bond, mortar mix and relationship to the wall face.

- 8.8 The roof is also proposed to be insulated with a breathable wood fibre above and between the rafters again maintaining exposed timbers internally. The existing roof is failing with defects in the existing dormer and the flashings and needs renewing. The existing roof tiles will be re-used where possible, but it is anticipated that a substantial proportion will need replacing. Sourcing well matched replacements will be key to ensuring the conservation of the external appearance of the building. The existing ridge line is characterful in its movement and every effort should be made to retain this character during the re-roofing.
- 8.9 The addition of insulation would result in a very low level of less than substantial harm to the significance of the building due to the external build out which changes the relationship at the windows, plinth and eaves. However, the approach proposed is considered acceptable as it conserves the significant feature, the timber frame, which also maintaining a very similar external appearance. The use of a breathable insulation and the reinstatement of a lime render finish will help to ensure the long term conservation of the building. Alongside this there are the energy efficiency and habitability benefits of providing a well-insulated dwelling.
- 8.10 Alterations to the internal layout;
Alteration and removal of modern studwork walls would not impact the significance of the building, no historic fabric or layout would be impacted. At first floor the walls are from the Coleridge and Jennings' redesign however they contain no detailing or historic features and the layout they create is not considered to contribute to the significance of the listed building and therefore their removal would have a neutral impact. Equally the works to lower the ceiling in the bathroom are considered to have a neutral impact, the historic frame would not be impacted, only 1930s fabric of low significance and would allow the attic space to be better utilised without having to make alterations to the historic frame.
- 8.11 Other matters
With regards to the Parish Council's comment in relation to consultation with the Twentieth Century Society, the Council's Design and Heritage Team has advised them that we do not consider the replacement of render to meet the requirements for consultation of the Amenity Societies, which is why we did not request consultations on this case. The removal of render only affects the thin top layer of the external walls, a non-structural element (in this case using a non-traditional material), leaving the timber frame behind it

intact. We therefore don't consider that it counts as demolition under the definition: "A proposal to retain less than 50 per cent of the surface area of that part of a principal building represented on any elevation (ascertained by external measurement on a vertical plane, including the vertical plane of any roof) is treated as a proposal for the demolition of a principal external wall". Measuring on a vertical plane, the external walls would be retained, with their 'cladding material' proposed to be changed.

9. Conclusion

9.1 Whilst a low level of less than substantial harm has been identified it is considered that the harm has been mitigated by the design of the specific elements and the reuse of historic fabric where possible. There are also substantial benefits of the scheme including the reinstatement of a traditional, breathable external finish, general repair and refurbishment, and the improvement to the energy efficiency and habitability of the building which will help to ensure its long-term conservation.

9.2 In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

10. Recommendation

1. Approve, subject to controlling conditions

11. Conditions

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

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

2. The development hereby permitted shall be carried out in all respects strictly in accordance with the submitted Design and Access Statement and drawing nos. 204 PL 001, 110,111,115,116 and 120; received 05.02.2024; and revised drawing no. 204 PL 121B; received 08.04.2024;,, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

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

1. Specification of new roof tiles
2. Full details of the porch
3. Full details of the new fenestration

4. Section through the bathroom ceiling
5. Specification of the bricks for the plinth - panel on site

Thereafter, all work must be carried out using the approved materials and in accordance with the approved details.

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

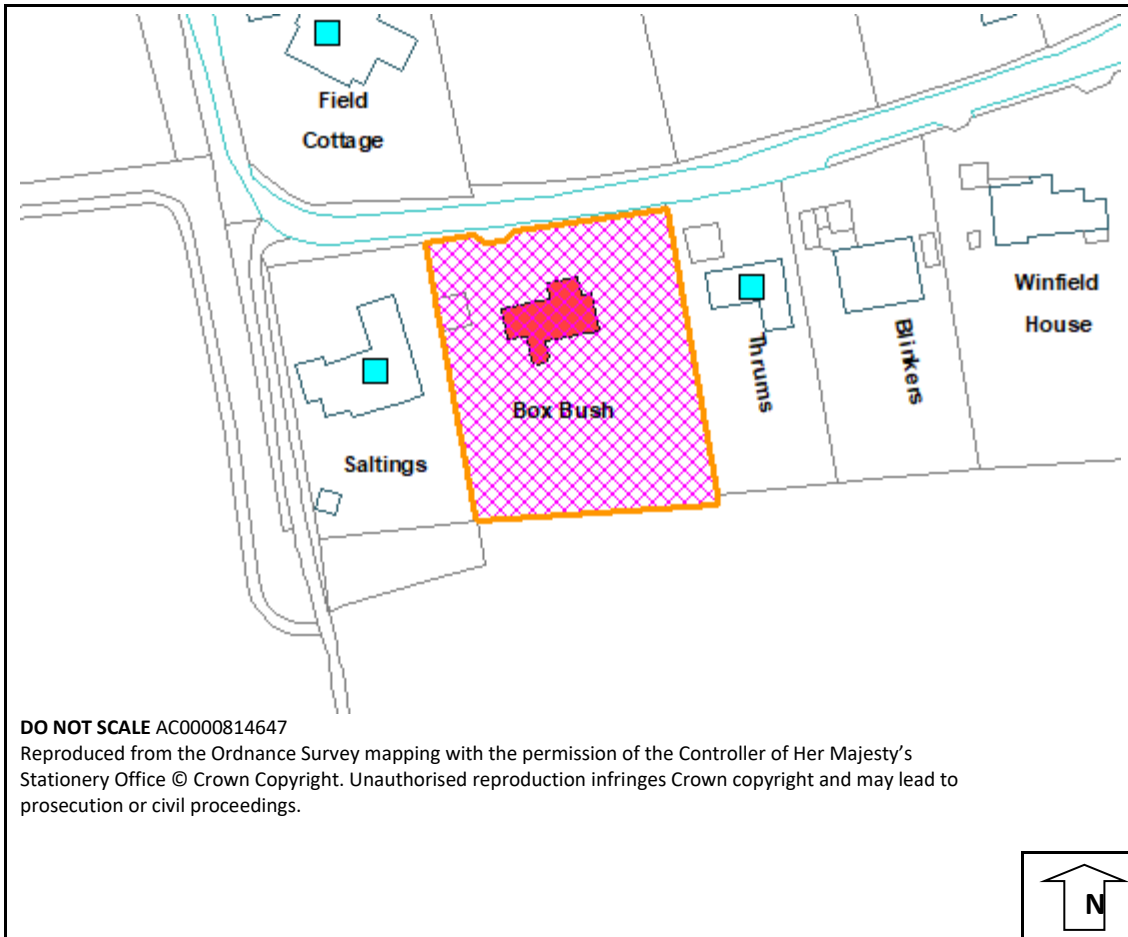
12. Informatives:

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.

13. Background information

See application reference DC/24/0416/LBC on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Application no DC/24/0394/ADN

Location

Oulton Country Park
Lime Avenue
Oulton
Suffolk

Expiry date 17 May 2024

Application type Non-Illuminated Advertisement Consent

Applicant East Suffolk Council

Parish Oulton

Proposal Non Illuminated Advertisement Consent - erection of one flagpole.

Case Officer Phil Perkin
07585 123438
philip.perkin@eastsuffolk.gov.uk

1. Summary

- 1.1. Following the Green Flag Award the application seeks consent for a flag pole in the Country Park.
- 1.2. The application comes before the Committee as the Council is both land owner and applicant.
- 1.3. The application is recommended for approval.

2. Site Description

- 2.1. The site is within the recently created Woods Meadow Country Park, formed in conjunction with the Woods Meadow housing development immediately to the south.

3. Proposal

- 3.1. The application seeks Non Illuminated Advertisement Consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) for the erection of one flagpole with a height of 6m. The flagpole is designed for flying a flag with a maximum size of 1.8m x 1m and will be located next to the volunteer hut. The normal Green Flag Award logo and date of the award is likely to be included on the flown flag.

4. Consultations/Comments

Consultee	Date consulted	Date reply received
Oulton Parish Council	8 April 2024	9 April 2024
Summary of comments: No issue from OPC		

Consultee	Date consulted	Date reply received
SCC Highways Department	8 April 2024	8 April 2024
Summary of comments: No objection.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	8 April 2024	9 April 2024
Summary of comments: No comment.		

5. Planning policy

- 5.1. WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

6. Planning Considerations

- 6.1. East Suffolk Council took on the land at Woods Meadow Country Park from Persimmon Homes in 2019, as part of a long-standing S106 agreement in place, with the former Waveney District Council. With the transfer came a contribution to the development and maintenance of the park for amenity purposes for 10 years.
- 6.2. East Suffolk Services have been commissioned to take over the management of the country park through their countryside ranger team. A dedicated staff member works part time to manage the park and carry out a range of duties to ensure its upkeep.

- 6.3. The Country Park has recently been awarded a Green Flag. The Green Flag Award scheme recognises and rewards well managed parks and green spaces. It is a highly commended award and one of the criteria of receiving it is that a flag be flown to show that the site has the award.
- 6.4. Woods Meadow received the award as a new and fledging Country Park. The judges were impressed with the management of the space, the volunteers work on the site and the myriad of ecology on the site as well.
- 6.5. The flag will be located approximately 70m away from the nearest residential properties so they should not be unduly affected by it.
- 6.6. In considering an application for advertisement consent, the key issues are visual amenity and public safety. This is a low impact advertisement complementary to the open space/recreational land use and raises no safety concerns. No third party comments or objections have been received. Accordingly, there are no concerns with this proposal.

7. Conclusion

- 7.1. This Green Flag award recognises the progress that has been made in establishing the Country Park in a relatively short period of time and is a valued asset for the local community. Consent can therefore be granted with the standard advertisement conditions.

8. Recommendation

- 8.1. Approve.

9. Conditions:

1. All advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Reason: As required by the Town and Country (Control of Advertisement) Regulations in force at this time.

2. All advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Reason: As required by the Town and Country (Control of Advertisement) Regulations in force at this time.

3. Where any advertisement is required under these Regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.

Reason: As required by the Town and Country (Control of Advertisement) Regulations in force at this time.

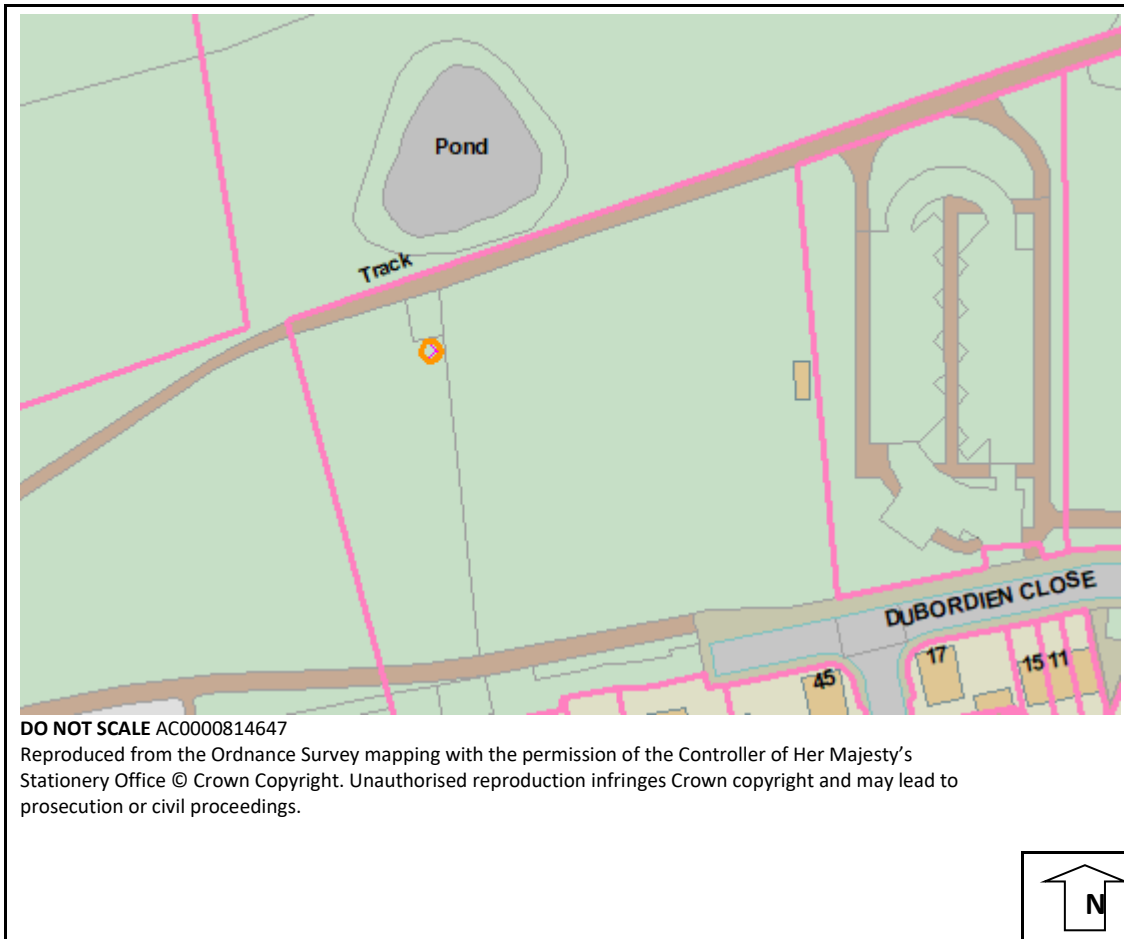
4. The development hereby permitted shall be completed in all respects strictly in accordance with the flagpole location plan and Specification details, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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





10. Background information

See application reference DC/24/0394/ADN on [Public Access](#)

11. Map



Key

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