



Committee Report

Planning Committee North - 8 December 2020

Application no DC/20/2191/FUL

Location

St Felix School
Halesworth Road
Reydon
IP18 6SD

Expiry date 14 September 2020

Application type Full Application

Applicant St Felix School

Parish Reydon

Proposal Creation of two sports pitches

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1. Summary

1.1 This application seeks planning permission for the development of two sports pitches on land at St Felix School, Reydon.

1.2 Outline planning permission has been granted (ref. DC/15/3288/OUT) for the development of up to 69 dwellings on existing playing fields within the grounds of St Felix School ("The School"). This residential development was approved as enabling development to fund a number of physical works to the school premises and its grounds to ensure the continued viability and operation of The School. The scheme was approved on 5 February 2019. The planning permission remains extant.

1.3 Linked to the planning permission is a S106 Legal Agreement ("The S106") securing a number of planning obligations. Most relevant to this application is that the S106 required, amongst other things, that The School and/or the developer obtain planning permission for replacement playing pitches of at least equivalent quality and quantity to the existing; and that the pitches be provided and made operational prior to commencement of the residential development.

- 1.4 This application seeks to provide those replacement sports pitches in order to facilitate the delivery of the housing development and linked enabling works. This application has been subject of pre-application engagement by officers of the Council with the applicant and their retained agent. During the determination period of the application there has also been considerable discussion with key statutory consultees such as Sport England and Natural England. The outcome of those positive discussions has fed into the scheme being presented to members today for determination.
- 1.5 The proposal comprises two sports pitches: Pitch 1 located to the south side of the existing School buildings; and Pitch 2 located to the south side of the existing playing fields (where the housing development would take place).
- 1.6 There has been considerable local interest in the scheme, comprising a mix of objection and support. In terms of statutory consultee responses, Sport England support the application; and, further to officers carrying out an Appropriate Assessment under the Habitats Regulations (2017), Natural England do not object to the proposal. However non-statutory consultees such as Suffolk Wildlife Trust, and the Suffolk Coast and Heaths AONB Unit, raise concerns with the application in regard to ecological and landscape/visual impacts, amongst other things. All the comments are summarised in section 4 of this report with the comments of the Parish Council included in full. Full copies of all the consultation responses received can be viewed on the Council website by any interested party.
- 1.7 Officers consider that the proposed development is acceptable in planning terms. The S106 linked to the extant planning permission for residential development set parameters that would see all 16,000 square metres of replacement sports pitches being located wholly within the County Wildlife Site ("CWS"). Officers have worked collaboratively, as encouraged by the NPPF, with the applicant so that a scheme can be supported which provides improved sports facilities - gaining support from Sport England - but with a lesser impact on the CWS, when compared to the parameters of The S106. This involves only Pitch 2 being located within the CWS, with Pitch 1 being located to the south of the existing School buildings. Officers consider that this represents the correct balance of replacing the sports pitches to be re-developed for housing under the extant planning permission, whilst minimising the ecological and landscape/visual impacts arising from the proposed development.
- 1.8 Accordingly, the application is recommended for approval subject to a Deed of Variation being agreed on The S106 to reflect the amended location of the replacement sports pitches put forward in this application.
- 1.9 The application has been referred direct to the Planning Committee (North) by the Head of Planning and Coastal Management due to the significant local interest, and because the application is related to the extant housing planning permission that was also considered by the Planning Committee (formerly of Waveney District Council).

2. Site description

- 2.1 The School is located to the west of Reydon on the A1095 Halesworth Road which connects the A12 to Reydon and Southwold.

- 2.2 The School site comprises 28 hectares and is divided into two almost equally sized parts by Shepherd's Lane. All of the School buildings and many of its playing fields are located to the west of Shepherd's Lane. The land to the east comprises additional playing fields.
- 2.3 Halesworth Road forms the northern boundary to The School grounds albeit it is visually and physically separated from the site by a well-established tree belt that is protected by a series of Tree Preservation Order ('TPO') Groups. To the south of Halesworth Road is a development of twenty residential properties known as St Georges Square.
- 2.4 The School is outside the defined physical development limits of the Main Town of Southwold and village of Reydon, it is within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty ('the AONB') and within an area of Heritage Coast.
- 2.5 Part of the St Felix School Grounds is a County Wildlife Site (Waveney 74) (CWS) and part of the application site falls within the CWS. A number of European Designated Sites, including the Minsmere-Walberswick Special Protection Area (SPA) and Minsmere-Walberswick Heath and Marshes Site of Special Scientific Interest (SSSI) are located within 1 km of the Site.
- 2.6 The School, whilst not statutorily or locally listed, is of architectural and historic merit and may be considered as a non-designated heritage asset.
- 2.7 The application site, which extends to 1.6 hectares in total, comprises two separate rectangular parcels within the wider school grounds, one to the south of the main school buildings; and one to the east of St Georges Lane, within the CWS.
- 2.8 Relevant planning history includes:
- DC/20/1450/FUL – approved May 2020 – granted planning permission for the extension of the sports hall to create new changing rooms, with associated revisions to the car parking arrangements.
 - DC/15/3288/OUT - approved in February 2019 - granted outline planning permission for residential development, public open space and associated infrastructure on the former playing field, to the south of Halesworth Road and east of St Georges Lane.

3. Proposal

- 3.1 The application seeks full planning permission for the development of two sports pitches.
- 3.2 Pitch 1 would be a high-quality sports pitch covering some 7,260 square metres on land to the south of The School buildings. It will require engineering works to improve and level the playing surface, and it is proposed that this pitch will be used for Rugby Union, among other things.
- 3.3 Pitch 2 would be located within the CWS, to the south of the existing playing fields (to be re-developed), and to the east of St Georges Lane. The plans for this pitch initially showed a very low-key approach, where there would be no engineering works. However, many local residents and interested parties commented that the area would not be useable because of

the lack of engineering works proposed; thus, in consultation with Sport England, amended plans were put forward to detail works to Pitch 2 comprising:

“First remove all weeds. Levels are to be adjusted such that material from the higher areas on the north west side are used to infill the lower areas on the south east side. The pitch playing surface is to be level / flat. Should there be a gradient then it must not exceed 1 in 80.

In order to ensure that all existing rabbit holes are filled in, the whole surface of the pitch area is to be rotavated using a heavy duty hydraulic rotavator. The Contractor to check the moisture content of the soil especially as it is likely that this ground has never been tilled before.

During the appropriate planting season apply suitable compost and re-seed with an approved sport pitch grass mix to be agreed with Sport England. Once seeded area is to be protected and kept moist / regularly watered during the grass seed germination period.”

- 3.4 Pitch 2 would be enclosed by rabbit proof fencing, with self-closing gates on the north, east and southern boundaries; and a grounds maintenance access gate on the western boundary.
- 3.5 Pitch 2 would comprise 4,944 square metres of football pitch, and 3,931 square metres of wider playing area to general playing field standard.
- 3.6 In combination, therefore, the two sports pitches would amount to:

Total Area of Pitch 1 (Rugby) 7,260 square metres + Pitch 2 (Football) 8,875 square metres = 16,135 square metres.

4. Consultations/comments

- 4.1 In response to publication/consultation, there has been considerable local interest in the application. There have been over 130 representations received. There have been 62 letters/emails in support of the application. There have been 74 letters of objection (including from groups such as Reydon Action Group for the Environment "RAGE"; and Southwold and Reydon Society).

Response to the First Round of Consultation

- 4.2 Letters of support received raising the following key planning reasons (inter alia):
 - The existing pitches are poor quality and application will provide improved sports facilities to pupils and community;
 - Enhancing the school facilities will make it more competitive and help secure existing jobs at the school;
 - The pitch within the school grounds will cause little disturbance to nearby residents;
 - The pitch to the east of Shepherd's Lane is well-screened by mature trees;
 - As a large employer in the local area the School needs to be supported;
 - The community needs the housing delivery, which would be on a suitable infill gap;
 - Facilities will benefit the well-being of pupils;
 - Provides community facilities in the village;

- Development will not harm the surrounding location;
- Facilities for exercise will be of benefit in response to Covid-19; and
- Development will allow for the improved maintenance of the gorse area.

4.3 Letters of objection received raising the following key planning reasons (inter alia):

- The development not required or wanted by the local community;
- Loss of green environmentally sensitive area in the AONB;
- No employment generation from the development;
- Already too much congestion on the local roads;
- The playing field is not to be levelled or turfed therefore being unusable;
- The AONB is important for tourism and development will harm its attractiveness to tourists;
- A number of mature trees, areas of gorse and other shrubs, will be destroyed;
- The extra houses will cause a strain on local services;
- The extra traffic accessing the Halesworth Road will be very dangerous;
- This application does not conform to required planning conditions, that supplied pitches must be of as good a quality and additional;
- One of the pitches is currently in use for athletics, and the second pitch slopes in both its length and width, making it unsuitable for purpose.;
- The proposal does not comply with the s106 agreement to provide 16,000 square metres of replacement sports pitches. There is a shortfall of 11,905 square metres.
- The development will harm the County Wildlife Site;
- Loss of Open Space;
- Due to the poor nature of the proposed pitch 2 it will be of little value as a local amenity to the local community, as well as losing the amenity of an equestrian site;
- Poor accessibility to the pitches and facilities;
- The proposed new pitch is half the size previously required by the Council;
- St. Felix does not intend to re-turf, level or drain the current surface;
- The playing field on the equestrian course will be of no public benefit;
- The application involves the loss of part of the County Wildlife Site. The Area of Outstanding Natural Beauty must not be built upon;
- Part of the development is in a County Wildlife Site (CWS) and will result in habitat loss and concomitant biodiversity losses. - The ecology report is inadequate;
- The promise made to replace the equestrian centre has been dropped;
- No landscape and visual impact assessment has been made (required under Local Plan policy WLP8.35 because site is within the AONB);
- Car parking provision inadequate;
- The development is contrary to the Reydon Neighbourhood Plan 5 policy 'Maintaining Protection of the Countryside Around the Village'.
- The proposal is not sufficiently defined and detailed;
- There is no need for the proposed development;
- It would allow further creeping suburbanisation of the western settlement fringe of Reydon outside the existing village footprint;
- It does not offer like for like replacement of the existing playing field or a replacement equestrian facility;
- It would provide little or no community benefit;
- It would cause substantial harm to the ecology and biodiversity of the St Felix School Grounds County Wildlife Site.

- That harm can be avoided by retaining the existing playing field to the north of proposed Pitch 2;
- The harm to ecology and biodiversity cannot be mitigated or compensated. The suggested proposals for compensation / offset are entirely theoretical;
- The Applicant has misused Natural England's Biodiversity Metric 2.0 tool and the resultant calculations which suggest the possibility of net biodiversity gain are demonstrably wrong;
- The proposal would result in the felling of at least 12-15 and possibly as many as 25 trees including 100+ year old oaks;
- It would cause significant harm to the character and appearance of the area contrary to NPPF 172; and
- It would be contrary to the emerging Reydon Neighbourhood Plan.

4.4 A neutral letter of representation has also been received that, amongst other things, questions claims made by RAGE (Reydon Action Group for the Environment).

4.5 The Local Ward Member, Cllr Beavan, has objected to the application for the following reasons:

"This application does not satisfy the planning conditions. that replacement pitches must be supplied that are at least as good and additional. One of the pitches is not additional as it is used for athletics. The other is not suitable for playing football on."

Response to the Second Round of Consultation on Amended Plans (received 23 September 2020)

4.6 Letters of objection received that raise key planning issues (inter alia), in addition to re-iterating previous objections summarised above:

- Disagree with the comments of Sport England. Qualitative pitch improvement does not make up for the quantitative shortfall;
- Pitch south of school buildings is already a high-quality pitch, so the application does not create a new pitch.
- Proposal conflicts with paragraph 97 of the NPPF;
- The pitch within the CWS would be too small and unusable;
- There is still no landscape and visual impact assessment;
- Revised plans for pitch in the CWS now include details of the removal of more trees;
- Due to the poor nature of the proposed pitch in the CWS it will be of little value as to the local community, as well as losing the amenity of an equestrian site.
- The proposed removal of sixteen trees and the proposed levelling of the site would harm the character and appearance of the area;
- the revised plans show that more trees would need to be felled, confirms that the site will be levelled, and that fencing and personnel / vehicular access routes and gates installed, all of which will result in greater destruction and degradation of the Country Wildlife Site, its ecosystem and ultimately the sites integral part within the natural beauty of the Blyth Valley;
- A Habitats Regulations Assessment is required to understand impact on foraging Nightjar;
- No details of the fencing and floodlighting to the pitches;
- The revised scheme exacerbates the negative impact on the CWS; and

- As a standalone application this application is contrary to policy.

4.7 Further letters of support were also received, but no new material planning matters were raised in those letters, beyond what has been summarised in paragraph 4.2, above.

4.8 Cllr Beavan has also commented further on the amended plans, as follows:

“The updated plans do not alter my objections to this application.”

5. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Reydon Parish Council	18 June 2020	26 July 2020

Full Comments:

“This planning application is for two replacement playing fields at St Felix which is a legal (S106) requirement of the permission given previously for the building of 69 houses on the existing playing field alongside the Halesworth Road, east of St George’s Square. We believe this application should be rejected for the following reasons:

1. Without the destruction of the existing large and good quality playing field, there would be no reason at all for this application which is for significant development in the AONB, contrary to national and local planning policies (significantly NPPF para 175 and WLP8.35), including damage to the St Felix County Wildlife Site which enjoys further protection and is included in the “most valued areas of the countryside” in Policy RNP5 of the Reydon Neighbourhood Plan. The Reydon Neighbourhood Plan is a material consideration for this application since its Examination is now complete and a final “Post Examination” Draft is awaiting publication of a Decision Notice by East Suffolk Council, pending the delayed referendum which will take place next year due to the Covid Health Emergency.

2. What is proposed is not an adequate replacement for the playing field which is to be lost:

- a. One of the “new” playing fields will be on a field currently used for athletics.*
- b. The total size of the proposed fields is considerably less than that of the field which is to be lost.*
- c. The quality of the proposed pitches will be low, especially Pitch 2 which will be restricted by trees and affected by rabbit holes.*

The application cannot, therefore, be judged to meet the requirements of the S106 conditions set for the housing development that the existing playing field will be replaced with playing fields of the same or better quality.

3. The proposal is also not acceptable since one of the proposed playing fields will encroach significantly onto the County Wildlife Site. The proposed compensatory works to the wildlife site are wholly inadequate and unlikely to be fully realised for many years. Important landscape features of one of the few remaining unspoiled Suffolk estuary valleys will be lost and sensitive habitats will be damaged. We believe that a full assessment of this application, together with the housing approved scheme, needs to be made under both the habitat and environmental impact

regulations. Assessing these interrelated applications separately will not properly consider the overall impact on a sensitive environment in the AONB.

4. Finally we are also concerned that the quality of the new playing fields will be poor compared to what will be lost to housing. The poor quality will significantly limit their use and diminish or eliminate entirely any possible or claimed community benefit. This will be exacerbated by the inadequate parking provision. We note that there are no proposals included in the application for providing and maintaining community use despite the emphasis given to this when the applicant was proposing the housing application.

For these reasons, we believe this application should be rejected. We also believe that this application should be determined by the Planning Committee since it is aimed at discharging (wholly inadequately) the S106 conditions for the housing development which were set by the Planning Committee. Members will, we are sure, be disappointed at the poor quality of the applicant's response to its carefully considered and legally binding requirements."

Statutory consultees

Consultee	Date consulted	Date reply received
Natural England	18 June 2020	1 July 2020

Summary of comments:

"Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites."

Comments updated by response received 27 July 2020:

"As submitted, the application could have potential significant effects on the qualifying bird species of Minsmere-Walberswick Special Protection Area (SPA). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The further information submitted by RAGE has made us aware that nightjar, a qualifying species of Minsmere-Walberswick SPA, have been recorded in this location previously, and we understand that the habitat is currently suitable for this species. The application site may therefore consist of land functionally linked to the SPA (which under legislation is protected as if situated within the SPA).

Therefore we now recommend that the ecology team provide an ecological addendum which will provide a review of the likely usage of the site by nightjar (and any other species associated with Minsmere-Walberswick SPA).

Furthermore, a habitats regulations assessment should now be carried out by your authority.

Please re-consult Natural England once this information has been obtained."

Consultee	Date consulted	Date reply received
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Suffolk County - Rights Of Way	18 June 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Sport England	18 June 2020	9 July 2020

Summary of comments:
"In principle, sport England is supportive of the revised proposals, as they will provide enhanced playing field provision, to compensate for the loss of the playing field which will be developed for residential. We are prepared to accept a quantitative reduction, but only because of the qualitative improvements that will be delivered. It is also clear that there is local demand for football to use the new areas of playing field, and the potential for the new playing fields to be used for rugby training, if demand grows to the point where Halesworth cannot accommodate it all."

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	18 June 2020	8 July 2020

Summary of comments:
No objections.

Non statutory consultees

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	N/A	22 October 2020

Summary of comments:
Object to the application on ecological grounds.

Consultee	Date consulted	Date reply received
Ecology (Internal)	18 June 2020	14 July 2020

Summary of comments:
Internal planning consultee. See Planning Considerations section and appendix 1 (HRA: Appropriate Assessment)

Consultee	Date consulted	Date reply received
Suffolk Coasts And Heaths Project	18 June 2020	8 July 2020

Summary of comments:
Advice given. Concerns over pitch 2 in the CWS.

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	18 June 2020	1 October 2020

Summary of comments:
No objections; conditions recommended.

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	18 June 2020	8 July 2020

Summary of comments:
Internal planning consultee; see report.

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	18 June 2020	1 July 2020

Summary of comments:
No objections; conditions recommended.

Re-consultation consultees

Consultee	Date consulted	Date reply received
Ecology (Internal)	24 September 2020	19 October 2020

Summary of comments:
Internal planning consultee. See Planning Considerations section and appendix 1 (HRA: Appropriate Assessment).

Consultee	Date consulted	Date reply received
Natural England	24 September 2020	2 November 2020

Summary of comments:
"We note that the Council has undertaken an Appropriate Assessment as requested by Natural England in our written advice dated 27th July 2020 (our ref: 322763). The HRA concludes that the proposal may result in the loss of a small area of habitat potentially suitable for nightjar. This loss is not considered large enough within the context of the surrounding forging habitat and no significant impacts are anticipated. We accept that the land take is de minimis when considered in the context of the surrounding habitats, however this land is within a County Wildlife Site. We reiterate the advice provided on the 27th July 2020, which states that County Wildlife Sites should be used for development as a last resort, as they contain valuable habitats for a range of species

and often support local communities. The Wildlife Trust should be consulted for a detailed response on effects to local sites and appropriate mitigation."

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	24 September 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Reydon Parish Council	24 September 2020	23 October 2020

Full comments:

"Reydon Parish Council wishes to reiterate its previous objections stated which still apply to this revised proposal. We believe that rather than addressing previous concerns, the revised application makes matters worse as Pitch 2 will create more harm to the environment in the form of more tree felling and habitat damage caused by pitch leveling. Moreover, these changes do not provide a pitch of the quality previously recommended by the applicants specialist consultant (Total Turf Solutions). The poor quality will severely limit any potential community use. The proposed new fencing will harm the visual character of the landscape. Finally Policy RNP5 of the Reydon Neighbourhood Plan must now be given significant weight. It identifies the St Felix Wildlife Site as one of the most valued areas of the countryside around the village and this application does not meet the criteria set for development in these areas.

It is not needed to preserve the character and integrity of the site (indeed it harms them)

There is no demonstrable need for the development to take place here as the applicant could simple choose to retain the existing playing field that this proposal is designed to replace.

There is a suitable alternative site, namely the existing playing field.

The impact on the landscape is not adequately mitigated as set out above."

Consultee	Date consulted	Date reply received
Suffolk Coasts And Heaths Project	24 September 2020	22 October 2020

Summary of comments:

Object on the grounds that the scheme will not conserve or enhance the Natural beauty of the AONB or the local parkland character.

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	24 September 2020	No response

Summary of comments:

No comments received.

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	24 September 2020	9 October 2020
Summary of comments: No objections on the grounds that the proposed development is unlikely to result in an unacceptable impact on highway safety nor a severe impact on the highway network.		

Consultee	Date consulted	Date reply received
Suffolk County - Rights Of Way	24 September 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Sport England	24 September 2020	6 October 2020
Summary of comments: "Sport England would therefore wish to support this application as it will result in high quality playing field provision, that can make a contribution to school and local clubs pitch requirements. It is considered that this application makes a positive contribution towards the overall scheme meeting exception 4 of our playing fields policy, relating to replacement playing field provision."		

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	24 September 2020	No response
Summary of comments: Internal planning consultee; see planning consideration section of this report.		

6. Publicity

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

Category	Published	Expiry	Publication
Major Application	10 July 2020	31 July 2020	Beccles and Bungay Journal
Category	Published	Expiry	Publication
Major Application	10 July 2020	31 July 2020	Lowestoft Journal

7. Planning policy

National Planning Policy Framework (NPPF)

WLP8.21 - Sustainable Transport (East Suffolk Council - Waveney Local Plan (March 2019))

WLP8.23 - Protection of Open Space (East Suffolk Council - Waveney Local Plan (March 2019))

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

WLP8.30 - Design of Open Spaces (East Suffolk Council - Waveney Local Plan (March 2019))

WLP8.34 - Biodiversity and Geodiversity (East Suffolk Council - Waveney Local Plan (March 2019))

WLP8.35 - Landscape Character (East Suffolk Council - Waveney Local Plan (March 2019))

Reydon Neighbourhood Plan Policy RNP 5: Maintaining Protection of the Countryside Around the Village

8. Planning considerations

Policy Background

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) sets out that *“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”* This is reflected in paragraph 12 of the NPPF which affirms the statutory status of the development plan as the starting point for decision-making.
- 8.2 The development plan comprises the East Suffolk Council - Waveney Local Plan (“The Local Plan”) and any adopted Neighbourhood Plans. The relevant policies of the Local Plan are listed in the section above and will be considered in the assessment to follow. It is important to also note that NPPF paragraph 11 requires that planning decisions apply a presumption in favour of sustainable development and that means, for decision-taking, approving development proposals that accord with an up-to-date development plan without delay.
- 8.3 The Reydon Neighbourhood Plan (RNP) is now at a fairly advanced stage, although not yet ‘made’ and formally adopted due to delays caused by the Covid-19 pandemic. Given its advanced stage, the RNP can now be given significant weight in determining applications, and the relevant policies therein are listed in section seven, above.

Principle of Development

- 8.4 Many of the objection letters received state an opposition to the residential re-development of the existing playing fields. However, that development has been considered and approved under the extant planning permission (ref. DC/15/3288/OUT). This application

relates to the development of sports pitches and, whilst it is obviously linked to the permitted residential development – through the requirements of The S106 – it is not for this application to address whether housing on the existing playing fields is acceptable, or not; that has already been considered and approved by this Council and as such is a lawful permission.

- 8.5 The S106 linked to the extant outline planning permission requires certain works to replace the sports pitches to be lost to development. The S106 sets out that:

“4.1.2 The Owner shall, in making an application for the Replacement Playing Pitches, obtain the Council's approval in writing of an implementation scheme to ensure that the Replacement Playing Pitches provided are of equivalent or better quality to the existing sports pitches on the Development Land;

4.1.3 The Replacement Playing Pitches shall, upon obtaining all necessary consents, be laid out and be available for use by the Owner prior to the Commencement of the Development on the Development Land and in any event within 6 months of the obtaining of the relevant consents for the Replacement Playing Pitches or the sale of the Development Land whichever is the latter;

4.1.4 No Development shall Commence on the Development Land unless and until the Replacement Playing Pitches have been laid out in accordance with any necessary consents or if no formal consents are required then as agreed in writing with the Council and made available for use by the Owner and the Community Users. Until such time as the Replacement Playing Pitches have been completed and made available for public use, the existing pitches at Saint Felix School shall be available for use by the public as per the arrangements current at the date of this Deed.”

- 8.6 The ‘Replacement Pitches’ are defined in The S106 as:

“replacement playing pitches of at least equivalent quality and quantity (16,000 sqm) to the existing playing pitches on the Development Land in accordance with details set out in the Feasibility Study prepared by Total Turf Solutions Limited dated 28 March 2017 to be provided on the Retained Land. The location of the replacement playing pitches to be to the south of the existing rugby pitch on the Retained Land as shown on plan at precise location(s) to be agreed with the Council as part of the planning permission/consent for such pitches or if no formal consent is required, then as agreed in writing with the Council.”

- 8.7 The Feasibility Study prepared by Total Turf Solutions, dated 28 March 2017, is therefore tied into The S106 and the provision of replacement pitches should follow that approved document. This document has also been submitted with this application.

- 8.8 The proposed sports pitches would fall within a Local Plan defined area of Open Space, where policy WLP8.23 (Protection of Open Space) is relevant. WLP8.23 identifies the importance of open spaces to local communities – both in terms of support for physical and mental health but also in supporting biodiversity, the aesthetic quality of the public realm, and enhancing the wider green infrastructure network.

8.9 Policy WLP8.23 sets out that:

“There will be a presumption against any development that involves the loss of open space or community sport and recreation facilities.

Open spaces are identified on the Policies Map.

Proposals for the development of open spaces will only be permitted in exceptional circumstances where:

- *The proposal is ancillary to the open nature of the area and will enhance local character, increase local amenity and be of greater community or wildlife benefit;*
- *An open space assessment demonstrates the site is surplus to requirements including its ability to be used for alternative open space uses; or*
- *The loss resulting from the proposed development will be replaced by equivalent or better provision in terms of quantity, quality and in a location that is equally or more accessible to the community.”*

- 8.10 Alongside WLP8.23, Policy WLP8.30 covers the ‘Design of Open Spaces’ and sets out a number of considerations for the design of new open spaces, in relation to location, access, layout, use and appearance.
- 8.11 In addition, Policy WLP8.22 states that proposals for new community services and facilities, will be supported if the proposal meets the needs of the local community, is of a proportionate scale, well related to the settlement it will serve, and will not adversely affect existing facilities that are easily accessible and available to the local community.
- 8.12 As the proposed development is sports pitches/playing fields in an area of designated open space, the development is compatible with that designation and thus there is no conflict with WLP8.23. There will be no loss of open space. The proposal will result in an improvement to the facilities available, which will not just be of benefit to school pupils, but also to the community, as the pitches will be made available for community use in accordance with the requirements of The S106. Therefore, the proposed development, in principle, accords with Policies WLP8.22 and WLP8.23 of the Local Plan.

Sport Pitch Provision and Sport England Advice

8.13 NPPF paragraph 97 sets out that:

“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.”*

8.14 As the proposal relates to playing fields, Sport England are a statutory consultee. Sport England have assessed the proposal against NPPF para.97, above, and against their own

playing fields policy. In response to the amended plans, Sport England has commented, concluding that:

“Sport England considers that the replacement provision will provide high quality playing fields for the school and local community, access to which will be secured via a community use agreement. There is a particular opportunity to tie in with Sole Bay United Juniors FC, and it is clear the club and school have a good relationship.

Sport England would therefore wish to support this application as it will result in high quality playing field provision, that can make a contribution to school and local clubs pitch requirements. It is considered that this application makes a positive contribution towards the overall scheme meeting exception 4 of our playing fields policy, relating to replacement playing field provision.”

- 8.15 A key issue with this application is that the proposed Pitch 1 would be located on amenity grassland to the south of The School buildings. This area is clearly used for some sporting activities – mostly summer athletics (as evident from aerial photographs showing painted lines for running track etc.). Sport England therefore consider that the re-development of the existing playing fields for housing, and then the detailed replacement pitches put forward in this application, will result in a quantitative reduction in overall space. However, when added to the improvements to playing fields to the south of The School, Sport England consider that the benefits to The School and local community outweigh any benefits from the existing poor-quality playing fields. It is notable from Sport England’s consultation response that they have consulted with The Suffolk FA and RFU to inform the provision of their response.
- 8.16 Revisiting The S106 linked to the extant housing permission, The S106 defines the ‘replacement pitches’ as (officer emphasis added):

*“replacement playing pitches of at least equivalent quality and quantity (16,000 sqm) to the existing playing pitches on the Development Land in accordance with details set out in the Feasibility Study prepared by Total Turf Solutions Limited dated 28 March 2017 to be provided on the Retained Land. The location of the replacement playing pitches to be to the south of the existing rugby pitch on the Retained Land as shown on plan **at precise location(s) to be agreed with the Council as part of the planning permission/consent for such pitches or if no formal consent is required, then as agreed in writing with the Council.**”*

- 8.18 It is clear from the definition of ‘replacement pitches’ within The S106 that, in considering any planning application for the development of the replacement pitches, that the precise locations would need to be agreed through the application process.
- 8.19 Pitch 1 would be within The School grounds on the Retained Land identified in The S106. Whilst the land to the South of The School buildings may be used for seasonal athletics, amongst other things, it does not represent a high-quality sports pitch such as that proposed within this application, and as detailed in the Total Turf Solutions Feasibility Report. There would be significant betterment of the sport pitch provision at The School arising from this development proposal, as evidenced by the support from Sport England. That the land on which Pitch 1 would be developed is used for some sporting activities does not change that the proposal put forward in this application represents a comprehensive

scheme to replace the sports pitches to be re-developed for housing. Officers raise no objection to the principle of locating the two sports pitches in the areas proposed and consider that it accords with The S106 to secure replacement pitches to offset the impacts which would arise from the housing development.

- 8.20 In order for the detailed proposal subject of this application to accord with The S106 linked to the extant housing permission, a minor modification to The S106 is required through a Deed of Variation. The proposal is that all four of the plans attached to The S106 are replaced and thus references to the plans in The S106 need to be updated. In addition, the definition of 'Replacement Playing Pitches' would be adjusted to specifically mention land to the south of the School Buildings. In essence, the plans in The S106 would be updated to reflect the location and size of the sports pitches proposed in this application. The applicant has submitted a Draft Deed of Variation to this effect, that is being considered by the Council's Legal Team. Any recommendation of approval would therefore be subject to this Deed of Variation being formally agreed and signed by all parties.

Ecology: St Felix School Grounds County Wildlife Site (CWS)

- 8.21 The application has been reviewed extensively by the Council's Ecologist with officers also liaising with Natural England who, in their final comments of 2 November 2020, raise no objections.
- 8.22 Reydon Action Group for the Environment (RAGE) have submitted extensive information both to the Council and Natural England directly. Officers have considered the additional information that has been provided by the applicant; as well as Natural England's consultation responses of 27 July 2020 and 02 November 2020; and the report provided by Whittingham Ecology on behalf of RAGE (including additional comments made by Whittingham Ecology, received 26 October 2020).
- 8.23 Proposed replacement sports pitch 1 is in an area identified as amenity grassland to the south of the main school buildings. Based on the information provided the construction and operation of the proposed pitch is unlikely to result in a significant adverse impact on designated sites, protected species or UK Priority habitats or species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)), subject to the mitigation measures identified in the ecological reports being implemented.
- 8.24 Proposed replacement sports pitch 2 is located within the north-eastern part of St Felix School Grounds County Wildlife Site (CWS), which is designated for its mosaic of heathland habitats. The area of the proposed pitch is identified as being predominantly semi-improved grassland with acidic indicators on free draining, sandy soil, with a small amount of scrub/trees also present.
- 8.25 Whilst the updated plans for this pitch (drawing ref. DR-A-0120 Rev. P5) identify that works will be relatively low key and will re-use material from within the site to create a sufficiently level surface (which then be seeded with the sports turf seed mix), nevertheless the works will negatively change the vegetation communities present in this part of the CWS. The proposal will therefore result in the loss of part of the CWS (quoted as 3% in the application documents).

8.26 Waveney Local Plan policy WLP8.34 states that:

“Proposals that will have a direct or indirect adverse impact on locally recognised sites of biodiversity or geodiversity importance, including County Wildlife Sites, Biodiversity Action Plan habitats and species, will not be supported unless it can be demonstrated that new opportunities to enhance the green infrastructure network will be provided as part of the development that will mitigate or compensate for this loss.”

- 8.27 The application proposes implementing a habitat management plan for the wider CWS as a means of compensating for the change of grassland from acidic semi-improved to a more amenity type. Whilst there is a need for the production and implementation of such a plan, it would need to be ensured that any such plan did not compromise the existing ecological value of the CWS.
- 8.28 It is noteworthy that The S106 linked to the extant housing permission would see the replacement pitches located wholly within the CWS, and this would be far more harmful than the proposed development which splits the provision into two pitches - the most heavily engineered of which will be located to the south of The School buildings, outside the CWS. That represents a significant ecological improvement over the parameters of The S106.
- 8.29 In any case, the creation of pitch 2 will cause some harm to the integrity of the CWS and that conflict with Policy WLP8.34 must be weighed in the balance as part of the consideration of this application. That being said, officers recommend ecological conditions to help mitigate the impact of development, including:
- Development to be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Assessment.
 - No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive.
 - A construction environmental management plan (CEMP: Biodiversity) to be approved pre-commencement of development.
 - A landscape and ecological management plan (LEMP) for St Felix School Grounds County Wildlife Site to be approved pre-commencement of development.
- 8.30 The LEMP would include cyclical cutting of gorse to create a more varied age structure; removing some areas of gorse to create additional acid grassland; altering the mowing regime to encourage scarce plant species; removing the former go-kart track to create an area of open grassland; and managing public access onto permissive footpaths within the CWS. According to the applicant, and based on Biodiversity Metric calculations, this package of measures will result in biodiversity enhancements that equate to a 10% net gain. In any case, subject to the detail being agreed by condition, it would have a significant mitigatory effect.

Ecology: Habitats Regulations Assessment (HRA)

- 8.31 Part of the proposed development site (pitch 2 area) provides some suitable habitat for foraging nightjar. Whilst there is some potential that birds from the population associated with the Minsmere-Walberswick SPA and Minsmere-Walberswick Ramsar Site may forage across the site the amount of habitat to be lost is very small when compared with the available habitats both within the designated sites and in the surrounding areas. It is therefore concluded that the proposed development “alone” will not result in an Adverse Effect on the Integrity of the European designated sites identified.
- 8.32 No other plans or projects which would result in the loss of nightjar foraging habitat associated with the Minsmere-Walberswick SPA or Ramsar Site have been identified. It is therefore concluded that the proposed development “in-combination” will not result in an Adverse Effect on the Integrity of the European designated sites identified.
- 8.33 Having considered the proposed development, officers conclude that the project will not have an Adverse Effect on the Integrity of the European designated sites identified.
- 8.34 Having made this appropriate assessment of the implications of the project for the sites in view of those sites’ conservation objectives, and having consulted Natural England and fully considered the representations (no objection) received from them, officers conclude that the project can proceed under regulation 63 of the Conservation of Habitats and Species Regulations (2017) (as amended).
- 8.35 The above is a summary of the HRA: Appropriate Assessment (AA) undertaken; a full copy of the AA can be found at appendix 1, and details fully the reasons why officers consider that the accords with WLP8.34, in respect of the HRA implications of the proposed development.

Landscape and Visual Impact

- 8.36 The site falls within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). NPPF paragraph 172 sets out that:

“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”*

8.37 The objectives of the NPPF, in respect of the natural environment, are found in Local Plan Policy WLP8.35 (Landscape Character) which sets out that:

“Proposals for development should be informed by, and be sympathetic to, the distinctive character areas, strategic objectives and considerations identified in the Waveney District Landscape Character Assessment (2008), the Settlement Fringe Landscape Sensitivity Study (2016), the Broads Landscape Character Assessment (2016), the Broads Landscape Sensitivity Study for Renewables and Infrastructure (2012) and the most current Suffolk Coast and Heaths Area of Outstanding Natural Beauty Management Plan.

Development proposals will be expected to demonstrate their location, scale, form, design and materials will protect and where possible enhance:

- *The special qualities and local distinctiveness of the area;*
- *The visual and historical relationship between settlements and their landscape settings;*
- *The pattern of distinctive landscape elements such as watercourses, commons, woodland trees (especially hedgerow trees) and field boundaries, and their function as ecological corridors;*
- *Visually sensitive skylines, seascapes and significant views towards key landscapes and cultural features;*
- *The distinctive landscapes of the Suffolk Heritage Coast;*
- *The natural beauty and special qualities of the Suffolk Coast and Heaths Area of Outstanding Natural Beauty; and*
- *The unique landscape and characteristics of the Broads.*

Proposals should include measures that enable a scheme to be well integrated into the landscape and enhance connectivity to the surrounding green infrastructure and Public Rights of Way network.

Development will not be permitted where it will have a significant adverse impact on:

- *The landscape and scenic beauty of the protected landscapes and the settings of the designated areas of the Broads or the Suffolk Coast and Heaths Area of Outstanding Natural Beauty; or*
- *Locally sensitive and valued landscapes including Rural River Valleys and Tributary Valley Farmland character areas.*

Development within the settings of the Broads and Area of Outstanding Natural Beauty or within the Area of Outstanding Natural Beauty itself will be informed by a Landscape and Visual Impact Assessment to assess and identify potential impacts and to identify suitable measures to avoid or mitigate these impacts.

Proposals for development should protect and enhance the tranquillity and dark skies of both the Waveney District and Broads Authority areas.”

8.38 Emerging Reydon Neighbourhood Plan Policy RNP5 seeks to protect countryside around the village, and sets out that:

“Development outside the settlement boundary should protect and where possible enhance the natural beauty and special qualities of the Suffolk Coasts and Heaths Area of Outstanding Natural Beauty in accordance with Policy WLP 8.35 of the adopted Waveney Local Plan.

The following areas (as shown on Policy Map RNP Map 3) are identified as the most-valued parts of the countryside in the neighbourhood area:

- *Reydon Wood;*
- *The Hen Reedbeds;*
- *Pottersbridge Marshes;*
- *Reydon Smere;*
- *Smere Marshes;*
- *Reydon Common Marsh;*
- *St Felix County Wildlife Site; and*
- *Riverside Grazing Meadow and Marshes*

Within the most-valued parts of the countryside identified above, proposals for development will not be supported unless:

- *the development is needed to preserve their character and integrity;*
- *a demonstrable need for the development to take place in the location has been satisfactorily evidenced;*
- *there are no suitable and available alternative sites outside of these areas; and*
- *the impact on the landscape is mitigated through sensitive design and a detailed landscaping scheme.”*

- 8.39 The application has been reviewed by the Council’s Arboriculture and Landscape Manager. Pitch 1 is wholly within the context of the school infrastructure context and it will have no impact on existing landscape character and will offer no adverse visual impacts. It requires the removal of one tree which is already in structural decline and should be removed on safety grounds regardless of the pitch proposal. The creation of Pitch 1 presents no grounds for objection for reasons related to landscape and visual impact.
- 8.40 Pitch 2 is to be created further east in the school estate. This Pitch requires the removal of six oak trees and part of a group of self-seeded trees (mostly birch). The Oak trees and birch are all considered to be in sound condition and of good longevity, so their loss is regarded as an adverse impact arising from this aspect of the proposal. The tree removal and pitch construction replacing existing acid grassland will have minor impact on landscape character and consequently on visual impact.
- 8.41 The Suffolk Coast and Heaths AONB Unit has objected to the application, particularly in regard to impacts on users of nearby public rights of way (PROWs). At face value there is some validity to their concerns, but it is also important to factor in the magnitude of the perceived change and officers judge that it is relatively limited. The two nearby PROWs are not immediately adjacent to the site, so views of the proposed playing field site are, to varying degrees, filtered by existing vegetation. The most visible aspects are likely to be goalposts where they are visible above scrub vegetation and trees. Officers accept that the sensitivity of the site is High, but for Visual receptors, the magnitude of change is Low to Medium/Low and for a limited extent and range of view. So, in strict Landscape Visual Impact Assessment terms, the case for objection on visual impact grounds is not overly strong. There will be a degree of landscape character change, but it is limited in extent and can be partially mitigated by appropriate replacement planting.

8.42 It is also noteworthy that a scheme where the proposed replacement pitches are located wholly within the CWS would bring greater impact to the special quality of the AONB; in that regard, the detailed proposals put forward are a significant improvement over the parameters set within the existing S106 linked to the extant housing permission. In any case, the limited visual and landscape impact arising from the development would represent some conflict with the objectives of NPPF paragraph 172, and policies WLP8.35 and RNP5.

Other Matters

- 8.43 The existing School buildings have some architectural and heritage value and, therefore, could be considered Non-Designated Heritage Asset (NDHA). Local Plan Policies WLP8.37 and WLP8.38 work together to conserve and enhance the historic environment, in accordance with the NPPF. In respect of the NDHA that is the School buildings, it is the new sports pitch to the south of the buildings that could have an impact on its setting. However, as it is development functionally linked to the day-to-day activities of the school and will retain the openness to the south side of The School, there would be no harm to the significance of the NDHA. Pitch 2 is much farther to the east and, with intervening vegetation, no likely to have any impact on the significance of the NDHA. There is thus no conflict with WLP8.37 and WLP8.38.
- 8.44 The proposal does not involve any new vehicular access nor significant traffic generation. Some local concern states that there would be a lack of parking provision associated with the new sports pitches; however, there is considerable parking provision within the School grounds. As the pitches are replacing existing sports pitches, there is unlikely to be significant traffic generation over-and-above the existing situation. The County Highways Authority has reviewed the application and raise no objections, on the grounds that the proposed development is unlikely to result in an unacceptable impact on highway safety nor a severe impact on the highway network. Officers agree with that view and consider that the scheme is acceptable in highways safety terms in accordance with WLP8.21. There is thus no conflict with NPPF paragraph 109, which is clear that development should only be refused on highways grounds where would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.45 In amenity terms, the proposed sports pitches are a considerable distance from residential property and thus unlikely to cause material harm. The main matters raised by local residents are in respect of ecology, landscape/visual impact, and then the impact of the housing re-development of the existing playing fields approved under the extant outline permission. Those matters have been addressed within this report but, in terms of direct impact from the proposed sports pitches on the living conditions of local residents, officers are of the view that no such harm would arise. Thus, there is no conflict with the residential amenity objectives of WLP8.29 (Design).
- 8.46 The County Council Archaeological Service has recommended conditions to secure a programme of archaeological investigation. These are recommended in accordance with policy WLP8.40 (Archaeology).

9. Conclusion

9.1 The extant outline planning permission for residential development of existing playing fields/sports pitches at St Felix School was approved as an enabling form of development to

generate funds to be re-invested into The School building and its grounds. These enabling works will offer benefit to pupils at The School, through improved facilities, in addition to making the education offer more competitive in the market which will safeguard existing jobs and potentially lead to job creation in the future.

- 9.2 Linked to that housing development is The S106 which ensures that replacement pitches would be provided at the appropriate time (before residential development commences), but acknowledges that a planning permission would also be required for the specific works of those replacement pitches. The objective of The S106 being to ensure that the housing development does not result in a loss of sports pitches without appropriate mitigation in place; Sport England being the key consultee to guide this matter.
- 9.3 The S106 set parameters that the entirety of the replacement pitches would be wholly within the County Wildlife Site (CWS) and thus, to an extent, the Council has already considered that relocating the sports pitches to that location would be acceptable, in principle. In any case, the application for the proposed development has been submitted and therefore must be considered on merit in line with all relevant planning policies and material considerations.
- 9.4 Much of the local objection to the application is somewhat contradictory: on the one hand, objecting to the ecological impact of the development within the CWS and also the landscape/visual impact on the AONB; on the other hand, also objecting to the application because the scheme departs from the terms of The S106 – insofar as one of the replacement pitches would be located outside of the CWS. The applicant and their retained agent could have designed a scheme strictly in accordance with the terms of The S106 in an attempt to avoid the latter objection; however, in working with officers, the applicant was keen to bring forward a scheme that could be supported by Sport England, whilst minimising ecological and landscape/visual impact. It is again important to note that it is not the role of this application to re-consider the merits, or otherwise, of the housing on the site, a matter which has received objection, as that has extant planning permission and has been considered by this Council as an acceptable proposal.
- 9.5 Having considered all aspects of the proposal, and noting all the correspondence received Officers consider that the proposed development is acceptable. Whilst there would be some limited ecological and landscape/visual impacts, resulting in conflict with policies WLP8.34 and WLP8.35 (and emerging policy RNP5), the proposal does accord with policies WLP8.22 and WLP8.23 of the Local Plan. Harm arising is considered to be outweighed by the benefit of improved sport facilities at the school for use by pupils and the community alike. That the scheme represents a significant improvement over the parameters set by The S106, and has been positively supported by Sport England, weighs strongly in its favour. It should also be acknowledged that approval of this application will facilitate the delivery of an enabling housing development scheme which will bring further public benefit through re-investment in The School. The planning balance indicates in favour of the proposed development and, therefore, planning permission can be granted.

10. Recommendation

- 10.1 Authority to Approve with conditions including (but not limited to) those as recommended in section 11 of this report; and subject to a Deed of Variation on the existing S106 Agreement being agreed.

11. 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 accordance with the following approved plans in respect of each element of the development:
 - Pitch 2 shall be completed in accordance with Drawing Nos. DR-A-0121P2 and DR-A-0120P5, received 23 September 2020; and
 - Pitch 1 shall be completed in accordance with Drawing No. DR-A-0050P3 and The Total Turf Solutions Feasibility Study Rev.2 (Dated 28 March 2017), received 16 June 2020.Reason: for the avoidance of doubt as to what has been considered and approved.
3. A scheme for the proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation shall be submitted and approved prior to commencement of the works. The approved scheme shall be carried out in full and in accordance with the approved programme of implementation. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.
Reason: To ensure that the playing field is prepared the appropriate standard to deliver qualitative improvements to the sport pitch provision at The School.
4. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Assessment (Small Ecology, June 2020); Botanical Survey (Small Ecology, February 2020); Reptile Survey (Small Ecology, October 2019) and Biodiversity Metric Appraisal (Small Ecology, June 2020).
Reason: To ensure that ecological receptors are adequately protected and enhanced as part of the development.
5. 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.
6. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).

- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

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

7. A landscape and ecological management plan (LEMP) for St Felix School Grounds County Wildlife Site shall be submitted to, and be approved in writing by, the local planning authority prior to first use 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 County Wildlife Site is maintained and enhanced.

8. 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 WLP8.40 of the Waveney Local Plan (2019).

9. The development shall not be brought into use 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 8 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 WLP8.40 of the Waveney Local Plan (2019).

10. Prior to their installation, precise details of the fencing and gates to enclose Pitch 2 (as shown on Drawing Nos. DR-A-0121P2 and DR-A-0120P5) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved detail, and retained in that form, unless otherwise approved in writing by the LPA.

Reason: to ensure that the enclosure to pitch 2 is of a design and appearance appropriate for the site context within the AONB.

11. Prior to commencement of the approved development, an updated Arboricultural Impact Assessment & Method Statement, including Tree Protection Plan, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be undertaken in accordance with the approved details.

Reason: to ensure retained trees are protected through the construction phase of the development.

12. No development shall commence until precise details of a tree planting scheme (which shall include species, size and numbers of plants to be planted) has been submitted to and approved in writing by the local planning authority.

Reason: To ensure the submission and implementation of a well-designed planting strategy to mitigate the impacts of development, in accordance with WLP8.35 (Landscape Character).

13. The tree/shrub planting scheme (approved under condition 12) shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of 5 years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

Reason: To ensure the timely implementation and longer-term maintenance of the planting scheme in accordance with the objectives of WLP8.35 (Landscape Character).

14. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that risks from land contamination are minimised, in the event that unexpected contamination is found.

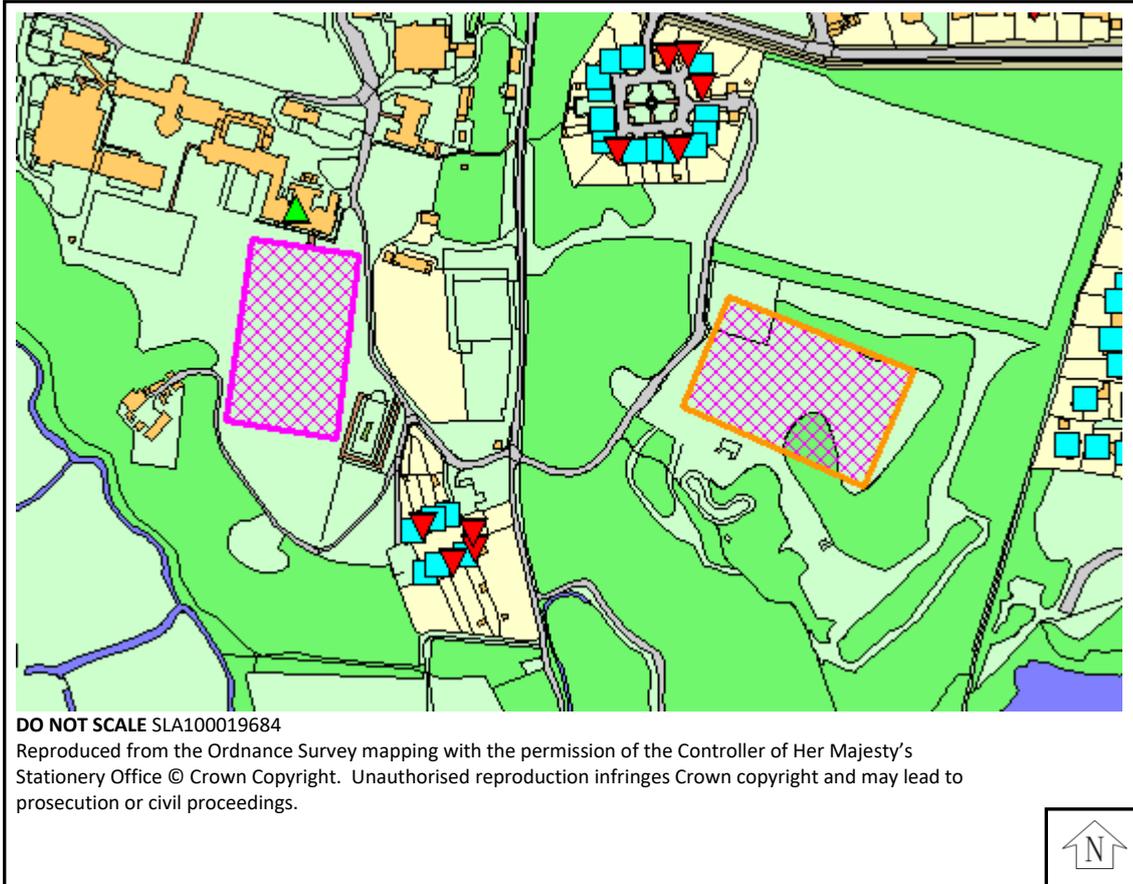
Informatives:

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

Background Papers

See application reference DC/20/2191/FUL on [Public Access](#)

Map



Key

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