



Riverside, 4 Canning Road, Lowestoft, Suffolk,  
NR33 0EQ

# Planning Committee North

## Members:

Councillor Paul Ashdown (Chairman)  
Councillor Jenny Ceresa (Vice-Chairman)  
Councillor Jocelyn Bond  
Councillor Norman Brooks  
Councillor Linda Coulam  
Councillor Graham Elliott  
Councillor Andree Gee  
Councillor Malcolm Pitchers  
Councillor Craig Rivett

Members are invited to a **Meeting** of the **Planning Committee North**  
to be held in the Conference Room, Riverside, Lowestoft  
on **Tuesday, 11 February 2020 at 2.00pm**

An Agenda is set out below.

## Part One – Open to the Public

Pages

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### 1 Apologies for Absence and Substitutions

### 2 Declarations of Interest

Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.

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<b>3</b>	<b>Declarations of Lobbying and Responses to Lobbying</b> To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.	
<b>4a</b>	<b>Minutes - 19 December 2019</b> To confirm as a correct record the Minutes of the Meeting held on 19 December 2019	<b>1 - 23</b>
<b>4b</b>	<b>Minutes - 14 January 2020</b> To confirm as a correct record the Minutes of the Meeting held on 14 January 2020	<b>24 - 48</b>
<b>5</b>	<b>East Suffolk Enforcement Action - Case Update ES/0294</b> Report of the Head of Planning and Coastal Management	<b>49 - 66</b>
<b>6</b>	<b>DC/19/1141/OUT - Land to the West of Copperwheat Avenue, Reydon ES/0295</b> Report of the Head of Planning and Coastal Management	<b>67 - 113</b>
<b>7</b>	<b>DC/18/4429/ARM - Part Land surrounding Waveney Pool, St John's Road, Bungay ES/0296</b> Report of the Head of Planning and Coastal Management	<b>114 - 139</b>
<b>8</b>	<b>DC/18/5082/FUL - Part Land East of Dukes Farm, St John's Hill, Bungay ES/0297</b> Report of the Head of Planning and Coastal Management	<b>140 - 150</b>
<b>9</b>	<b>DC/18/4104/OUT - Land off Pilgrims Way, Bungay ES/0298</b> Report of the Head of Planning and Coastal Management	<b>151 - 179</b>
<b>10</b>	<b>DC/20/0003/FUL - 47 Southend Road, Bungay ES/0299</b> Report of the Head of Planning and Coastal Management	<b>180 - 185</b>
<b>11</b>	<b>DC/19/3918/FUL - 79 Rushton Drive, Carlton Colville, Lowestoft ES/0300</b> Report of the Head of Planning and Coastal Management	<b>186 - 190</b>
<b>12</b>	<b>DC/19/4696/FUL - 37 Common Lane, Beccles ES/0301</b> Report of the Head of Planning and Coastal Management	<b>191 - 195</b>

**Part Two – Exempt/Confidential**

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There are no Exempt or Confidential items for this Agenda.

**Close**

A handwritten signature in dark ink, appearing to read "Stephen Baker", with a long horizontal flourish extending to the right.

Stephen Baker, Chief Executive

## Speaking at Planning Committee Meetings

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

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

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

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

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

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

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<b>Unconfirmed</b>
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Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, on **Thursday, 19 December 2019 at 3.30pm.**

**Members of the Committee present:**

Councillor Paul Ashdown, Councillor Jocelyn Bond, Councillor Norman Brooks, Councillor Jenny Ceresa, Councillor Linda Coulam, Councillor Graham Elliott, Councillor Andree Gee, Councillor Malcolm Pitchers, Councillor Craig Rivett

**Other Members present:**

Councillor Tony Cooper, Councillor Mary Rudd

**Officers present:**

Joe Blackmore (Development Management Team Leader - North Area), Sarah Carter (Democratic Services Officer), Mia Glass (Assistant Planning and Enforcement Officer), Chris Green (Senior Planning and Enforcement Officer), Nick Khan (Strategic Director), Matt Makin (Democratic Services Officer), Philip Ridley (Head of Planning and Coastal Management), Katherine Scott (Development Management Team Leader - South Area), Mel Van de Pieterman (Area Planning and Enforcement Officer).

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**Announcements**

Prior to the commencement of the meeting, the Chairman announced that Agenda Item 10 - DC/18/4469/FUL - Woods at Harmony, London Road, Weston, had been withdrawn from this meeting.

Due to the later start time of the meeting and the full Agenda, the Chairman advised that there would be a short break for light refreshments around 5.30pm or at a suitable time in the meeting.

**1 Apologies for Absence and Substitutions**

There were no apologies for absence.

**2 Declarations of Interest**

Councillor Ashdown declared a Local Non-Pecuniary Interest in Agenda Item 11 - DC/19/3546/FUL - Stables, Yarmouth Road, Lound, as being Ward Member.

Councillor Coulam declared a Local Non-Pecuniary Interest in Agenda Item 6 - DC/18/0789/FUL - Links Road, North Denes, Lowestoft and Agenda Item 8 - DC/19/3289/OUT - Land South of Leisure Way, Lowestoft, as being Ward Member.

Councillor Elliott declared a Local Non-Pecuniary Interest in Agenda Item 12 - DC/19/4154/LBC - 9 St Mary's Flats, Ballygate, Beccles, as being Ward Member.

### **3 Declarations of Lobbying and Responses to Lobbying**

Councillor Ashdown declared that he had received communications in relation to Agenda Item 7 - DC/19/1831/FUL - St John's Hall, Ilketshall St John.

### **4 Minutes**

#### **RESOLVED**

That the Minutes of the meeting held on 12 November 2019 be confirmed as a correct record and signed by the Chairman.

### **5 Enforcement Action Case Update**

The Committee received report ES/0225 which summarised the outstanding enforcement cases sanctioned under delegated powers or through the Committee up to 2 December 2019. There were currently 15 such cases.

The Assistant Planning and Enforcement Officer updated Members in that a notice has been served on 5 December on Boasts in Worlingham and that would be appearing on next month's list.

#### **RESOLVED**

That the East Suffolk Enforcement Action update report be received and noted.

### **6 DC/18/0789/FUL - Links Road, North Denes, Lowestoft**

The Committee considered report ES/0226 which related to a planning application for the construction of a restaurant/café with public toilets and play area.

Members were shown photographs and location plans of the site and coastal path including views from Gunton Cliffe, the existing car park, south over the Denes and Links Road itself. A block plan showed the proposed building, benches and WCs and details of the proposed elevations and floor plan.

The Area Planning and Enforcement Officer outlined the main issues relating to tourism and the economy, contaminated land, potential impact on public open space, highways and the ecology. She further explained the background to non-planning issues including covenants and landowner consent. It was understood that, if planning permission was granted, Lowestoft Town Council, as landowner, would not give consent; however, that issue was between the landowner and the Applicant.

Members noted that officers were of the opinion that the proposed café would offer an attraction to this part of the town where facilities were limited and provide an enhancement to the Denes area. Whilst the land had been allocated in the Local Plan as open space, the scale of development would not have a significant impact upon the

amount of space available. With benefits including employment on offer, approval was being recommended subject to appropriate conditions.

In response to Members' questions, the Area Planning and Enforcement Officer confirmed that the proposal included toilets inside the premises for customers and external toilets open to the public, both of which would be accessible for the disabled. There was an indication that both ice creams and fish and chips would be sold. The external finish of the building would be wooden cladding.

The Chairman invited public speakers to address the Committee.

As an objector, Mr Haddon explained that the proposed café was to be built on a former tip and on land that had been designated as open space for the public for picnic tables. Why was this proposal acceptable and a holiday village not? Pipes were in place across the site for sewerage works and the Council's own Environmental Health Officer did not think the proposal was a good idea and had objected. An environmental study should be undertaken before any determination of the planning application. The Town Council did not want the café, nor did the residents on Gunton Cliffe. The developer was proposing to extend along to the cricket pitch but for what, there were fishermen but no swimmers. There was already a well established café 800 yards distance in Sparrows Nest and this application should be turned down.

On behalf of Lowestoft Town Council, Ms Taylor thanked the Committee for being given the opportunity to speak and advised that the Town Council had unanimously agreed to refuse the application as it was not in line with the East of England Park and in Policy 2.5 of the Waveney Local Plan. The proposed generic design was not appropriate for such a unique area and there was the environmental impact of the building on a former landfill site. The benefits of the open space should be preserved as it formed an integral part of the Lowestoft seafront open spaces. The Town Council had not been consulted by the developers and it had no plans to develop the site. Ms Taylor urged the Committee to refuse the application.

The Chairman invited questions prior to debate.

In response to questions, the Head of Planning and Coastal Management advised Members that they had to determine applications on the planning merits and not on external factors such as landowner permission. If the proposal was supported, it would be for the Applicant to discuss with the Town Council. Any technical highways matters and environmental issues would need to be satisfactorily resolved or dealt with by way of condition.

During discussion, Members were of the opinion that the building and facilities including toilets would be welcome in this part of the town. It would enhance the area and assist in improving Lowestoft as a tourist destination. Comment was made that the development would contradict what had just been agreed in the Local Plan, destroy the vista of the Denes and result in a loss of open space adjacent to the County Wildlife site. With the contamination, Environmental Health had suggested refusal with the land in its current state. However, part of the development would help clean up the site and it was pointed out that alternative facilities in Sparrows Nest Gardens were not relevant to the application before Members. It was generally agreed that the

provision of toilets would be beneficial to both visitors and dog walkers and any refusal at this stage would restrict any future development proposals. If Members were minded to approve the application, the Applicant would still need the Town Council to give permission for the development to proceed. There being no further discussion, it was

## **RESOLVED**

That permission be granted, subject to submission of further ecological and contaminated land assessments to officer agreement with relevant internal consultees and the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with plans numbered 1610.138.02A received 20 February 2018;, 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. Prior to the commencement of development, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons 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. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

*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.*

4. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

5. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

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

6. The application site is within 250m of a former landfill site and the development could be at risk from ground gas ingress. Prior to the commencement of the development hereby approved, one of the following shall be submitted to and approved in writing by the Local Planning Authority. Either of:

(A) An appropriate study assessing the risk posed from landfill gas migration to be conducted in accordance with BS 8485 and CIRIA 665. The findings and proposed mitigation methods shall be agreed in writing prior to the commencement of development.

or (B) Details showing a high level of gas protection by way of mitigation. The minimum standard of gas protection required (should no study be submitted) shall accord with the Amber level of the NHBC standard or CS level from BS 8485 and plans of intended measures should be submitted for approval. Installation should be conducted in accordance with BRE 212 and 414 and a post development validation report should be submitted verifying this.

With each option, the development shall be carried out in accordance with the approved details.

*Reason: In accordance with PPS23 and because of the unknown characteristics of local former landfill sites.*

7. The use hereby permitted shall only take place between the hours of 08:00 and 21:15 Mondays to Saturdays and between 08:30 and 17:00 on Sundays or bank holidays.

*Reason: To protect the amenities of the surrounding area by minimising disturbance from the use of the cafe.*

8. No sound amplifying equipment which is audible outside the premises shall be installed without the written consent of the Local Planning Authority.

*Reason: to protect the amenities of the occupiers of nearby premises.*

9. Precise details of any equipment to be installed must be submitted to, and approved by, the Local Planning Authority prior to installation. The equipment must be installed and be in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use. The equipment must be effectively operated for so long as the use continues; unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure that unsatisfactory cooking odours and noise outside the premises are minimised in the interests of the amenity of occupiers of nearby properties.*

10. No deliveries shall be taken at or despatched from the site outside the hours of 09:00 to 17:00 Monday to Friday 09:00 to 13:00 Saturday; nor at any time on Sundays, Bank Holidays or Public Holidays.

*Reason: Where the resident's amenities of the surrounding area require protection by minimising disturbance from delivery vehicles.*

11. The materials to be used in the construction of the external surfaces of the cafe hereby permitted shall be as annotated on the drawing hereby approved.

*Reason: To ensure the satisfactory external appearance of the development.*

## **7 DC/19/1831/FUL - St John's Hall, Ilketshall St John**

The Committee considered report ES/0227 which set out details of the application for the erection of a new steel frame building to act as a new pallet storage unit for the storage element of the existing storage and farm business.

Members were shown photographs and location plans of the site, which was a rural area near to the A144, and included the existing development and proposed site, the Grade II listed farmhouse and views from around the site across the farmland. The proposed development was closer to the existing buildings and had been turned 90° in comparison to the previous proposal from 2017 which had been refused and subsequent appeal dismissed.

The Development Management Team Leader (North Area) drew particular attention to the differences between the two applications including the lower height and reduced footprint of the proposed buildings. He explained the landscape and visual impact assessments and displayed views from three significant points in the landscape of the proposed development before and with the proposed mitigation planting after 15 years. The economic benefits of the proposal included the provision of new jobs and commercial storage for additional and start-up businesses. The Council's Economic Development Team supported the proposal.

In summary, the Development Management Team Leader (North Area) set out the material considerations and key issues and that the economic benefits outweighed any harm, including harm to the significance of the Grade II listed St John's Hall that would need to be given the proper weight by Members. The visual impact on the setting was minimal and there were no objections from Highways. Due to the separation distance, it was considered that there would be no harm to the residential amenity. As a result, approval was being recommended. The application was before Members as the proposal was a departure from the Development Plan and if any new material objections were raised, they would be referred back to Committee.

The Chairman invited questions.

Members questioned the likelihood of a second appeal if the application was refused, the type of planting and the location of an alternative site nearby for business/industrial use that had been allocated in the Local Plan. The Development Management Team Leader (North Area) explained that a condition covered planting and dependant on the quality and type of planting, the superimposed photographs were considered to be an accurate reflection of growth from the anticipated planting. 15 years was the accepted standard for growth; mature planting was costly and failure rates were higher. The site was a good location for both an increase in storage and agricultural use. Whilst acknowledging that another business use site had been allocated nearby, the proposal before Members was not likely to be economically delivered on a stand alone site. Any further expansion in the future was unlikely as the proposed new building would be towards the maximum limit of what the site could accommodate.

The Chairman invited the public speaker to address the Committee.

Mr Basey-Fisher, the Applicant, explained that they were the third generation to farm at Ilketshall St John and the provision of storage facilities for small start-up businesses was beneficial for those who could not do it themselves due to lack of capital and/or expertise. Pallet storage had helped a number of businesses flourish and, over the years, customers had increased and the warehouse(s) were full. He did not wish to be in a position to turn away prospective customers and more space was needed to help businesses. Mr Basey-Fisher explained that it would not be possible or viable to split their operation, hence the need for more storage on this site. He had been in communication with the locals and explained that there would be low traffic, low noise, low pollution and in the last 30 years of operation of the storage business, there had been only one complaint. St Johns Hall Storage was a success story which was helping the local economy.

The Chairman invited questions to the Applicant.

Members raised issues relating to land ownership, business development, planting schemes, storage and light spill from the proposed development. Mr Basey-Fisher explained that he had been in discussions with the local community and Bungay Town Council relating to future access. Building on the gateway into Bungay would not be suitable. Some land had been identified for residential purposes and the gateway into Bungay needed to be sensitively looked at for development. As a farmer, Mr Basey-Fisher was used to growing crops/plants and the proposed planting scheme would not be neglected. The current building was required for grain storage and there was no alternative storage in the area. The lighting scheme was the latest Thorn lighting and the specification contained in the application would minimise lighting spill.

Members welcomed the very comprehensive report and the recommendation for approval was unanimously supported.

### **RESOLVED**

That permission be granted, subject to no new material planning objections being received post-committee and prior to the 1 January 2020 and the following 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 and documents:

Landscape and Visual Impact Assessment (revised 29th August 2019); and Mitigation Proposal Drawing Nos. E17879-TLP-001 and E17879-TLP-002, received 05 September 2019.

Flood Risk Assessment (FRA) (dated 16/08/2019, ref: BLI.2019.40), received 29 August 2019.

External Lighting Plan No. 0001850397-EX-R1B-220719, received 22 July 2019; and Proposed lighting product details, received 17 June 2019.

Site Location Plan No. 1375/GEN/00 rev A; Proposed Plans and Elevations No. 100; Proposed Site Plan No. 1375/GEN/003 rev A; and Proposed Site Cross-Sections No. 1375/GEN/005 rev A, all received 03 May 2019.

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

3. No works or development shall commence until a full specification of all proposed tree and hedge planting (in accordance with the approved mitigation proposal drawing No. E17879-TLP-002 within the approved Landscape and Visual Impact Assessment) has

been submitted to and approved in writing by the local planning authority. The specification shall include the quantity, size, species, and positions or density of all trees to be planted, how they will be planted and protected and the proposed time of planting. The tree planting shall be carried out in accordance with the approved specification unless otherwise approved in writing by the Local Planning Authority.

*Reason: To ensure a well laid out scheme of landscaping in the interest of good design and mitigating the impacts of the proposal on the character and appearance of the countryside.*

4. 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 for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) piling techniques
- d) storage of plant and materials
- e) programme of works (including measures for traffic management and operating hours)
- f) provision of boundary hoarding and lighting
- g) details of proposed means of dust suppression
- h) details of measures to prevent mud from vehicles leaving the site during construction
- i) haul routes for construction traffic on the highway network and
- j) monitoring and review mechanisms.
- k) details of deliveries times to the site during construction phase

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 local environment during construction*

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

- a. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-
  - i. Temporary drainage systems
  - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
  - iii. Measures for managing any on or offsite flood risk associated with construction.

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

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the commencement of the development; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

*Reason: To ensure the landscaping strategy is implemented in a timely manner.*

7. The strategy for the disposal of surface water and the Flood Risk Assessment (FRA) (dated 16/08/2019, ref: BLI.2019.40) shall be implemented as approved in writing by the local planning authority. In addition to the approved FRA, a penstock must be located between the outfall of the approved attenuation basin and the outfall to ordinary watercourse. The strategy shall thereafter be managed and maintained in accordance with the approved strategy.

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

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

*Reason: To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk.*

## **8 DC/19/3289/OUT - Land South of Leisure Way, Lowestoft**

The Committee considered report ES/0228 which gave details of an outline application (all matters reserved) for the construction of up to 21 dwellings with associated landscaping, open space and ancillary infrastructure and works. The proposal included crown reduction to TPO tree T7.

Members were shown photographs and location plans of the site which was located near to the Tesco petrol station, the Potters Kiln and Travelodge. The presentation included views of the entrance to the land, the tree boundaries, an informal access path across the site and its position adjacent to the protected wildlife site, and diagrams giving indicative elevations of the dwellings.

The Area Planning and Enforcement Officer explained that 17 dwellings had previously been approved in 2017 and the application now before Members was for 21 dwellings changing the types to smaller units. She explained that, although the site was outside the development limits, it was in a sustainable location with access to bus and cycle routes. The provision of smaller units was welcomed and a Section 106 Agreement would secure affordable housing. Highways had commented on the cycle link but with all matters reserved, that could be included at a later stage. Approval was being recommended as it was considered that the current scheme, providing four additional

homes, was sustainable and met the requirements of Local and National Planning Policy.

In response to Members' questions, it was confirmed that four affordable homes would be included in the development and access to and from the open space to the south of the site would be provided. The Head of Planning and Coastal Management explained that the outline permission could include an advisory note on the need for all cycle matters to be addressed.

The Chairman invited the public speaker to address the Committee.

As the Applicant's Agent, Ms Brotherton asked Members to support the recommendation to approve the application subject to the Section 106 Agreement. They welcomed the opportunity to develop a vacant parcel of land surrounded by existing development and bring much needed housing onto the market. It was a sustainable location with shops, buses and a school in the vicinity. She made reference to the extant planning permission and stated that the 21 homes being proposed allowed a range of mix and type, extra smaller homes, which was acceptable. The proposed four affordable homes was in line with the policy requirement of 20%.

The Chairman invited questions to the Applicant's Agent.

A Member commented on the land being under utilised and after four permissions being granted since 2009, sought clarification as to when would something be built. Ms Brotherton explained that a lot depended on the market. There was currently no market for leisure or care facilities and this new scheme with a higher number of small units would be more marketable. As the Applicant's planning adviser, she understood that the owner wished to dispose of the site and was therefore unable to comment on timescale for the development to commence.

Members were disappointed that no development had yet taken place on the site and were of the opinion that it would be beneficial for the dwellings to be built at the earliest opportunity. There being no further discussion, it was unanimously

## **RESOLVED**

That permission be granted, subject to the completion of a Section 106 Agreement covering affordable housing, habitat mitigation and management of the open space and the following conditions:

1. a) Application for approval of any reserved matters must be made within three years of the date of this outline permission and then
- b) The development hereby permitted must be begun within either three years from the date of this outline permission or within two years from the final approval of the reserved matters, whichever is the later date.

*Reason: In accordance with Section 92 of the Town and Country Planning Act 1990.*

2. Details relating to the layout, scale, appearance, access and landscaping of the site (the "reserved matters"), and measures to minimise water and energy consumption and to provide for recycling waste shall be submitted to and approved by the Local Planning Authority before any development is commenced.

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

3. Concurrent with the first reserved matters access application details of a scheme to improve the existing pedestrian only public highway footway on the south side of Leisure Way to create a new shared use cycle track linking the development to the existing cycle track network currently terminating at the Toucan crossing adjacent the Potters Kiln Public House shall be submitted to and approved in writing by the Local Planning Authority.

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

*Reason: In the interests of highway safety and to encourage the sustainable transport benefits of cycling as per National and Local Planning Policies including Waveney Local Plan Policy WLP8.21 and the Waveney Cycle Strategy.*

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

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

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

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

6. Before the first occupation of the development details of the areas to be provided for storage of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

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

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

8. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority.

The scheme shall be in accordance with the approved FRA and include:

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

The scheme shall be fully implemented as approved.

*Reasons: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development. To ensure the*

*development does not cause increased flood risk, or pollution of watercourses or groundwater. To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.*

9. No development shall take place until the existing trees on site, agreed with the Local Planning Authority for inclusion in the scheme of landscaping, have been protected by the erection of temporary protective fences of a height, size and in positions which shall previously have been agreed, in writing, with the Local Planning Authority. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the tree to be protected. Any trees dying or becoming severely damaged as a result of any failure to comply with these requirements shall be replaced with trees of appropriate size and species during the first planting season, or in accordance with such other arrangement as may be agreed in writing with the Local Planning Authority, following the death of, or severe damage to the trees.

*Reason: For the avoidance of damage to protected trees included within the landscaping scheme in the interests of visual amenity and the character and appearance of the area*

10. Prior to the commencement of development (including site clearance) a Natural England licence and mitigation strategy plan for the protection of great crested newts shall be agreed by Natural England. The strategy should identify likely impacts on great crested newts and fully describe measures to mitigate for any impacts, followed by translocation of any newts found within the area. The mitigation strategy shall be completed in accordance with the approved specifications at such times as may be specified in the approved scheme.

*Reason: To provide appropriate mitigation measures to minimise the impact on Great Crested Newts.*

11. Prior to the commencement of development the recommendations made within the Amphibian and Habitat Survey (Phase 1 August 2019) shall be implemented in full.

*Reason: To ensure the provision of ecological enhancements.*

12. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a report detailing proposed noise control measures is submitted to, and approved in writing by, the local planning authority. The report must propose, on a plot by plot basis, the exact noise control measures which are to be installed in accordance with section 4 of the submitted Sharps Redmore acoustic assessment.

*Reason: To ensure the development is suitably sound proofed with appropriate noise control measures.*

13. A validation report, demonstrating and evidencing the effective installation of the noise control measures approved under condition 13, must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development.

*Reason: To ensure the development is suitably sound proofed with appropriate noise control measures.*

14. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The statement shall provide details of:

- proposed hours of work
  - proposed piling methods
  - the parking of vehicles of site operatives and visitors
  - loading and unloading of plant and materials
  - storage of plant and materials used in constructing the development
  - the erection and maintenance of security hoarding and acoustic screens
  - wheel washing facilities
  - measures to control the emission of dust and dirt during construction
  - a scheme for the recycling/disposing of waste resulting from construction works
- The approved Statement shall be adhered to throughout the construction period.

*Reason: In the interests of amenity and to ensure a safe development.*

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

1) A desk study and site reconnaissance, including:

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

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

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

All site investigations must be undertaken by a competent person and conform to current guidance and best practice, including BS8485:2015+A1:2019, BS10175:2011+A2:2017 and CLR11.

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

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

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

The RMS must be prepared by a competent person and conform to current guidance and best practice, including BS8485:2015+A1:2019 and CLR11.

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

17. Prior to any occupation or use of the approved development the RMS approved under condition 17 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

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

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

The validation report must be prepared by a competent person and conform to current guidance and best practice, including BS8485:2015+A1:2019, CIRIA C735 and CLR11.

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

19. 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. Unless agreed in writing by the LPA 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 BS8485:2015+A1:2019, BS 10175:2011+A2:2017 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

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

## **9 DC/19/3317/FUL - 37-39 Field Lane, Kessingland**

The Committee considered report ES/0229 which outlined the application for full planning permission for the erection of two dwellings with associated works, including vehicular access, provision of internal access road, car/cycle parking and landscaping.

Members were shown photographs and location plans of the site, which was an area of land between numbers 37 and 39, including views of the street scene, the boundary wall that was to be removed, views from the rear of the site and the location of neighbouring properties.

The Development Management Team Leader (North Area) reminded the Committee of the previous applications and planning history of the site, in that four previous applications had been refused, full details of which were contained in the report. A block plan displayed the elevations of the proposed dwellings which were both three bedroomed. The main issues for consideration were the design of the development, neighbour amenity and highways impact. The proposed development, defined as

'backland' development, did accord with policy H2 in the Kessingland Neighbourhood Plan. Approval was therefore recommended with appropriate conditions.

The Chairman invited questions.

Members raised questions over the space between the two existing properties and the front door of No. 37 opening directly onto the access road and the window of No. 39 looking out over that access, the width of that access and bin collection. The Development Management Team Leader (North Area) explained that the access was approximately 5m at the road frontage; it narrowed through the site and cars would need to pull in as the width would not allow two cars to pass. The front door arrangement for No. 37 would remain the same and no works were proposed to be undertaken on No. 39. Bin storage was being provided for each plot and bins would have to be presented at the roadside on collection day.

The Chairman invited the public speaker to address the Committee.

The Applicant's Agent Mr Platt explained that, in order to meet the demand for housing, there was pressure to provide dwellings in vibrant communities. Here was the opportunity to provide housing in a sustainable location in a residential area. Policy H2 of the Neighbourhood Plan was significant to the proposal and the detailed assessment in paragraphs 9.2 to 9.12 of the report confirmed the proposal was compliant with policy. Although objections had been received with highways concerns, the Highways Authority had made no objection and no objections had been received from the remaining statutory consultees. Mr Platt asked that the Committee approve the application in accordance with the officer's recommendation.

Members questioned Mr Platt over the differences between this and the application refused in 2007 and the collection point for bins. Mr Platt advised that he had only been involved in the last two applications; the properties had been re-sited. Bins would need to be presented in front of No. 39 adjacent to the highway.

During debate, Members expressed concern that the width of the access was not adequate, both Nos. 37 and 39 would be adversely affected, and the bins being presented at the roadside would be another negative impact on amenity value. The access seemed inappropriate and the impact on the amenity of both Nos. 37 and 39 would be detrimental to anyone who purchased the properties at some future date. Walking out of the front door of No. 37 into passing traffic was unacceptable. The Committee generally agreed that the plot could be developed but the plans before them were unacceptable.

The Head of Planning and Coastal Management drew attention to paragraph 9.3 in the report and particularly the width of access and proximity to Nos. 37 and 39. There were alternative ways to address development on the site, for example demolishing No. 37 and replacing it with a new property set back from the road. That would allow, for example, the provision of good access and more appropriate position for bins to be presented for collection.

The Committee was of the opinion that the proposal was unacceptable and unanimously

## **RESOLVED**

That the application be refused for the following reasons:

- Detrimental impact on the amenity of Nos. 37 and 39 Field Lane due to the width and proximity of the access drive.
- Contrary to the specific criteria in Policy H2 of the Kessingland Neighbourhood Plan and related district level Local Plan Policies W8.29 and W8.33.

### **10 DC/18/4469/FUL - Woods at Harmony, London Road, Weston**

This application had been withdrawn from the Agenda at the direction of the Head of Planning and Coastal Management.

### **11 DC/19/3546/FUL - Stables, Yarmouth Road, Lound**

The Committee considered report ES/0231 which gave details of the application for the change of use and alterations to barns to create a single dwelling and associated landscaping and creation of a second vehicular access.

The Committee was advised that the proposal required full planning permission as it was not permitted development and also the works were considered to exceed those deemed to be a true conversion because of the need to rebuild the roof on one part of the building.

Members were shown photographs and location plans of the site including views of the south-east corner hip on the eastern range, the intact walls and roof which were in a reasonable state for use, and the existing site plan showing current access. The proposed block plan was outlined together with the proposed floor plan and elevations. Having originally held concerns, the Highways Authority was now satisfied with the proposed access and safety issues.

The Senior Planning and Enforcement Officer outlined the key issues relating to the degree of rebuilding required, the policy on conversions, highways and parking. The intention was to retain the existing buildings to preserve a modest yet characterful building in the existing rural landscape. Sufficient space could be created and any necessary replanting could take place. The proposal would be an enhancement of the site in its immediate setting and deliver public benefits through return to the economy of the area in build terms and provide a modest contribution to housing supply. It was considered that the proposal was acceptable and planning permission should be granted.

Members sought clarification on insulation and cladding and the retention of the original structure. The Senior Planning and Enforcement Officer advised that insulation and cladding would need to be in line with Building Regulations and the original structure was being retained.

The Chairman invited the public speaker to address the Committee.

Mr Barker, the Applicant's Agent, advised that the barns provided a good opportunity for conversion whilst retaining the traditional buildings considered to be a heritage asset, particularly as the buildings were too small for agricultural use. They had consulted on the planning application; the Parish Council supported the proposal and no local objections had been received. The estate wished to maintain the existing Somerleyton Hall and by selling the converted building the money could be invested into restoring other aspects of the Hall site. As the Committee had noted, the access had been changed to address concerns that had been raised and it was considered the conversion was re-using a derelict site with minimal impact, ensuring there was no loss of agricultural land. Mr Barker asked the Committee to support the application as the proposal would enhance the area, and provide funds to secure the future of the Hall and its estate.

The Chairman explained that he knew the building and area well as it was located in his Ward. He believed it would be an enhancement and bring the building back into use. Members commented that the conversion was an interesting design, would be a good use of the building and provide a nice looking dwelling. It was important to retain as much of the original building as possible and there being no further discussion, it was

#### **RESOLVED**

That permission be granted, subject to no material planning objections being received post-Committee and prior to the 21 December 2019 and the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with PL372 A02-02A, floor plan and PL372 A02-03A elevations, received 10 September 2019, and site layout PL371 A02-01B and the updated design statement received 18 October 2019 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. No other part of the development hereby permitted shall be commenced until the existing vehicular access has been improved, laid out and completed in all respects in accordance with DM01; and with an entrance width of 3.0 metres. Thereafter the access shall be retained in the specified form.

*Reason: In the interests of highway safety to ensure that the layout of the access is properly designed, constructed and provided before the development is commenced.*

4. Before the access is first used visibility splays shall be provided as shown on the Amended Plan with an X dimension of 2.4 metres and a Y dimension of 42 metres (West) and 20.8 metres (East) 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 over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

*Reason: To secure appropriate improvements to the vehicular access in the interests of highway safety.*

5. Prior to the dwelling hereby permitted being first occupied, the vehicular access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.

*Reason: To secure appropriate improvements to the vehicular access in the interests of highway safety.*

6. Gates shall be set back a minimum distance of 5 metres from the edge of the metalled carriageway.

*Reason: In the interests of road safety.*

7. Before the development is commenced details of the areas to be provided for storage and presentation of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

8. Before the development is commenced details of the areas to be provided for the secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

*Reason: To ensure that the minimum cycle parking provision outlined within SGP 2019 is achieved and to promote sustainable transport.*

NOTE: The garage is required to have a minimum internal depth of 7.0 metres to be considered as adequate cycle storage.

9. The use shall not commence until the area within the site shown on the Amended Plan for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area shall be retained and used for no other purposes.

*Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and*

*manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.*

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2015 (or any order revoking and re-enacting that Order) (with or without modification), no building or structure permitted by Classes A (extensions or alterations), B (changes to the roof) or E (buildings or enclosures within the curtilage of the house) of Schedule 2 Part 1 of the Order shall be erected, with the exception of a storage shed for bicycles 2 x 1m footprint on plan x 2.5m maximum height within 10m of the dwelling house, without the submission of a formal planning application and the granting of planning permission by the Local Planning Authority.

*Reason: To secure a properly planned development.*

12. The recommendations of section 5 of the Ecological Appraisal (BasEcology, February 2019) for limiting and mitigating impacts on Ecology shall be implemented in full and mitigation features shall be retained thereafter.

*Reason: To protect and enhance ecology.*

13. Details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority before development commences. Development shall be carried out in accordance with the approved details.

*Reason: To ensure the satisfactory external appearance of the development.*

## **12 DC/19/4154/LBC - 9 St Mary's Flats, Ballygate, Beccles**

The Committee considered report ES/0230 which was seeking listed building consent for the replacement of three rotten casement windows with new casement windows to match existing as closely as possible in joinery grade softwood. The property itself was a Georgian era building which had been sub divided into flats for a number of years. The application was before Committee as the applicant and landowner was the Council.

Members were shown photographs and location plans of the site including views of the building from various angles and the windows to be replaced. The lightwell which had been constructed more recently than the building and the windows to be replaced were not visible from street level.

The Senior Planning and Enforcement Officer outlined the proposed timber replacement joinery drawings and explained that softwoods were being used as they were stronger and took primer paint better. The key issue was the impact on the Listed Building and wider Conservation Area but it was considered there was no material harm. Approval was being recommended with conditions set out in the report.

The Committee unanimously supported the recommendation for approval and it was

**RESOLVED**

That permission be granted, subject to the following 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 completed in all respects strictly in accordance with the attic plan drawing and the elevational and sectional drawings of the windows; received 23 October 2019, 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.*

The meeting concluded at 5.33pm.

.....  
Chairman

<b>Unconfirmed</b>
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Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, Lowestoft on **Tuesday, 14 January 2020 at 2:00pm**

**Members of the Committee present:**

Councillor Paul Ashdown, Councillor Jocelyn Bond, Councillor Norman Brooks, Councillor Jenny Ceresa, Councillor Linda Coulam, Councillor Graham Elliott, Councillor Andree Gee, Councillor Malcolm Pitchers, Councillor Craig Rivett

**Other Members present:**

Councillor Tony Cooper, Councillor David Ritchie

**Officers present:**

Sarah Carter (Democratic Services Officer), Liz Beighton (Planning Development Manager), Joe Blackmore (Development Management Team Leader), Matthew Gee (Area Planning and Enforcement Officer), Mia Glass (Assistant Planning and Enforcement Officer), Chris Green (Senior Planning and Enforcement Officer), Eloise Limmer (Design and Conservation Officer), Philip Ridley (Head of Planning and Coastal Management), Iain Robertson (Area Planning and Enforcement Officer), Mel Van de Pieterman (Area Planning and Enforcement Officer)

**Announcement**

The Chairman announced that he would re-order the items on the Agenda to take those items with public speakers first. He would take Agenda items 5, 8 and 10 and then work through the remaining items.

**1 Apologies for Absence and Substitutions**

There were no apologies for absence.

**2 Declarations of Interest**

Councillor Bond declared a Local Non-Pecuniary Interest in Agenda Item 9 - DC/19/3966/FUL - Field End, Rattle Corner, Theberton, as being Ward Member.

Councillor Brooks declared a Local Non-Pecuniary Interest in Agenda Item 5 - DC/19/1462/FUL - Land adjoining 8 The Street, Darsham, Agenda Item 8 - DC/19/3883/FUL - Land at Ash Spring Game Farm, Westleton Road, Darsham, and Agenda Item 10 - DC/19/3313/FUL - Wren Business Centre, Priory Road, Wrentham, as being Ward Member.

Councillor Ceresa declared a Local Non-Pecuniary Interest in Agenda Items 6 and 7 - DC/19/2752/RG3 and DC/19/2754/LBC - Lowestoft Outer Harbour, Lowestoft, and Agenda Item 11 - DC/19/3406/FUL - 303 London Road South, Lowestoft, as being County Councillor for the area.

Councillor Elliott declared a Local Non-Pecuniary Interest in Agenda Item 9 - DC/19/3966/FUL - Field End, Rattle Corner, Therberton, as he knew the Agent. This declaration was made during discussion on the item.

Councillor Pitchers declared a Local Non-Pecuniary Interest in Agenda Item 11 - DC/19/3406/FUL - 303 London Road South, Lowestoft, as being Ward Member. This declaration was made during discussion on the item.

Councillor Rivett declared a Local Non-Pecuniary Interest in Agenda Items 6 and 7 - DC/19/2752/RG3 and DC/19/2754/LBC - Lowestoft Outer Harbour, Lowestoft, as being the County Council representative on the Lowestoft Flood Risk Management Project.

### **3 Declarations of Lobbying and Responses to Lobbying**

All Members of the Committee declared that they had been lobbied by letter in relation to Agenda Item 5 - DC/19/1462/FUL - Land adjoining 8 The street, Darsham.

### **4 East Suffolk Enforcement Action - Case Update**

The Committee received report ES/0264 which summarised the outstanding enforcement cases sanctioned under delegated powers or through the Committee up to 27 December 2019. There were currently 17 such cases.

Councillor Elliott referred to Boasts Industrial Park in Worlingham and explained that he had had several meetings with the owner. The owner believed he was compliant and would be lodging an appeal. Councillor Elliott was in communication and would be happy to liaise for a site meeting.

In response to a request for an update on Dam Lane, Kessingland, the Assistant Planning and Enforcement Officer explained that since the appeal had been lodged, a site visit had taken place and a decision was currently awaited from the Planning Inspectorate.

### **RESOLVED**

That the East Suffolk Enforcement Action update report be received and noted.

### **5 DC/19/1462/FUL - Land adjoining 8 The Street, Darsham**

The Committee considered report ES/0256 which set out details of the application for the erection of 26 residential dwellings together with associated access, car parking and open space.

The Development Management Team Leader explained that, under the current adopted Development Plan for the Suffolk Coastal area of East Suffolk, the site was not allocated for development and was therefore in the countryside for planning

purposes. It was considered that the proposed development represented housing in the countryside and a departure from the adopted Development Plan, hence the reason the application had been brought to Committee for determination. He further advised that in the new draft local plan the site had been allocated for development.

Members were shown an aerial view, photographs and location plans of the site including the location of the new village hall and existing Hopkins & Moore development, views along the road in both directions, the site frontage, views across and from within the site, and the proposed block plan.

The Development Management Team Leader advised that it was a full application for 26 dwellings which would include eight affordable homes. The trees were to be retained and the footpath along the frontage would be within the site boundary. The proposed dwellings and elevations, as shown, were similar to standard Hopkins developments. In considering the principle of the development and design, it was considered that there would be minimal impact on the character and appearance of the area as the design and landscape features were satisfactory. The vehicle access was considered to be safe and suitable by the Highway Authority. Whilst there might be some disruption on residential amenity during the building works, this would be dealt with by a Construction Management Plan by condition. Although some hedgerow and trees would be removed to facilitate visibility splays from the highway access point, the preservation of the oak trees on the frontage was welcomed. Local objection to the application had been considered fully but there were public benefits and associated economic benefits as a result of the housing being provided and issues raised could be dealt with by planning condition. Approval was being recommended.

The Chairman invited questions.

Members raised questions relating to:

- House types.
- Other developments in the village.
- Conditions on construction management plans.
- Single storey dwellings for older people.
- Security and lighting affecting the clear skies policy.
- The timing of the application against the draft local plan.

The Development Management Team Leader advised that the housing mix and affordable housing was set out in paragraph 7.12 of the report; there were no single storey dwellings proposed for this site. There were two allocated sites in Darsham, one for 25 homes and a larger strategic development for 120 dwellings near to the railway station. He confirmed that there was currently a five year housing supply in the former Suffolk Coastal area. The new Draft Plan was at the examination stage with two representations made on the site allocation policy (SCLP12.49). One was outstanding and that was from the Parish Council objecting to the allocation which would reduce the amount of weight that could be given to policy SCLP12.49 in the Plan. However, the site was in a sustainable location and adjacent to existing development. Officer concerns had been addressed by the site layout and a comprehensive lighting strategy would be in place. The Planning Development Manager advise Members that they could not refuse the application on prematurity; the draft plan was well advanced and

weight could be attached to relevant policies. At the Regulation 9 consultation, there had been only two objections to the site allocation policy.

The Chairman invited the public speakers to address the Committee.

On behalf of objectors, Mr Manning explained that the residents of Darsham had huge objections and questioned the suitability of the site and its affect on the environment. The Suffolk Coastal plan had indicated 145 houses by 2036 and this application would result in the housing allocation for the parish to be exceeded. A number of planning applications had been approved in the last 20 years even through there was a low population. The site might have been identified in the draft local plan but it had not been adopted and now was the time to protect small villages. It was unsuitable, over-development and would cause more disruption in the village. The Millfield development of 15 dwellings, complete and occupied, included four and five bedroomed houses which did not meet any local housing needs. Consideration should be given to the environment, use of resources and ecology and local authorities should not exploit green land for a development that did not need to be built.

In response to a Member's question, Mr Manning advised that on Cheyney Green 24 were under construction with only one having been sold and there were 15 dwellings proposed on the other site. Development and disruption had been ongoing for some six years.

On behalf of Darsham Parish Council, Mr Leggate explained the view of the Parish Council in that they were not 'nimbies' but they were going against the Planning Department's recommendation. Darsham was a village, with the best village hall in the area, but there had been too much development recently. There needed to be sensitivity and respect for the villages' wishes in that the land should not be developed for at least 10 years. There had already been too many houses in too short a time and new residents needed to be integrated into the village. Since 2012 there had been a 33% increase in houses, this would put the numbers up to 49% even though only two houses had been built. It was important that the Committee considered the wishes of the village and postpone this development. For consultations to have any meaning at all, the strong wishes of Darsham should be recognised and the application should not be approved at this time.

A Member asked if the Planning Inspector was aware of the Parish's request to delay the development and Mr Leggate confirmed that was the case. The Parish Council was objecting to the development proceeding now, but was not objecting to it at some future date.

Mr Smith, Applicant, addressed the Committee on behalf of Hopkins & Moore, and advised that since the application had been submitted, they had developed and refined details so the application now being considered kept the character of the area. The Planning Officer was satisfied that all technical and local requirements could be addressed. The development included a number of affordable homes, a Section 106 Agreement and relevant financial contributions. Mr Smith asked Members to concur with the officer's recommendation and support the proposals by granting planning permission.

The Chairman invited questions to Mr Smith.

Members sought clarification as to why, considering the views of the Parish Council, there was urgent need for the development, how would the concerns over construction traffic be met and whether the footpath width would be suitable for both pedestrians and cyclists with a shared width of 2.5m. Mr Smith advised that the purpose of Hopkins & Moore was to build and deliver houses. This site could be developed quickly in 18-24 months and would include affordable homes. A Construction Management Plan would set out parking including that for site workers, hours of work, storage of materials and access into the site, the highway network would not be blocked. At this stage, the proposed frontage footpath was 1.8m as required by the Highway Authority and in addition there was an informal link through the site and access to the open space.

The Chairman invited questions to officers.

A question was raised as to the staggering of development and if the Parish Council would be requested to feed into the Construction Management Plan. In response, the Planning Development Manager explained that the emerging policy in the Local Plan had not proposed any staged development. The principle of the development was to be accepted. Hopkins Homes would be on site and could develop quickly. Whoever wished to buy the properties was not a planning issue. Standard conditions were being proposed including the development being started within a period of three years beginning with the date of the permission, which was normal practice. The Planning Inspector could amend policies in the Local Plan but any such amendments to the allocation policy were not known at the present time. It would be possible to consult the Parish Council and take its views into account with regard to the Construction Management Plan.

During the ensuing debate, Members raised issues relating to taking the views of the Parish Council into account; however, there was a balance between delaying the works or getting all construction in the village done at the same time resulting in one period of disturbance. Some Members were not convinced that the development was necessary and could be considered to be very intensive, excessive and over-development. If proposals such as this continued, all villages would be lost and consumed by building works. The timing of the application between the old Plan and the new Draft Local Plan was questioned and it was considered that to approve such an application before the Planning Inspectors report would be unwise.

The Head of Planning and Coastal Management noted Members' comments and advised that the timing of applications could not be enforced; this one had come forward before the adoption of the Local Plan. Although the Parish Council was concerned about the scale of development, this was not the only village that was affected. He pointed out that the site was sustainable and could be developed and it was not appropriate to refuse permission just to delay the development. An option available to Members was to defer making a decision until the outcome of the Inspectors report was to hand. The Head of Planning and Coastal Management anticipated initial comments from the Inspector might be received by the end of the month. The Committee had the option to defer or approve the application in accordance with the officer's recommendation. It was anticipated that any

modifications to the Draft Local Plan would be notified to the Council during April with the plan going to Full Council in May.

It was proposed, and duly seconded, that the Committee should wait for the Inspector's report before making a decision on the application and it was unanimously

## **RESOLVED**

That a decision be deferred until such time as the Planning Inspector's report, following examination, was received detailing his views on proposed policies.

### **6 DC/19/3887/FUL - Land at Ash Spring Game Farm, Westleton Road, Darsham**

The Committee considered report ES/0259 which gave details of the application for a change of use of the land for the siting of temporary accommodation to supervise the expansion of a game rearing unit. The farm had been operating for 18 years rearing a combined total of approximately 20,000 pheasant and partridge poulters annually and it now wished to expand to a full time business increasing reared numbers to 60,000 per annum.

Members were shown photographs and location plans of the site, an aerial view, the site access, the area required for rearing the birds and block plan drawing of the proposed mobile home with its floor plan. The site was in an isolated location where special justification was required for residential dwellings as highlighted in the National Planning Policy Framework (NPPF) and the Council's adopted Spatial Strategy policies. The Applicant had sought to demonstrate that there was an essential need for a full-time employee to live on-site for the management, welfare, health and security of the birds at the game farm.

The Area Planning and Enforcement Officer drew attention to the key issues relating to the demonstrated need which had been looked at by consultants, details of which were set out in the report paragraph 7.18 onwards, the need to ensure the business was financially sustainable, lack of alternative accommodation, design and impact on the amenity. Although objections had been received, the need had been demonstrated and there were no other suitable properties in the area. The proposed accommodation would be in sight and sound of the pens and the style of log cabin would not be seen off site. It was considered there would be no significant impact on the amenity of the neighbourhood. The Area Planning and Enforcement Officer explained that the permission requested was for a temporary dwelling for a period of three years which would allow the Applicant to demonstrate the viability of the business and approval was therefore being recommended. The building could be dismantled and removed from the site at the end of that period if the functional need was not created or ceased to exist.

The Chairman invited questions.

Members questioned:

- The amount of birds on the size of the site.
- Gas heaters.
- Occupancy of the proposed wooden cabin and number resident.
- What was different if previous applications had been refused.

The Area Planning and Enforcement Officer explained that the acreage of the site was suitable for the number of birds being proposed. With an increase in birds and gas heaters, the independent assessor's view was that someone would need to live on site because of several factors, as set out in paragraph 7.25 in the report, as well as on-site security of both birds and machinery. The permission, if granted, would allow occupancy all year for three years and it was understood that two people would live on site. The business plan that had been submitted supported the application.

The Chairman invited the public speaker to address the Committee.

On behalf of the Parish Council, Mr Manning advised Members that the application had been before the Parish Council on six previous occasions and each of those had been opposed by the former Suffolk Coastal District Council and Suffolk County Council. Why, after 17 years, was the welfare of the birds suddenly at risk when the operation could continue as now. Paragraph 55 of the NPPF stated that isolated homes in the countryside should be avoided unless there was need by a rural worker. There were currently extra houses in the village that could accommodate people and at all stages there had been objections to these applications. The consultant's study had disregarded planning laws to protect the countryside and it was incomprehensible that anyone would consider granting the application. Mr Manning urged the Committee to reject the application.

Members welcomed the officer's thorough report and were of the opinion that it was important to support rural businesses. The need for a full-time worker was noted. The aspirations in the economic growth plan supported such aims and it was understood that the relative low pay for agricultural workers made it difficult for them to find affordable accommodation. There being no further debate, it was unanimously

## **RESOLVED**

That permission be granted, subject to the following conditions:

1. The mobile home hereby permitted shall be for a maximum period of three years from the date of this permission, after which time the structure shall be removed to the satisfaction of the Local Planning Authority and the land reinstated to its former condition.

*Reason: A temporary permission has been granted to allow the opportunity to develop the business.*

2. The occupation of the mobile home shall be limited to a person solely or mainly employed in the Game Rearing business on the site, or a widow or widower of such a person, or any resident dependants.

*Reason: The site is in a location where new dwellings would not normally be permitted. The mobile home has been approved because of the need for on-site supervision of the game rearing business and this condition is imposed to ensure that it remains available for that use.*

3. The development hereby permitted shall be completed in all respects strictly in accordance with the proposed floor plan and elevations received 03 October 2019, 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.*

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*

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

a) A desk study and site reconnaissance, including:

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

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

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

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

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

6. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall

take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:

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

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

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

7. Prior to any occupation or use of the approved development the RMS approved under condition 6 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

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

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

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

9. 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.

Unless agreed in writing by the LPA 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+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

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

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

## **7 DC/19/3313/FUL - Wren Business Centre, Priory Road, Wrentham**

The Committee considered report ES/0261 which set out details of a full planning application (part retrospective) for the permanent retention of 10 caravans for seasonal agricultural workers in their existing location and siting of an additional four caravans for seasonal agricultural workers at Wren Business Centre.

Members were shown photographs and location plans of the site including views of the surrounding area and from within the site. The site was well screened by hedging and the proposed block plan gave an indication of the layout of the caravans. It was considered there was a need to provide accommodation on-site for seasonal workers as the growing of asparagus was labour intensive.

The Area Planning and Enforcement Officer explained the material planning considerations and key issues which were the principle of the development, design and landscape, impact on the amenity, highways and ecology. He reminded Members that three previous temporary permissions had been granted since 2006 and there were no highways issues. There was a good separation from neighbouring properties and the site was well screened. The workers were transported to work in the fields and the site was within walking distance of Wrentham village. The purpose of the application was to keep the caravans on site all year; however, if this application was not granted, the caravans could remain but not for all year. The site was located within 13km of the nearest European Protected Habitat Site but, given the form and level of development, on-site mitigation measures were not required other than a per unit contribution to the Recreational Avoidance Mitigation Strategy (RAMS). Whilst the proposal was a

departure from the Local Plan, it was considered that the need for accommodation had been satisfactorily provided and approval was being recommended.

The Chairman invited questions.

Members sought clarification on:

- Comments from the Parish Council.
- Removal of caravans at the end of the season.
- Highways holding objection.
- Cycle parking.

The Area Planning and Enforcement Officer confirmed that no comments had been received from Wrentham Parish Council. Over the last 14 years, the caravans had not been removed at the end of each season. Whilst Highways had commented that there was no parking provision, that should not be an issue because the workers accommodated on-site did not usually have cars as bicycles were their usual mode of transport. The Applicant had not considered sheltered cycle parking was appropriate and such a facility had not been requested on previous temporary consents.

The Committee agreed to approve the application but asked that the Applicant be requested to provide a suitable bike shelter. There being no further discussion, it was unanimously

## **RESOLVED**

That permission be granted, subject to the RAMS contribution being received and the following conditions:

1. The development hereby permitted shall be completed in all respects strictly in accordance with the following plans and documents:

- Location plan, received 22/08/2019
- Block Plan, received 22/08/2019

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.*

2. Within 6 months of the caravans hereby permitted no longer being required in connection with the operation of the farm on which they are sited, the use of the land for caravans shall cease, and the caravans shall be removed and the land shall be returned to its original state.

*Reason: Having regard to the non-permanent nature of the caravans and the special circumstances put forward by the applicant.*

3. The occupation of the caravans hereby approved shall be limited to a person solely or mainly employed in the locality in agriculture as defined in Section 336(1) of the Town and Country Planning Act 1990.

*Reason: the site is in an area where dwellings would not normally be permitted unless special circumstances have been demonstrated which would justify an exception to policy.*

4. The caravans hereby permitted shall only be occupied between 1 January until 31 October inclusive, and not at any other time during the year.

*Reason: To secure the seasonal nature of the accommodation as put forward by the Applicant and to ensure that the accommodation would not be occupied full time.*

5. Prior to the next occupation of the caravans or any further ground works, hereby approved, no development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a site investigation consisting of the following components has been submitted to, and approved in writing by, the local planning authority:

1) A desk study and site reconnaissance, including:

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

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

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

3) Where deemed necessary a detailed remediation method statement (RMS), following the desk study, site reconnaissance and intrusive investigation(s), shall be submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:

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

All site investigations and the RMS must be undertaken by a competent person and conform to current guidance and best practice, including BS8485:2015+A1:2019, BS10175:2011+A2:2017 and CLR11.

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

6. Prior to any occupation or use of the approved development the RMS approved under condition 6 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

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

- results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
- evidence that the RMS approved under condition 6 has been carried out competently, effectively and in its entirety; and
- evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

The validation report must be prepared by a competent person and conform to current guidance and best practice, including BS8485:2015+A1:2019, CIRIA C735 and CLR11.

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

8. 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. Unless agreed in writing by the LPA 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 BS8485:2015+A1:2019, BS 10175:2011+A2:2017 and CLR11) and a written report of the findings must be

produced. The written report is subject to the approval in writing of the Local Planning Authority.

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

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

## **8 DC/19/3966/FUL - Field End, Rattla Corner, Theberton**

The Committee considered report ES/0260 which gave details of the application for the erection of an accommodation unit for temporary agricultural workers.

The Area Planning and Enforcement Officer advised that the application was before Committee because there was no policy in place in the Local Plan covering accommodation for seasonal agricultural dwellings in the countryside. Up to 15 seasonal workers were required between March to November due to the intensification of the site with regard to the main crops of onions and potatoes.

Members were shown photographs and location plans of the site including the access road leading to the main road. The application also covered the removal of two trees from the site but they were not considered to be significant. The block plan gave an indication of the siting of the detached single storey accommodation unit and a further slide showed the proposed floor plan and elevations.

The Area Planning and Enforcement Officer explained the material planning considerations and key issues which were principle of development, design, amenity, highways and ecology. There was a need for the accommodation in a location adjacent to the site as it was not possible to accommodate seasonal workers nearby. The design was acceptable, there were no adverse issues relating to impact on the amenity, parking was to be provided and no flood risk had been identified. The potential impact could be mitigated by a contribution to the Suffolk Recreational Avoidance Mitigation Strategy (RAMS) and that contribution had already been made. The proposal was considered acceptable and approval was recommended subject to a Section 106 Agreement controlling occupancy.

The Chairman invited the public speaker to address the Committee.

The Agent, Mr Hannon, thanked the Committee for the opportunity to speak. He wished to make a couple of points, firstly, that the Council might need to think of adopting a relevant policy relating to housing for temporary agricultural workers as

there were a significant number in the county now requiring accommodation. Housing in the towns did not work, particularly as most workers were on site at 5 a.m. The proposal for this accommodation was a way of finding an appropriate solution for 10 months of the year, that being March to mid December. It was a sustainable way to accommodate agricultural workers and Mr Hannon hoped Members would support the proposal and approve the application.

The Chairman invited questions.

In response to Members' questions, Mr Hannon confirmed that short term lettings usually wanted the accommodation to be taken for a whole year whereas agricultural workers required accommodation for a period of five months and the cost to seasonal workers was too high. The unit being proposed comprised six bedrooms and three shower rooms.

Members agreed that, because of the tourism and agriculture in the area, it would be an important step to have a policy on accommodation for seasonal workers. The Committee appreciated the difficulty in obtaining suitable properties to rent and there being no further discussion, it was

#### **RESOLVED**

That permission be granted, subject to completion of a Section 106 Agreement to control occupancy of the new accommodation unit and the following conditions:

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

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

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

- Site Location Plan, GA 03, received 09/10/2019,
- Tree Survey Plan, GA 04, received 09/10/2019,
- Section Plan, GA 05, received 09/10/2019,
- Proposed Plan, GA 02, received 09/10/2019,
- Flood risk assessment, received 09/10/2019,

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. Before the development is commenced details of the areas to be provided for the manoeuvring and parking of vehicles including secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

*Reason: To ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with Suffolk Guidance for Parking (2019) where on-street parking and manoeuvring would be detrimental to highway safety.*

NOTE: Suffolk Guidance for Parking 2019 outlines a minimum of 3 vehicle parking spaces and 2 secure cycle spaces for a Class C3 dwelling with 4+ bedrooms.

4. The areas to be provided for storage of Refuse/Recycling bins as shown on Drawing No. GA02 shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

5. 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. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

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

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

## **9 DC/19/2753/RG3 - Lowestoft Outer Harbour, Lowestoft**

The Chairman announced that Agenda Items 6 and 7 would be taken together.

The Committee considered report ES/0257 which gave details of the planning application for the construction of tidal flood walls in Lowestoft Outer Harbour to provide a 1 in 200 AEP (Annual Exceedence Probability) standard of protection against tidal flooding to residential and commercial areas of Lowestoft.

The Senior Planning and Enforcement Officer explained that the project delivered improved tidal flood resilience to Lowestoft by building up sea defences in areas where levels were too low to offer effective defence and provided temporary barriers and flood gates where gaps for access occurred. The application was before committee as the Applicant was the Council and also there was significant public interest.

Members were shown an aerial view, photographs and location plans of the site which was in three main areas; south side of the bridge, the yacht club, slipway and environs, and north of the bridge around the trawl basin. Detailed cross sections were shown, the proposed weld mesh fence was considered to be less intrusive and the limited height of the wall could be increased at a later date.

The Senior Planning and Enforcement Officer outlined the material planning considerations and key issues including the principle, the listed building setting and Conservation Area, and the fact that it was considered there would be no material change that would cause harm to the landscape. There might be some affect on the amenity during construction due to piling works; however, a Construction Management Plan was being requested by condition. Approval was being sought subject to relevant conditions and a further response from the Environment Agency.

In response to a question relating to the permanence of the structure, the Senior Planning and Enforcement Officer explained that the demountable barriers were permanent, it was the section above ground level that could be removed. The in-ground pilings would not be removed and had a 100 year life span. The access itself was too wide for flood gates and the removal of the relevant section was to allow access.

The Chairman reminded Members that the provision of flood defences was a long standing project to safeguard Lowestoft and support major improvements for the regeneration of the town. The Committee supported the proposal and it was unanimously

## **RESOLVED**

That authority to determine the application be granted, subject to the following conditions (including any additional conditions and alterations to the drawing schedule as may be required by the expected response from the Environment Agency); or if this response has not been received or further work is requested by the Agency, to return delegated powers to officers on this matter:

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 constructed in all respects strictly in accordance with drawings with prefix 676284 and the following suffixes:  
Location plans: PL300, PL301, PL302, PL303 all revision 0 showing definitive red lined site extents and; Detailed works plans reference PL111 rev 5, PL112 rev 6, PL113 rev 1, PL114 rev 3, PL115 rev 4, PL116 rev 4, PL117 rev 3, PL118 rev 3, PL119 rev 4 and;  
Details and sections: PL200 rev 4 (details), PL201 rev 5 (sections CC, DD, EE), PL202 rev 5 (details), PL203 rev 4 (club walls), PL204 rev 3 (section FF), PL205 rev 3 (Sections GG, HH), PL206 rev 6 (Sections II, JJ, KK, LL), PL208 rev 3 (demountable barriers), PL209 rev 4 (Sections MM, NN, etc), PL210 rev 4 Sections PP thro' SS) and CH2M 2016 Geotechnical desk study; WYG (2017) factual report on ground investigations, Geotechnical Interpretative Report (CH2M, 2017), Technical memorandum Lowestoft FRMP - chemical testing (CH2M, 2018), Jacobs 2019 GW technical note (annex L of Flood Risk Assessment); Jacobs 2019 Preliminary Water Framework Directive Assessment, Jacobs 2019 Environmental Statement, Jacobs 2019 Piling Risk Assessment all received 10 July 2019, 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. Prior to each phase of development approved by this planning permission no development/No development approved by this planning permission, shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

- An options appraisal and remediation strategy for the two copper hotspots identified in BH04 at 0.4m and in WS03 at 1.0m, giving full details of the remediation measures required and how they are to be undertaken.
- A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy (in 2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

*Reason: To ensure that the development does not contribute to unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework. To prevent deterioration of a water quality element to a lower status class in the permeable superficial deposits, the underlying Crag aquifer, and the coastal sea waters.*

4. Prior to each phase of development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and

monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

*Reason: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework.*

5. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

*Reason: To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework. To prevent deterioration of a water quality element to a lower status class in the above-mentioned water bodies.*

6. A Construction Management Plan shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of development. This should contain information on how noise, dust, and light will be controlled so as to not cause nuisance to occupiers of neighbouring properties. The works shall be conducted in accordance with the plan.

*Reason: To limit impact on sensitive receptors arising from construction work.*

7. No development shall commence until details of the strategy for the disposal of surface water on the site (including assessment and management of surface water flood volumes) have been submitted to and approved in writing by the local planning authority.

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

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

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

9. The infrastructure hereby permitted shall not be operational until details of all Sustainable Drainage System components and piped networks have been submitted, in

an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

*Reason: To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk*  
<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>

10. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

- a. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
  - i. Temporary drainage systems
  - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
  - iii. Measures for managing any on or offsite flood risk associated with construction

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

11. Further details on the design and colour of the fencing shall be submitted in written and drawn form and approved by the Local Planning Authority before installation. Works shall then proceed in conformity to the approved plans and specifications.

*Reason: To ensure the fence is designed in a manner appropriate to the Conservation Area.*

12. The reconstructed pier to the yacht club landward walls shall incorporate the slight batter found in the existing piers, and use the same brick and bond pattern as the existing and a mortar mix to match the colour of the original. (Note that the original panels were lime mortar and this was less successful in the environment where road salt acted to damage this material, a coloured cementitious material might be more practicable).

*Reason: To ensure exact reproduction of the wall details where the submitted details are not clear with regard to the wall batter)*

13. The recommendations in the Preliminary Ecological Appraisal (PEA), CH2M, July 2017; PEA Addendum, Jacobs, August 2018; Kittiwake Survey, CH2M, August 2017; Bat Risk Assessment, CH2M, August 2017 and Japanese Kelp Survey, Abrehart Ecology, July 2018) for mitigation of impact shall be carried out in full and shall be accompanied by an updated survey for nesting kittiwakes to be undertaken (in the appropriate season)

prior to construction commencing and any further mitigation suggested as a result of this survey carried out.

*Reason: To protect the ecology of the harbour area and protected sites for wildlife.*

14. 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 ensure the historic interest of the area is properly investigated.*

15. No works within the highway associated with the permitted development shall be commenced until details of those works have been submitted to and approved in writing by the Local Planning Authority in co-operation with the Highway Authority.

*Reason: To ensure that any works within the highway are designed and constructed to an appropriate specification in the interests of highway safety.*

## **10 DC/19/2754/LBC - Lowestoft Outer Harbour, Lowestoft**

The Committee considered report ES/0258 which was for Listed Building Consent for the construction of tidal flood walls in Lowestoft Outer Harbour to provide a 1 in 200 (0.5%) AEP standard of protection against direct tidal flooding to residential and commercial areas of Lowestoft, forming part of a project that delivered significant public benefits. This was required to preserve the special interest of the yacht club, a Grade II star listed building.

Having considered and approved the application under Item 6 on the Agenda, it was unanimously

### **RESOLVED**

That planning permission/listed building consent be granted, subject to the following 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 constructed in all respects strictly in accordance with drawings with prefix 676284 and the following suffixes:

Location plans: PL300, PL301, PL302, PL303 all revision 0 showing definitive red lined site extents and;

Detailed works plans reference PL111 rev 5, PL112 rev 6, and;

Details and sections: PL203 rev 4 (club walls), PL204 rev 3 (section FF), PL205 rev 3 (Sections GG, HH), and the Historic Environment Desk-Based Assessment by ASE (Report No: 2019119v2 of April 2019),

all received 10 July 2019, 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. Before the works are complete, the Heritage Statement for the Royal Norfolk and Suffolk Yacht Club (June 2019), shall be deposited with the Suffolk County Council Historic Environment Record.

*Reason: To ensure recording of historic assets.*

4. The reconstructed pier to the yacht club landward walls shall incorporate the slight batter found in the existing piers and use the same brick and bond pattern as the existing and a mortar mix to match the colour of the original.

*Reason: To ensure exact reproduction of the wall details where the submitted details are not clear with regard to the wall batter).*

## **11 DC/19/3406/FUL - 303 London Road South, Lowestoft**

The Committee considered report ES/0262 which was for the change of use from cafe to gallery and treatment room, to remove a dangerous and unsightly concrete facade and install railings to the front at first floor, reinstate former front door, demolish modern C20 single storey rear element, reconfigure layout and increase courtyard. The application was considered to be a departure from policy and was therefore before the Committee for determination.

Members were shown photographs and location plans of the site including views along London Road South. and the property frontage which was to be changed by the proposals. Members viewed the existing and proposed elevations and the block plan gave an indication of the layout for the art gallery, workshop and treatment room. The Applicant lived above the premises and would be making changes to the upper

floors. The site was located in the new Heritage Action Zone but that zoning was not yet in place.

The Area Planning and Enforcement Officer understood that the premises had been empty for eight years, although other advice stated two years. There was a minor policy conflict regarding the change of use but that was considered acceptable as the proposal would result in the reuse of premises and enhance the area. No objections had been received in relation to the proposed change of use and associated alterations. The proposal represented an acceptable use within a commercial area and the application was recommended for approval.

The Chairman invited questions.

In response to a request for details of the change of use, the Area Planning and Enforcement Officer explained that it was from A3 to partial A1 mixed use.

Members welcomed the proposal and agreed that the frontage of the property needed tidying. Proposals to bring businesses into the town were welcomed and it was unanimously

#### **RESOLVED**

That permission be granted, subject to the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with plans numbered AB1 -06.08.2019, AB2 - 06.08.2019, AB3 -06.08.2019 and AB4 - 06.08.2019 received 30 august 2019, 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 to be used in the development hereby permitted shall match those used in the existing building or as otherwise unless annotated on the application form and/or drawing hereby approved.

*Reason: To ensure the satisfactory external appearance of the development.*

**12 DC/19/4124/FUL - Co-Op Funeral Care, The Cemetery, Holton Road, Halesworth**

The Committee considered report ES/0263 which gave details of the application for the installation of new mechanical plant for the internal coldroom behind a timber fence with new gate, all on a concrete base, with the existing rear door increased in width and the area around raised to form a level threshold.

The application was before Committee as the Council was the landowner.

Members were shown photographs and location plans of the site including views of its position which showed that the plant would be hidden at the rear of the building and the proposed floor plans.

The Area Planning and Enforcement Officer explained that the proposal was considered to have limited impact on the character and appearance of the surrounding area and on the amenity of neighbouring residents. The principle and detail of the development was acceptable and in compliance with relevant Development Plan policies and the National Planning Policy Framework. As such, approval was being recommended.

Members accepted the officer's recommendation and unanimously

**RESOLVED**

That permission be granted, subject to the following conditions:

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

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

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

- Location, floorplan, and elevations, 3549.01, received 22/10/2019,

- Noise Assessment, 88874 REV 00, received 30/10/2019;

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.*

**13 Quality of Place Awards 2019**

The Design and Conservation Officer explained the background to the Annual Quality of Place Awards and gave a presentation to the meeting explaining the four categories of Design, Building Conservation, Landscape and Community. The Cabinet Member for Planning and Coastal Management, Councillor Ritchie, chaired the judging panel and the awards had been presented on 20 November 2019.

Design - Joint Winner

71 Kirkley Run, Lowestoft and The Listening Station & Watch Room, Reydon

Design - Highly Commended

Lords Terrace & Sole Bay Terrace, Southwold and Prospect Place, Framlingham

Building Conservation Winner

Sibton Abbey

Landscape Winner

Sutton Hoo

Community Winner

Kelsale Signpost Restoration

The Design and Conservation Officer advised that the awards would continue to run every year and the scheme would be open up soon for applications to be put forward with judging in November. It was important to encourage the community to participate.

The Chairman thanked the Design and Conservation Officer for a very interesting presentation.

The meeting concluded at 4:16pm

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Chairman



## PLANNING COMMITTEE

**Title of Report:**

East Suffolk Enforcement Action– Case Update

**Meeting Date**

11 February 2020

**Report Author and Tel No**

Mia Glass  
01502 523081

Is the report Open or Exempt?

Open

## REPORT

The attached is a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has either been sanctioned under delegated powers or through the Committee up until 27 January 2020. At present there are 18 such cases.

Information on all cases has been updated at the time of preparing the report such that the last bullet point in the status column 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.

## RECOMMENDATION

That the report concerning Outstanding Enforcement matters up to 27 January 2020 be received.

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
2008/0193	17/09/2008	North	25 Kessingland Cottages, Rider Haggard Lane, Kessingland	Breach of Condition  Unauthorized use of chalet as main or sole residence	<ul style="list-style-type: none"> <li>• Breach of Condition Notice</li> <li>• Compliance expired following extension of time</li> <li>• Further consideration by Service Manager and Legal</li> <li>• See Enforcement Notice ref 2008/004 for further information – committee aware of personal circumstances of occupants</li> <li>• Officers, seniors and legal held meeting, 23/01/2019 to discuss the options available to move forward with the case.</li> <li>• Contact made with occupants on 6 February 2019 and legal advice been sought on progressing the case.</li> <li>• Further information being gathered from other bodies.</li> <li>• Meeting with Legal 25<sup>th</sup> November 2019 advised that due to the time passed the Council will not take action on the notice, however the Notice will remain in place.</li> </ul>	Following Legal advice, the notice remains in force though due to the time that has passed a decision has been made not to take any action in respect of the notice.

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
EN08/0264 & ENF/2013/0191	15/01/2010	North	Pine Lodge Caravan Park, Hazels Lane, Hinton	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.	<ul style="list-style-type: none"> <li>• 15/10/2010 - EN served</li> <li>• 08/02/2010 - Appeal received</li> <li>• 10/11/2010 - Appeal dismissed</li> <li>• 25/06/2013 - Three Planning applications received</li> <li>• 06/11/2013 – The three applications refused at Planning Committee.</li> <li>• 13/12/2013 - Appeal Lodged</li> <li>• 21/03/2014 – EN’s served and become effective on 24/04/2014/ 04/07/2014 - Appeal Start date - Appeal to be dealt with by Hearing</li> <li>• 31/01/2015 – New planning appeal received for refusal of Application DC/13/3708</li> <li>• 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.</li> <li>• 10/11/2015 – Informal hearing held</li> </ul>	31/01/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>• 01/03/2016 – Planning Appeal dismissed</li> <li>• 04/08/2016 – Site re-visited three of four Notices have not been complied with.</li> <li>• Trial date set for 21/04/2017</li> <li>• 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.</li> <li>• The Council has requested that the mobile home along with steps, hardstanding and access be removed by 16/06/2017.</li> <li>• 19/06/2017 – Site re-visited, no compliance with the Enforcement Notice.</li> <li>• 14/11/2017 – Full Injunction granted for the removal of the mobile home and steps.</li> <li>• 21/11/2017 – Mobile home and steps removed from site.</li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>• Review site regarding day block and access after decision notice released for enforcement notice served in connection with unauthorised occupancy /use of barn.</li> <li>• 27/06/2018 – Compliance visit conducted to check on whether the 2010.</li> <li>• 06/07/2018 – Legal advice being sought.</li> <li>• 10/09/2018 – Site revisited to check for compliance with Notices.</li> <li>• 11/09/2018 – Case referred back to Legal Department for further action to be considered.</li> <li>• 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).</li> <li>• 01/11/2018 – Court Hearing at the High Court in relation to the 2010 Enforcement Notice. Injunctive</li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>remedy sought. Verbal update to be given.</p> <ul style="list-style-type: none"> <li>• Injunction granted. Three months given for compliance with Enforcement Notices served in 2010.</li> <li>• 13/12/2018 – Site visit undertaken in regards to Injunction served for 2014 Notice. No compliance. Passed back to Legal for further action.</li> <li>• 04/02/2019 –Site visit undertaken to check on compliance with Injunction served on 01/11/2018</li> <li>• 26/02/2019 – case passed to Legal for further action to be considered. Update to be given at Planning Committee</li> <li>• High Court hearing 27/03/2019, the case was adjourned until the 03/04/2019</li> <li>• 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-</li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>attendance as was required in the Order of 27/03/2019.</p> <ul style="list-style-type: none"> <li>• 11/04/2019 – Officers returned to the High Court, the case was adjourned until 7 May 2019.</li> <li>• 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.</li> <li>• 05/09/2019 – Site visit undertaken; file passed to Legal Department for further action.</li> <li>• Court date arranged for 28/11/2019.</li> <li>• 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</li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
EN/09/0305	18/07/2013	South	Park Farm, Chapel Road, Bucklesham	Storage of caravans	<ul style="list-style-type: none"> <li>• Authorisation granted to serve Enforcement Notice.</li> <li>• 13/09/2013 -Enforcement Notice served.</li> <li>• 11/03/2014 – Appeal determined - EN upheld Compliance period extended to 4 months</li> <li>• 11/07/2014 - Final compliance date</li> <li>• 05/09/2014 - Planning application for change of use received</li> <li>• 21/07/2015 – Application to be reported to Planning Committee for determination</li> <li>• 14/09/2015 – site visited, caravans still in situ, letter sent to owner requesting their removal by 30/10/2015</li> <li>• 11/02/2016 – Site visited, caravans still in situ. Legal advice sought as to further action.</li> <li>• 09/08/2016 – Site re-visited, some caravans re-moved but 20 still in situ. Advice to be sought.</li> </ul>	April 2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>• Further enforcement action to be put on hold and site to be monitored</li> <li>• Review in January 2019</li> <li>• 29/01/2019 - Legal advice sought; letter sent to site owner.</li> <li>• 18/02/2019 – contact received from site owner.</li> <li>• 04/04/2019 – Further enforcement action to be placed on hold and monitored.</li> <li>• Review in April 2021.</li> </ul>	
ENF/2014/0104	16/08/2016	South	Top Street, Martlesham	Storage of vehicles	<ul style="list-style-type: none"> <li>• 23/11/2016 – Authorisation granted to serve an Enforcement Notice</li> <li>• 22/03/2017 – Enforcement Notice served. Notice takes effect on 26/04/2017. Compliance period is 4 months.</li> <li>• 17/07/2017 – Enforcement Notice withdrawn and to be re-served</li> <li>• 11/10/2017 – Notice re-served, effective on 13/11/2017 – 3 months for compliance</li> <li>• 23/02/2018 – Site visited. No compliance with Enforcement</li> </ul>	29/02/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>Notice. Case to be referred to Legal Department for further action.</p> <ul style="list-style-type: none"> <li>• Notice withdrawn</li> <li>• 09/07/2018 – Notice reserved, compliance date 3 months from 06/08/2018 (expires 06/11/2018)</li> <li>• 01/10/2018 - PINS has refused to accept Appeal as received after the time limit.</li> <li>• Time for compliance is by 06/12/2018</li> <li>• Site visit to be completed after the 06/12/2018 to check for compliance with the Notice</li> <li>• 07/12/2018 – Site visit completed, no compliance, case passed to Legal for further action.</li> <li>• 17/01/2019 – Committee updated that Enforcement Notice has been withdrawn and will be re-served following advice from Counsel.</li> <li>• 21/02/2019 – Authorisation granted by Committee to serve an Enforcement Notice. Counsel has advised that the Council give 30</li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>days for the site to be cleared before the Notice is served.</p> <ul style="list-style-type: none"> <li>• 01/04/2019 – Enforcement Notice served.</li> <li>• 28/05/2019 – Enforcement Appeal has been submitted to the Planning Inspectorate.</li> <li>• Start date has now been received, Statements are due by 12/12/2019.</li> <li>• <b>Awaiting Planning Inspectorate Decision</b></li> </ul>	
ENF/2016/0292	11/08/2016	South	Houseboat Friendship, New Quay Lane, Melton	Change of use of land	<ul style="list-style-type: none"> <li>• 11/08/2016 – Authorisation granted to serve Enforcement Notice with an 8 year compliance period.</li> <li>• Enforcement Notice to be drafted</li> <li>• Enforcement Notice served on 20/10/2016, Notice effective on 24/11/ 2016 – 8 year compliance period (expires 24/11/2024).</li> </ul>	24/11/2024
ENF/2016/0425	21/12/2016	North	Barn at Pine Lodge, Hazels Lane, Hinton	Breach of Condition 2 of PP C/09/1287	<ul style="list-style-type: none"> <li>• EN served on 21/12/2016</li> <li>• Notice becomes effective on 25/01/2017</li> </ul>	31/01/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>• Start date has been received. Public Inquiry to be held on 08/11/2017</li> <li>• Enforcement Appeal to be re-opened Public Inquiry set for 15/05/2018.</li> <li>• 06/06/2018 – Appeal dismissed. Three months for compliance from 06/06/2018 (expires 06/09/2018).</li> <li>• Site visit to be conducted once compliance period has finished.</li> <li>• 09/10/2018 – Site visit conducted, no compliance with Enforcement Notice. Case to be referred to Legal Services for further action.</li> <li>• Site visit due on 07/01/2019.</li> <li>• 07/01/2019 – Site visit undertaken, no compliance with Notice. Case referred back to Legal Services for further action.</li> <li>• 26/02/2019 – Update to be given at Committee.</li> <li>• Awaiting update from Legal.</li> <li>• 07/05/2019 – Officers returned to the High Court to seek an Injunction for failure to comply</li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>with the Enforcement Notice. An Injunction was granted and the owner is required to comply with the Injunction by 03/09/2019</p> <ul style="list-style-type: none"> <li>• 05/09/2019 – Site visit undertaken, case file passed to Legal Department for further action.</li> <li>• Court date arranged for 28/11/2019</li> <li>• 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.</li> </ul>	
ENF/2017/0170	21/07/2017	North	Land Adj to Oak Spring, The Street, Darsham	Installation on land of residential mobile home, erection of a structure, stationing of containers and portacabins	<ul style="list-style-type: none"> <li>• 16/11/2017 – Authorisation given to serve EN.</li> <li>• 22/02/2018 – EN issued. Notice comes into effect on 30/03/2018 and has a 4 month compliance period</li> <li>• Appeal submitted. Awaiting Start date</li> <li>• Appeal started, final comments due by 08/02/2019.</li> </ul>	17/02/2020 13/04/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>• Waiting for decision from Planning Inspectorate.</li> <li>• 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.</li> <li>• 13/11/2019 – EN served in relation to the residential use of the site. Compliance by 13/04/2020</li> </ul>	
ENF/2015/0279 /DEV	05/09/2018	North	Land at Dam Lane Kessingland	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.	<ul style="list-style-type: none"> <li>• Initial complaint logged by parish on 22/09/2015</li> <li>• Case was reopened following further information on the 08/12/2016/</li> <li>• Retrospective app received 01/03/2017.</li> <li>• 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</li> </ul>	29/02/2019

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>the owner on several occasions.</p> <ul style="list-style-type: none"> <li>• Notice sever by recorded delivery 05/09/2018.</li> <li>• Appeal has been submitted. Awaiting Start date.</li> <li>• Start letter received from the Planning Inspectorate. Statement due by 30/07/19.</li> <li>• <b>Awaiting Planning Inspectorate Decision</b></li> </ul>	
ENF/2018/0057	15/11/2018	North	The Stone House, Low Road, Bramfield	Change of use of land for the stationing of chiller/refrigeration units and the installation of bunds and hardstanding	<ul style="list-style-type: none"> <li>• Enforcement Notices served on 10/12/2018</li> <li>• Notice effective on 24/01/2019</li> <li>• 3 months given for compliance</li> <li>• Appeal submitted awaiting Start Date.</li> <li>• Start letter received from the Planning Inspectorate. Statement due by 30/07/19.</li> <li>• <b>Awaiting Planning Inspectorate Decision</b></li> </ul>	29/02/2020
ENF/2018/0276	23/11/2018	North	Bramfield Meats, Low Road, Bramfield	Breach of Condition 3 of planning permission DC/15/1606.	<ul style="list-style-type: none"> <li>• Breach of Condition Notice served</li> <li>• Application received to Discharge Conditions</li> <li>• Application pending decision</li> </ul>	30/03/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2018/0330 /LISTM	17/05/2019	North	Willow Farm, Chediston Green, Chediston	Unauthorised double glazed windows installed into a Listed Building	<ul style="list-style-type: none"> <li>Listed Building Enforcement Notice served on 17/05/2019.</li> <li>Notice takes effect on 20/06/2019. Three months for compliance</li> <li>Appeal has been submitted, awaiting a start date.</li> <li>Start date now received by the Council, Statements due by 12/12/2019</li> <li><b>Awaiting Planning Inspectorate Decision</b></li> </ul>	29/02/2020
ENF/2018/0543 /DEV	24/05/2019	North	Land at North Denes Caravan Park The Ravine Lowestoft	Without planning permission operational development involving the laying of caravan bases, the construction of a roadway, the installation of a pumping station with settlement tank and the laying out of pipe works in the course of which waste material have been excavated from the site and deposited on the surface.	<ul style="list-style-type: none"> <li>Temporary Stop Notice Served 02/05/2019 and ceases 30/05/2019</li> <li>Enforcement Notice served 24/05/2019, comes into effect on 28/06/2019</li> <li>Stop Notice Served 25/05/2019 comes into effect 28/05/2019.</li> <li>Appeal has been submitted. Awaiting Start date.</li> </ul>	29/02/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2018/0385 /COND	01/08/2019	North	28 Beverley Close Lowestoft	Breach of condition 2 & 3 of DC/15/2586/FUL	<ul style="list-style-type: none"> <li>Breach of Condition Notice served 01/08/2019.</li> <li>DC/19/4557/VOC Planning application submitted 21/11/2019</li> <li><b>Application refused 15/01/2020</b></li> </ul>	01/02/2020
ENF/2019/0272 /DEV	16/08/2019	South	Rosery Cottage Barn, Lodge Road, Great Bealings	Change of use of a building	<ul style="list-style-type: none"> <li>Enforcement Notice served 16/08/2019.</li> <li>Appeal submitted, awaiting start letter.</li> </ul>	29/02/2020
ENF/2019/0391 /SEC215	26/11/2019	North	46 Wissett Way Lowestoft	Untidy Site	<ul style="list-style-type: none"> <li>Notice served 26/11/2019</li> </ul>	27/03/2020
ENF/2019/0320 /USE	05/12/2019	North	Boasts Industrial Park, Worlingham	Change of use	<ul style="list-style-type: none"> <li>Enforcement Notice served 05/12/2019</li> <li><b>Enforcement Appeal submitted, awaiting Start Letter from PINS</b></li> </ul>	10/05/2020
ENF/2018/0090 /DEV	10/12/2019	South	Dairy Farm Cottage, Sutton Hoo	Erection of a summer house	<ul style="list-style-type: none"> <li>Enforcement Notice served 10/12/2019</li> </ul>	17/03/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2015/0214 /MULTI	17/01/2020	South	98 Tangham Cottages, Tangham	Change of use of land and building for business, residential and holiday let purposes	<ul style="list-style-type: none"> <li>17/01/2020 – Enforcement Notice served.</li> </ul>	19/05/2020

## **Committee Report**

**Planning Committee** - 11 February 2020

**Application no** DC/19/1141/OUT

**Location**

Land To The West Of Copperwheat  
Avenue  
Reydon  
IP18 6YD

**Expiry date** 24 June 2019

**Application type** Outline Application

**Applicant** WM. Denny & Son Limited and Chartwell Industries

**Parish** Reydon

**Proposal** Outline Application - Development of up to 220 dwellings with associated open space

**Case Officer** Joe Blackmore, Development Management Team Leader (North Area)  
01394 444 733

[Joe.Blackmore@eastsoffolk.gov.uk](mailto:Joe.Blackmore@eastsoffolk.gov.uk)

### **1. Summary**

- 1.1 This application seeks outline planning permission for the development of up to 220 dwellings with associated open space. Details of access have been submitted for approval whilst appearance, landscaping, layout and scale are reserved matters for future determination.
- 1.2 East Suffolk Council (Waveney) Local Plan Policy WLP6.1 allocates 9.8 hectares of land west of Copperwheat Avenue, Reydon for the residential development of approximately 220 dwellings. The application site extends farther west to 12 hectares in total but includes the entirety of the allocated land.
- 1.3 Given the scale of the development proposal and the site area extending beyond the allocation, the application has been brought direct to committee for determination.

- 1.4 The extended site area beyond the allocated land is a departure from the Local Plan, but one that would ultimately facilitate a more integrated and higher quality residential development in terms of, among other things, connectivity with the Public Right of Way network; provision of green infrastructure; provision of sustainable drainage features; and the overall low density of development.
- 1.5 The proposal would deliver substantial public benefits that far outweigh any harms arising. The quantum of development, at up to 220 dwellings, accords with the plan-led approach to deliver sustainable housing growth in the Reydon and Southwold area. The proposal is thus in accordance with the Local Plan and NPPF, when taken as a whole.
- 1.6 Officers are seeking authority to approve the application with conditions, subject to the completion of a Section 106 legal agreement to secure the necessary obligations.

## **2. Site description**

- 2.1 Reydon is a village and civil parish one mile northwest of Southwold, approximately two miles east of the A12 road. The village falls wholly within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). The majority of built development in the village took place in the 19th and 20th centuries.
- 2.2 The application site is located on the western edge of Reydon, between Keens Lane to the south-west and Copperwheat Avenue to the north east. The site is on the gently sloping farmland that extends up from the Wang and Blyth Valley to meet the slightly elevated plateau to the west of Reydon. It is a relatively open, arable farmland landscape with a network of large fields that are enclosed by intact hedgerows and hedgerow trees.
- 2.3 The land proposed for development comprises an irregular shaped agricultural field covering some 12 hectares, located adjacent existing residential developments at Copperwheat Avenue and The Crescents. The site is bounded by sports pitches and recreation fields to the north; residential properties to the north-east, east and south; and open countryside to the west. The site is partially enclosed by hedgerows and hedgerow trees.
- 2.4 There are public rights of way (PRoW) along the western and southern boundaries of the site, between the A1095 (Halesworth Road) and the B1126 (Wangford Road) to the west; and between Keens Lane and the B1126 (Wangford Road) to the south.
- 2.5 The B1126 is located approximately 100m east and north-east of the eastern boundary of the site, providing the main route southbound towards Southwold and extending northwards to the A12 at Wangford. Approximately two miles to the north-west of the site, off Copperwheat Avenue, is the B1126/A12 junction which forms a multi-give-way gap arrangement on the dual carriageway A12. This junction effectively forms a main gateway junction for Reydon and Wangford for strategic trips to/from the north.
- 2.6 The site does not include any designated or non-designated built heritage assets. However, the Grade II listed Gorse Lodge Farmhouse lies directly to the west of the site; and the Grade II\* listed Church of St Margaret lies to the north of the site, along Wangford Road.

### 3. Proposal

3.1 The application seeks planning permission for the development of up to 220 dwellings with associated open space.

3.2 This application is made in outline with some matters reserved. Approval is sought for details of 'Access', whilst 'Appearance', 'Landscaping', 'Layout' and 'Scale' (hereafter referred to as the "Reserved Matters") are not to be determined 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 In terms of access, the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) defines access, as:

*"the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where "site" means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made".*

3.4 Thus, this application provides details of access in accordance with the above and is supported by a Transport Statement and Travel Plan that have been reviewed by the County Council Local Highways Authority in their role as statutory consultee.

3.5 Whilst this is an outline application with all matters (save for access) reserved for future determination, officers are mindful that the principle of development is largely established through the site allocation policy (WLP6.1). The site also falls within the AONB and extends beyond the allocated land area. On that basis, officers have worked extensively 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 permission be granted. Therefore, three key parameter plans have been submitted for approval:

- Movement and Access Parameter Plan
- Massing and Scale Parameter Plan
- Land Use and Green Infrastructure Plan

3.6 The Movement and Access Plan presents the primary vehicular and pedestrian access points via Copperwheat Avenue to the north and The Crescents to the east and associated route around the site as a designated parameter framework.

3.7 The proposed land use and green infrastructure parameter plan represents those areas of residential development; formal recreation/local equipped play area; drainage infrastructure; and accessible natural green space.

3.8 The proposed scale parameter plan fixes scale in different areas of the site in terms of low scale; medium scale; and mixed scale.

- 3.9 The detail of these plans will be assessed in the relevant analysis of this report. In addition to the parameter plans, the updated and revised Design and Access Statement (DAS) reflects the revised layout, parameter plans and integral design guidance.
- 3.10 A key plan submitted for consideration is the Parameter Plan: Movement and Access (Nov 2019). This plan identifies the two primary vehicle and pedestrian access points: one from Copperwheat Avenue in the northeast; and the second from The Crescents, to the east. This plan also demonstrates a new pedestrian access point on the southern boundary of the site, from the public right of way that runs west-to-east between Keens Lane and Wangford Road.
- 3.11 Although not fixed precisely at this stage, the parameter plan also indicates some potential additional pedestrian connections: a second connection on the southern boundary; one on the northern boundary between the site and the existing play area to the north; and three connections with the existing public right of way on the western site edge.
- 3.12 In terms of internal connectivity, final layout is a reserved matter so the precise, detailed internal routes and estate roads cannot be considered at this stage. However, the primary, central vehicular route through the site, connecting the two main points of vehicular access is detailed in the parameter plan and that will form the main spine route that any reserved matters layout has to be organised around.

#### **4. Consultations/comments**

- 4.1 In response to publication/consultation, 18 letters of objection to the application have been received that raise the following key considerations (inter alia):
- Contrary to policy WLP6.1, the relevant strategic site allocation in the recently adopted Local Plan.
  - It represents a further incursion into open countryside outside the Reydon settlement limits.
  - It represents further damage to the AONB.
  - It ignores the recommendations contained in the Settlement Fringe Landscape Sensitivity Study which was part of the evidence base commissioned by WDC for the new Local Plan.
  - This site is in an area of outstanding natural beauty. This designation should be respected; the land should not be built on but put to good use as farmland.
  - Additional footpaths linking into the existing pathway will give further opportunities for inconsiderate noise and anti-social behaviour that has already occurred in the area.
  - Additional traffic as a result of this proposal will just exacerbate the situation of an inadequate road infrastructure.
  - Proposal represents an overdevelopment in the size of the village.
  - Second access point will increase traffic on The Crescents.
  - Our infrastructure is already at capacity as is our sewerage system which has problems already.
  - Wildlife habitat will be destroyed.
  - The proposal will lead to lots of second homes.

- Surface water attenuation area is adjacent existing residential properties.
- There is not a local need for this amount of housing.
- The proposal would see the loss of productive agricultural land.
- Concerned over safety of Keens Lane for pedestrians given increases in traffic and usage of that route.

**Consultees**  
**Reydon Parish Council**

Consultee	Date consulted	Date reply received
Reydon Parish Council	4 April 2019	2 May 2019

*“Reydon Parish Council has carefully considered the Application for Outline Planning Permission for 220 houses on the land west of Copperwheat Avenue and wishes the following issues to be taken into account in any discussions with the applicant and in conditions to be imposed as part of any permission that the Council sees fit to grant.*

*1. We recognise that the proposal is consistent with the newly adopted Local Plan for Waveney. Nonetheless, we must also reiterate the widespread concern of our residents that this development is too big, especially given the fact that it will require a major loss of AONB land. It certainly represents a major expansion of our village (double the growth seen in the last ten years) and as a Parish Council we see this as at the absolute limit of what can be accepted and sustained by our community. Underpinning this view is a concern about employment for the new residents. Some people may move here as they already work in Southwold or Reydon (but many of these will find the market housing out of reach, given the modest income from most local employment). However, most of the new residents will work elsewhere and will be forced to commute by car given the limited public transport options (see points 4,5 and 6 below).*

*2. That said, we welcome both the low density of this development and the real care that has been given to integrating the development into the countryside, using a range of local and Suffolk vernacular materials and design features, such as the weatherboarded housing closest to the countryside and the large landscaped areas around and within the development. These measures are consistent with the aims and policies in our emerging Neighbourhood Plan which we hope will be able to influence the detailed proposals which will be presented when a full application is submitted.*

*3. The application, very fairly, documents the considerable range of concerns raised by residents in the community consultation. However, these have only been responded to in some areas. As stated above, many residents remain highly concerned about the size of this development and, whilst we recognise that the new Local Plan has determined this issue, it is extremely important to our residents that their other concerns are addressed as fully as possible. We ask that Planning Officers review these concerns and work with the applicant to address them as appropriate.*

*4. A major issue, highlighted in the consultation, that needs to be explored further is the traffic impact. Residents are concerned about this, especially access to and from Wangford Road. However, apart from traffic calming within the proposed development and improvements to the*

*A12 junction at Wangford, there is nothing in the proposals to address these concerns. In addition to the proposed pedestrian crossing by Jermyns Rd, we believe traffic calming measures are needed at the access points, possibly in the form of mini roundabouts.*

*5. We applaud the stated aims of plans for walking and cycling access to the development and the promotion of these modes of travel to reduce car use. However, the measures to achieve this are largely within the site but they will only work if measures around the village extend these into really useable and attractive routes. There is talk of a cycle route along the Wangford Road, for example, but this does not exist and it is unclear what or how this is proposed (if, indeed it is). If such a cycle route is feasible, it should be a condition of the outline approval and, depending on how it is achieved, could also help with the need for traffic calming measures (point 4).*

*6. In terms of access to the development, the application also refers to the bus services which pass along the Wangford Road. Recent experience with considerable reductions in the service linking Reydon with the rail service at Halesworth confirms that all our local bus services are at risk and may change or cease abruptly. This reinforces the need to make walking and cycling genuinely safe and easy options for local travel (around the village and to Southwold) and to ensure car traffic is well managed, with safe access to and from the development and speed reduction measures along the Wangford Road.*

*7. The housing mix is improved from the pre-application proposals and this is a welcome response to what was said by residents, particularly the addition of bungalows. However, there remain a significant number of four bedroom, mainly market, houses. These are likely to be out of the price range of those living or working locally and do not reflect the need identified in our emerging Neighbourhood Plan for a predominance of smaller 2-3 bedroom dwellings.*

*8. We welcome the extensive proposals for landscaping and provision of open spaces and trees and hedgerows within and around the development. In order to ensure that the screening edges of the proposal are effective at the start of occupation, we believe that the edge planting should be carried out prior to the beginning of construction and that this should be a condition of approval. In relation to play spaces, we agree that two should be provided. However, the one to the north of the development is very close to the existing play area off Barn Close. We believe it would be better to extend this into the development and refurbish it rather than create a second separate play area.*

*We ask that these considerations are taken into account and reflected in the conditions of approval of this application.*

Consultee	Date consulted	Date reply received
Reydon Parish Council	12 December 2019	No response
Summary of comments: See response dated 02 May 2019.		

## Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	4 April 2019	15 April 2019

Summary of comments:  
Holding objection for further information.

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	4 April 2019	12 April 2019

Summary of comments:  
Holding objection; Geophysical survey of site required to inform response.

Consultee	Date consulted	Date reply received
SCC Flooding Authority	4 April 2019	17 April 2019

Summary of comments:  
Holding objection for further information.

Consultee	Date consulted	Date reply received
Suffolk County - Rights Of Way	4 April 2019	No response

Summary of comments:  
No comments received.

Consultee	Date consulted	Date reply received
Suffolk County - Minerals And Waste	4 April 2019	23 April 2019

Summary of comments:  
No objections; condition recommended.

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	4 April 2019	No response

Summary of comments:  
No comments received.

Consultee	Date consulted	Date reply received
Natural England	4 April 2019	30 July 2019
Summary of comments: Undertake an HRA - Stage 2: Appropriate Assessment and re-consult Natural England on package of mitigation including Suffolk RAMS contribution.		

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	12 December 2019	23 December 2019
Summary of comments: No objections; recommended conditions to follow.		

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	12 December 2019	12 December 2019
Summary of comments: No objections; conditions recommended.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	12 December 2019	23 December 2019
Summary of comments: Recommend approval.		

Consultee	Date consulted	Date reply received
Suffolk County - Rights Of Way	12 December 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Suffolk County - Minerals And Waste	12 December 2019	No response
Summary of comments: See comments dated 23 April 2019.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	12 December 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Natural England	12 December 2019	No response
Summary of comments: See comments dated 30 July 2019.		

Consultee	Date consulted	Date reply received
Historic England	12 December 2019	16 December 2019
Summary of comments: No comments to make on the application.		

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	13 September 2019	13 September 2019
Summary of comments: No objections, conditions recommended.		

### **Non statutory consultees**

Consultee	Date consulted	Date reply received
Suffolk Coasts And Heaths Project	4 April 2019	12 April 2019
Summary of comments: No comments beyond those made as part of the Local Plan examination process.		

Consultee	Date consulted	Date reply received
Mr Nick Newton	4 April 2019	2 January 2020
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	4 April 2019	14 January 2020
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
WDC Environmental Health - Contaminated Land	4 April 2019	16 April 2019
Summary of comments: No objections; conditions recommended.		

Consultee	Date consulted	Date reply received
Planning Policy (Internal)	4 April 2019	3 May 2019
Summary of comments: Internal response; see report.		

Consultee	Date consulted	Date reply received
WDC - Drainage And Coast Protection	4 April 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	4 April 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Police - Alan Keely Crime Reduction Beccles Police Station	4 April 2019	9 April 2019
Summary of comments: No objections. Development seems to include a lot of good measures. Further advice given for detailed design.		

Consultee	Date consulted	Date reply received
Suffolk County Council Section 106 Officer	4 April 2019	23 April 2019

Summary of comments:  
No objections; conditions, obligations and CIL contributions advice given.

Consultee	Date consulted	Date reply received
Disability Forum	4 April 2019	No response

Summary of comments:  
No comments received.

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	4 April 2019	No response

Summary of comments:  
No comments received.

Consultee	Date consulted	Date reply received
WDC - Housing	4 April 2019	20 May 2019

Summary of comments:  
Internal response; see report.

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	9 April 2019	9 April 2019

Summary of comments:  
No objections; advice given.

Consultee	Date consulted	Date reply received
East Suffolk Ecology (Internal)	13 May 2019	5 June 2019

Summary of comments:  
Internal response; see report.

Consultee	Date consulted	Date reply received
Suffolk Coasts And Heaths Project	12 December 2019	No response

Summary of comments:  
See comments dated 28 August 2019.

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	12 December 2019	No response

Summary of comments:  
Internal response, see report.

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	12 December 2019	No response

Summary of comments:  
Internal response, see report.

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	12 December 2019	17 December 2019

Summary of comments:  
Refer to previous comments.

Consultee	Date consulted	Date reply received
Planning Policy (Internal)	12 December 2019	No response

Summary of comments:  
Internal response, see report.

Consultee	Date consulted	Date reply received
WDC - Drainage And Coast Protection	12 December 2019	No response

Summary of comments:  
No comments received.

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	12 December 2019	No response

Summary of comments:  
No comments received.

Consultee	Date consulted	Date reply received
Police - Alan Keely Crime Reduction Beccles Police Station	12 December 2019	No response
Summary of comments: See response dated 09 April 2019.		

Consultee	Date consulted	Date reply received
Suffolk County Council Section 106 Officer	12 December 2019	16 December 2019
Summary of comments: No objections; conditions, obligations and CIL contributions advice given.		

Consultee	Date consulted	Date reply received
Disability Forum	12 December 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	12 December 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Housing Development Team (Internal)	12 December 2019	No response
Summary of comments: Internal response, see report.		

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	12 December 2019	No response
Summary of comments: See response dated 09 April 2019.		

Consultee	Date consulted	Date reply received
Southwold And Reydon Society	12 December 2019	No response

Summary of comments:  
See comments received 28.10.2019.

Consultee	Date consulted	Date reply received
Southwold And Reydon Society	28 October 2019	28 October 2019

Summary of comments:  
Object to the application, primarily due to site area going beyond allocation policy WLP6.1.  
See full response on public access page.

## 5. Publicity

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

Category	Published	Expiry	Publication
Major Application	12 April 2019	8 May 2019	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Public Right of Way Affected	12 April 2019	8 May 2019	Lowestoft Journal

## Site notices

General Site Notice

Reason for site notice: Major Application; Contrary to Development Plan; Affects Setting of Listed Building; In the Vicinity of Public Right of Way  
Date posted: 18 April 2019  
Expiry date: 14 May 2019

## 6. Planning policy

National Planning Policy Framework (2019)

WLP1.1 - Scale and Location of Growth (East Suffolk Council - Waveney Local Plan (March 2019))

WLP1.2 - Settlement Boundaries (East Suffolk Council - Waveney Local Plan (March 2019))

WLP6.1 - Land West of Copperwheat Avenue, Reydon (East Suffolk Council - Waveney Local Plan (March 2019))

WLP8.1 - Housing Mix (East Suffolk Council - Waveney Local Plan (March 2019))

WLP8.2 - Affordable Housing (East Suffolk Council - Waveney Local Plan (March 2019))

WLP8.3 - Self Build and Custom Build (East Suffolk Council - Waveney Local Plan (March 2019))

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

WLP8.24 - Flood Risk (East Suffolk Council - Waveney Local Plan (March 2019))

WLP8.26 - Relocation and Replacement of Development Affected by Coastal Erosion (East Suffolk Council - Waveney Local Plan (March 2019))

WLP8.28 - Sustainable Construction (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))

WLP8.31 - Lifetime Design (East Suffolk Council - Waveney Local Plan (March 2019))

WLP8.32 - Housing Density and Design (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))

WLP8.37 - Historic Environment (East Suffolk Council - Waveney Local Plan (March 2019))

WLP8.40 - Archaeology (East Suffolk Council - Waveney Local Plan (March 2019))

## **7. Planning considerations**

### Planning Policy Background

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 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 planning policies are set out in section six of this report.

### Principle of Development

7.2 The Local Plan was adopted in March 2019 and sets the Council's development vision for the period up to 2036. The spatial strategy (policies WLP1.1 and WLP1.2) identifies the amount of growth to be delivered over the plan period and where that growth should be. New housing, in particular, should be delivered in sustainable locations. As part of that spatial strategy, the Southwold and Reydon area is expected to deliver approximately 4% of housing growth in the Waveney Local Plan area. The main policy to deliver that housing growth is WLP6.1 (Land West of Copperwheat Avenue, Reydon) which allocates 9.8 hectares of land for a residential development of approximately 220 dwellings.

- 7.3 The application site includes the 9.8 hectares of allocated land under policy WLP6.1; thus, the principle of residential development on that allocated land is set by the adopted Local Plan which has been through the scrutiny of examination and found to be sound. Of note is that the proposed application site extends to some 12 hectares, going beyond the allocated area by some 2.2 hectares - to include the strip of land running between the allocated land in the east and the existing field boundary and public right of way (PRoW) to the west. The inclusion of that additional land beyond the allocation means that, technically, the proposal is not strictly in accordance with the Local Plan spatial strategy and policy WLP6.1 - and therefore has been advertised as a Departure from the Local Plan.
- 7.4 The first point to make is that the proposed quantum of development accords with the policy WLP6.1 objective to deliver a residential development of approximately 220 dwellings. In that sense, the departure from the policy is in terms of the site area, rather than the quantum of development. A criterion of WLP6.1 is also to achieve a lower density of development (approximately 25 dwellings per hectare) which would be more achievable on the proposed, larger application site when compared to the allocated land.
- 7.5 In terms of the acceptability of developing land farther west than the allocated land, that largely comes down to detailed assessment of a number of factors to be addressed within this report. However, the starting point is that officers consider the proposal, in principle, meets the broader objectives of the Local Plan spatial strategy and policy WLP6.1 to deliver a residential development of approximately 220 dwellings in Reydon, on land west of Copperwheat Avenue. It is acknowledged though that the 12 hectare site area goes beyond the 9.8 hectares of allocated land and that represents a policy conflict that will need to be weighed in the balance by the decision-taker.

#### Highways Safety and Sustainable Transport

- 7.6 Policy WLP8.21 promotes sustainable transport in accordance with the NPPF, which sets out (inter alia) that:

Paragraph 108 - *“it should be ensured that... (b) safe and suitable access to the site can be achieved for all users”*; and

Paragraph 109 - *“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.”*

- 7.7 Site Allocation policy WLP6.1 provides site specific criteria in relation to transport and highways matters:

- “A Transport Assessment and Travel Plan should be submitted with any planning application.
- Development will include improvements to The Crescents as well as a pedestrian crossing of Wangford Road to be defined through a Transport Assessment.”

- 7.8 A Transport Assessment and Travel Plan (both revised during the course of the application) have been submitted and reviewed by the County Council Highways Authority (SCC Highways) in their role as a statutory consultee. SCC Highways are satisfied with the

proposals and recommend any planning permission granted is subject to their suggested conditions and obligations.

- 7.9 The proposal incorporates two points of vehicular access: an extension of Copperwheat Avenue southwards into the area proposed for residential development; and on the eastern boundary, an access from The Crescents. These two vehicular accesses would include footway provision for pedestrian access to-and-from the site, connecting with existing footways. As part of the footway works, improved pram crossings would be undertaken on the junction bellmouth at Farmland Close (off Copperwheat Avenue); and also, on both sides of The Crescents.
- 7.10 The proposals as originally submitted indicated that the access from Copperwheat Avenue would be the primary access (serving approximately 2/3rds of the development) whilst the access from The Crescents would be a secondary access for the remaining 1/3<sup>rd</sup>. This distribution would have been difficult to control at outline stage but, in any event, the result of that indicative proposal was to, in effect, sever the southern third of the site from the northern two-thirds. Officers considered this poor design that would prevent an integrated and cohesive site layout. The updated parameter plan (movement and access) establishes a primary vehicle route through the site connecting the two access points which will allow for a more equally distributed pattern flow between the two access points. The Highways Authority are satisfied with this approach and officers consider that the result is a better distribution of traffic and it will lead to a more integrated layout. By implementing two access points the issue of emergency access is also resolved ensuring there should always be a point of access to the site available.
- 7.11 In addition to points of vehicular and pedestrian access to the site, the proposal also includes details of a new pedestrian crossing on Wangford Road immediately to the north of the Jermyns Road/Wangford Road junction which will form the main route to/from the primary school and the site. This would be in the form of a zebra crossing. New road markings (denoting 'SLOW') would be undertaken on the highway to the south side of the zebra crossing and farther north on Wangford Road. Footway widening (to 1.8m) is also proposed between The Crescents and Jermyns Road, on the west side of Wangford Road.
- 7.12 A system of shuttle working is also proposed on the local section of Wangford Road to attenuate traffic speeds. This is a system that restricts the movement of the traffic to alternate one-way operation along the road in order to reduce traffic speeds.
- 7.13 The off-site highway works proposed would need to be secured by planning condition and the applicant entering into a Section 278 agreement with the Highways Authority to undertake the works.
- 7.14 The Transport Statement also assesses the potential trip demands arising from the proposed development and, on account of its proximity to the site, also assesses the likely operational performance of the B1126 Wangford Road/A1095 Halesworth Road junction against existing 2018 background traffic flows. Additionally, the potential traffic impact of the proposals on the B1126/A12 junction is also considered.
- 7.15 In terms of impact on the wider highway network, the Transport Statement concludes (paragraph 5.16):

*“The PICADY traffic modelling undertaken herein demonstrates the B1126 Wangford Road/A1095 Halesworth Road junction and B1126/A12 crossroads will provide ample capacity, and even under full development loadings at future year assessment 2023 no arm of each junction is shown to be operating above 50% of theoretical capacity. The additional levels of demand arising from the proposed scheme show that the free-flow of traffic at these junctions will not be significantly compromised. While it is noted that there may be alternative methods for the distribution of development-generated traffic onto the network, in reality traffic capacity is not a significant issue in this case.”*

- 7.16 Officers are satisfied that the local highway network is capable of absorbing the traffic generation from this proposal. At the points where Copperwheat Avenue and The Crescents feed onto Wangford Road, the visibility in both directions is acceptable and suitable to serve the increased traffic flows arising from the development proposal.
- 7.17 Whilst the detailed assessment of the traffic generation indicates the highway network can accommodate the proposed development, it would still generate a significant number of additional vehicle movements in the area. There are identified accident cluster sites to the north and south of the site. The A12/B1126 Wangford junction is among the most significant junction cluster sites in the county with 10 recorded injury accidents in the last 5 years. Furthermore, development traffic heading south would use the A1095 and its junction with the A12. In the last 5 years there have been 5 recorded injury accidents at the A12/A1095 junction and 15 recorded injury accidents on the A1095 (which would be considered a linear cluster site). Subsequently, in order to make the development acceptable, a Section 106 financial contribution is required to help mitigate the impact of the development on the above cluster sites. A contribution of £250 per dwelling (£55,000) is required by the Highway Authority to contribute towards Road Safety Engineering schemes at the above locations. The applicant has agreed to this financial contribution to mitigate impacts arising directly from the development.
- 7.18 In addition to the main points of vehicle and pedestrian access detailed in full and described above, the site offers the opportunity to provide multiple points of pedestrian connectivity with the existing public right of way network.
- 7.19 PRoW number 1 (E-445/001/0) runs north-south along the western edge of the site. PRoW number 2 (E-445/002/0) runs west-east along the southern edge of the site. The Movement and Access parameter plan indicates the potential for four points of pedestrian access to these PRoW's. The precise location of those pedestrian access points and the manner in which they will be designed and integrated into the layout would need to be secured by planning condition and through the submission of reserved matters applications. However, the potential for the site to provide those pedestrian connections is an important part of the masterplan principles for the site and creating an integrated layout that promotes walking and cycling.
- 7.20 Part of the recommended planning obligations is to secure a developer contribution to fund upgrade works to PRoW No.1 on the western boundary to make this route a bridleway that will provide a legal cycle route for residents to access the church to the north, and Halesworth Road to the south, which then gives access to St Felix School. This improved PRoW is of benefit not just to residents of the proposed development but also to the existing community.

- 7.21 To the northeast corner of the site, there is potential for a new pedestrian connection from the development into the existing play area at Barn Close. This would need to be secured and delivered through condition and reserved matters applications as a further means of integrating the development into the existing built context.
- 7.22 Reydon benefits from a number of services and facilities that are proximate to the application site with approximate travel distances from Copperwheat Avenue presented in the list below:
- Bus Stop (approx. 130m to the North)
  - Day Nursery (approx. 400m to the South East)
  - Primary School (approx. 400m to the South East)
  - Reydon Pharmacy (approx. 500m to the South)
  - Recreation Ground (approx. 550m to the East)
  - Reydon Village Store (approx. 600m to the East)
  - Village Hall (approx. 0.7 miles to the South East)
  - Londis (approx. 0.8 miles to the South East)
- 7.23 Local services, facilities and public transport options are within readily achievable walking and cycling distance of the site. The towns of Southwold and Lowestoft are accessible from the site via public transport.
- 7.24 The nearest bus stop to the site is located on Wangford Road, some 30m from Copperwheat Avenue. From there Southwold Town Council Southwold Shuttle service provide a service between Southwold – Reydon - Southwold for journeys hourly with two time changes throughout the day. The approximate journey time from the site to Southwold, Kings Head via bus is 15 minutes.
- 7.25 The nearest major bus stop to the site is located on Green Lane approximately 200m north from Copperwheat Avenue. From there Border Bus service 146 provides a service between Southwold – Pakefield – Beccles – Norwich hourly, with an increased service at every half hour between 09:05 and 11:35.
- 7.26 The existing road network and points of site access are not compatible with facilitating bus access directly into the application site. Therefore, the approach with this proposal is to promote use of these two existing bus stops. Part of that strategy is improvements to the footway through to Wangford Road by the junction with Jermyns Road, as set out earlier in this section. However, a second part of the strategy is to secure a developer contribution to fund improvements to these two bus stops. The applicant has agreed to this which will need to be secured by S106 agreement.
- 7.27 The application also includes a Travel Plan that has two key objectives:
- Positively and effectively encourage the use of more sustainable and healthy travel modes such as walking, cycling and public transport by future residents of the scheme;
  - Minimise the use of travel modes that have the highest environmental and traffic impact, such as single-occupancy trips by fossil-fuel motor vehicles, especially where other alternatives are available.

- 7.28 The Travel Plan includes a number of measures to promote sustainable modes of transport and, to ensure that those measures are implemented, an index linked Travel Plan Contribution, payable to Suffolk County Council, needs to be secured through a Section 106 Agreement. This will ensure the Travel plan is implemented in accordance with the Suffolk County Council Travel Plan Guidance closer to the time the site will be occupied.

#### Conclusions on Highways Matters and Sustainable Transport

- 7.29 The application site is well-related to the existing settlement and the facilities therein that are accessible by walking and cycling. The proposal includes a number of off-site highway and PRow works to not only offset the impacts of the development, but also deliver improvements that will benefit both existing and new residents. The proposed site will integrate well into the existing footway and PRow network, and the travel plan measures to be implemented will promote sustainable modes of transport.
- 7.30 The means of vehicle and pedestrian access to-and-from the site, detailed in this application, are acceptable to officers and the County Highways Authority. Officers therefore consider that the development proposal meets the sustainable transport objectives of the NPPF and Local Plan policies WLP6.1 and WLP8.21.

#### Landscape and Visual Impact

- 7.31 The site falls wholly within the Suffolk Coasts and Heaths AONB, a designation that affords the highest level of landscape protection under UK planning law. Therefore, consideration of likely impacts on landscape character and visual amenity are of prime importance. The majority of the site has been accepted for development under the Local Plan examination process. On that basis, it is now essential to understand whether the development proposals allow the described new residential area to be integrated into the local landscape without causing significant adverse harm. This is the key element for consideration.
- 7.32 An important consideration is the findings of the Great Yarmouth and Waveney Settlement Fringe Landscape Sensitivity Study. This concluded that the land to the north and west of Reydon overall has a Low Landscape Capacity to receive development based on its Low Landscape Sensitivity rating, but Very High Landscape Value because of its AONB and Heritage Coast status.
- 7.33 Low Landscape Sensitivity is defined as:

The landscape is assessed as having few distinctive features and characteristics that provide continuity/time depth, and typically has limited visibility due to apparent landforms and intermittent tree cover.

- 7.34 Low Landscape Capacity is defined thus:

The landscape is assessed as having high landscape sensitivity and high landscape value. Large or medium-scale new development is likely to erode the positive key features and characteristics of the landscape which are desirable to safeguard in line with relevant national/local planning policy objectives. Taking into account site-specific constraints, there

may be potential to accommodate some small-scale development in specific locations within the landscape with lower landscape sensitivity, subject to appropriate siting, design and landscaping mitigation.

7.35 It should be understood that this development Capacity assessment is for a much more extensive area than just the site that is the subject of the current application, and also the subject site falls outside the Heritage Coast boundary.

7.36 Landscape features that are considered to contribute to landscape sensitivity include historic field boundaries, the historic field boundary pattern especially on the western edge of the setting area, and small wooded copses. The current application site is contained within the existing field boundaries and no trees or hedgerows are scheduled for removal. In other words, although the Landscape Sensitivity Study is acknowledged, it should be understood that the application site itself does not have the key sensitive landscape characteristics that are noted in the report, and where they exist around the margins, they are not at risk. The application notes the visually sensitive edge along its western margins, and this is accommodated in the proposed site layout and parameter plans with open space shown along this western sector, and no built residential development proposed that will prejudice the health of retained mature trees around the site edges.

7.37 The Waveney Local Plan Inspector recorded his findings on the inclusion of this site in the allocations plan as follows:

*"Although the site is an agricultural field it is surrounded on two and a half sides by existing residential development. Moreover, the topography of the area means that it would not appear as an obvious or strident protrusion of development into the surrounding countryside. Bearing in mind the landscaping which is required by policy WLP6.1, I envisage that development of the site would be likely to cause only limited harm to the landscape and scenic beauty of the AONB."*

7.38 Policy WLP6.1 states (inter alia) that:

- Development should respect the character of the surrounding Area of Outstanding Natural Beauty. This includes planting trees and hedges to the west of the site and limiting the height of new dwellings to no more than two storeys.
- A landscaping scheme should be prepared to integrate the site within the landscape.
- Development should retain existing trees and hedgerows that line the edge of the site.

7.39 This proposal involves development of land to the west of the existing western settlement boundary of Reydon. As such the development site is bounded by the existing settlement edge to the east and also to the south, as well as partially to the north. Apart from the southern site boundary, these existing settlement edges sharply abut the open farmed landscape and present a somewhat visually harsh interface with the open landscape. The proposed development layout - enclosed as it is on two sides and partially on a third - makes proper reference to the sensitive western edge of its extent by including an undeveloped open space landscape corridor along its western boundary. This is not intended to be a solid barrier of vegetation and it will allow both views out for some of the residents of adjacent houses, as well as glimpsed views in from the surrounding landscape, but it will contain much of the visual impact of the new development from views to the west; views still from within the AONB. Planting will need to be typical of the local prevailing landscape character

and will largely comprise native hedge and tree species to supplement the existing vegetation. Elsewhere within the development, a relatively low housing density will allow the inclusion of internal open green spaces (including a large central open green space) which will include tree planting which will further reduce the visual impact of the new housing. Views of St Margaret's Church are retained from the central open space which reinforces visual links with the surrounding landscape. It is also proposed that the eastern boundary be well planted with trees which, together with the SUDS drainage swale in the NE sector of the site, will help to break up the overall built up area of Reydon. A central East/West swale further breaks down the new built up area. The eventual success of these open spaces and their associated new planting will depend a lot on their respective planting details, but provided that these pay due regard to the prevailing surrounding landscape character, officers are satisfied that the overall landscape and visual impact of this proposal will not create any significant landscape or visual impacts on the surrounding sensitive landscape of the AONB. That said, it is duly acknowledged that the change from open farmland to residential development is a significant landscape impact in its own right, but that issue was given due consideration at the examination stage of the planning process, and the Local Plan Inspector did not raise any undue concerns in this regard.

7.40 In the event of planning permission being granted, any finalised development layout will need to pay due regard to the root zones of all surrounding mature trees that fringe the site and whose root zones extend into the site. Where this occurs, these root zones must be given full protection during the construction stages of the development, and full accordance should be given to the guidance contained in BS5837:2012 - Trees in Relation to Design, Demolition and Construction. Such matters will need to be confirmed at Reserved Matters stage, as will details of the landscape proposals.

7.41 For the reasons given, officers consider that the proposed development will not have any significant adverse landscape or visual impacts on the surrounding sensitive landscape of the AONB. The site area extending beyond the allocation is not considered to result in additional impact on the protected AONB landscape beyond development of only the allocated land. The land use and green infrastructure parameter plan establishes a 'green' western edge to the development - and one could argue that the western site edge aligning with the existing field boundary (and PRoW) represents a logical edge to the site that utilises a natural landscape feature, rather than artificially restricting the width of the site. For the reasons given, the proposal accords with the objectives of WLP8.35 (Landscape Character) and paragraph 172 of the NPPF, which gives great weight to the conservation and enhancement of landscape and scenic beauty in the Areas of Outstanding Natural Beauty.

### Design Considerations

7.42 Allocation policy WLP6.1 provides criteria on how development of the site should come forward. Policies WLP8.29, 8.30, 8.31 and 8.32 also provide broader design guidance.

7.43 NPPF Chapter 12 sets out how well-designed places can be achieved:

- Good design is a key aspect of sustainable development (para. 124);
- *"Planning decisions should ensure that developments:*
- *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;*

- *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- *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);*
- *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;*
- *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*
- *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." (para. 127), and*
- *"Planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development" (para. 130).*

7.44 This application is made with details of appearance, landscaping, layout and scale reserved for future determination. However, the Design and Access Statement (DAS) has been updated since its original submission to reflect the revised layout and integral design guidance which has come about since officer engagement with the agent. The purpose of the revisions was to ensure that a more site-responsive layout reflecting contextual attributes was embedded in any consent by which to guide future development of the site and, specifically, any subsequent application to approve Reserved Matters. These attributes included views, edges, potential routes and broad character areas including open spaces.

7.45 In respect of the Design and Access Statement, officers can provide commentary on some of its individual, key sections:

#### Contextual assessment

7.46 This section of the DAS provides a well-considered overview of the site's surroundings at the north-western edge of Reydon. It includes a summary of the settlement's physical development over several centuries and illustrates how its form has arisen from the aggregation of three historic dispersed but co-located hamlets. These have merged over time and have been significantly extended in the second half of the twentieth century to form the present-day settlement. As such, therefore, the area lacks the attributes of other kinds of historic settlement in terms of a single village nucleus - the church, the green or the marketplace - or a planned form (some of which elsewhere originate in the 13th century, for example). It is fair to describe the settlement's typology as formed of historic hamlet clusters with infilled development between, providing distinct character areas. It is interesting but not at all unusual that the village has migrated away from its parish church (Reydon St Margaret's) which is now in a semi-isolated position to the north-west.

- 7.47 The DAS also provides a good overview of relevant and key attributes of the settlement including movement, facilities and open spaces. In respect of key facilities such as the school, health centre, village hall and shops, these are dispersed rather than nucleated, reflecting the true village pattern. They are all, however, eminently accessible from the application site on foot. The DAS also shows that the site is potentially well connected into the village through existing vehicular and pedestrian connections along the eastern and northern boundaries and via public footpaths to the western and southern boundaries.
- 7.48 Officers welcome that the DAS provides an analysis of what it calls the materiality of Reydon and includes reference to the AONB unit's colour guidance. The DAS identifies the dominant local building typologies and the broad variety of materials and colour palette associated with the local residential character. It is fair to say that what is characteristic in Reydon is the lack of a uniform architectural style, typology, colour or material choice. What is consistent, however, is scale - never more than two or two-and-a-half storeys - and semi-urban character. Reydon does not enjoy a traditional Suffolk village character and this reflects the majority of its development being 19th and 20th centuries.
- 7.49 The contextual analysis of the DAS could have benefited from greater depth including the identification of key views and characterisation of the site's edges. These aspects now contribute to the site layout but appeared to do so to a lesser degree at submission stage. However, the contextual analysis does demonstrate that the application site is an excellent choice for development in terms of its very good connectivity; its adjacency to matching residential uses; its close proximity to key facilities; its accessibility to attractive surrounding landscape of AONB quality; and its scale, by which officers mean that, although a large site relative to the settlement, it is not disproportionately large. The application site lacks constraints in terms of integral features (trees or tree groups, ponds, historic structures etc) or significant topography and this means that external features (edge conditions and axial or vista views) should be used as organising elements in any layout.
- 7.50 The aerial sketch perspective on page 25 is an excellent illustration of the potential that this site has to offer an attractive, integrated and intelligent layout. Any final design, of course, may not look like this but, as an illustration of how this number of dwellings can be laid out in a site-responsive way, officers judge this to set an acceptably good standard for future guidance.

#### Place-Shaping Principles

- 7.51 The Place-Shaping Principles set out from page 26 form a coherent and clear narrative on the key influences and design derivations that are used to provide for a place-making layout. These include: treatment of the site's edges where they abut the countryside and existing built form; creation of new accessible open space and connections to it and through it to surrounding routes/spaces; views to St Margaret's church which form an organising axis to a key area of the layout; multiple access points to connect the layout outwards; and the facilitation of aspect and view within and without the site to create overlooked, attractive and safe spaces. Officers judge that these are all key contributors to a well-considered illustrative layout and have been correctly identified here and positively applied. Any subsequent layout submitted at reserved matters stage must apply the same degree of consideration to ensure officer support and its success.

## Principles of Design

- 7.52 The elaborated design principles on page 36 are eminently supportable and should be made to form the basis of any future detailed design. They are somewhat generic in the sense that they could be applied to most kinds of layout but are, nonetheless, supportable for that.
- 7.53 The vehicular movement strategy that supports the related Parameter Plan (which is discussed below) is sound. The looped connection of the two separate and well-spaced site entrances will ensure a well distributed pattern of vehicles throughout the site and which itself is a key organising feature of the layout. It should also be an attractive route to use, possibly linking - as suggested here - the built areas with a large central open space. The other strategies described and illustrated in this section are useful in exemplifying and amplifying a selected design approach based on the preceding Design Principles. This is not necessarily the only way of designing development at this site, of course, but they do highlight key considerations and an acceptable approach.

## Shaping the Character

- 7.54 In respect of the section on Shaping the Character (p48ff), officers consider that the criteria articulated here constitute specific and sound guidance on how a scheme can be detailed that responds to differing site conditions e.g. along the countryside edge; in the centre of the layout; where it abuts existing residential development.
- 7.55 The precedent/exemplar images are useful, and they are helpfully cited for future reference; and the illustration sketches provide a general impression of how a development may appear. They probably do little other than illustrate that the development will maintain and extend the semi-urban character of Reydon but that is entirely appropriate.
- 7.56 Officers were heavily involved in articulating these headings and criteria and judge it important that they are embedded in any permission, such that they benchmark any future detailed application in respect of detailed design quality. The recommended conditions detail how that would be achieved to require reserved matters detail accords with these key elements of the DAS.

## Parameter plans

- 7.57 The Movement and Access Parameter Plan identifies fixed access points for pedestrians and vehicles; the determining position of the vehicle route through the site that links the two existing access points north and east; suggested pedestrian access points; and rights of way. Officers judge that these parameters are correctly identified and are in suitable positions.
- 7.58 The Massing and Scale Parameter Plan identifies approximate site areas of development and their associated massing and scale. It fixes a key gradient of density (in effect) across the site such that it is densest close to existing built form along the eastern boundary; least so along the southern edge adjacent the existing low scale dwellings; and mixed scale everywhere else which can allow for very low density along the countryside edge and a rather higher density around the central green open space, for example (or not, subject to a future designer's preference). In this way, this plan builds in an important level of flexibility whilst fixing a scheme that will respect its neighbours in terms of massing and scale.

7.59 The Land Use and Green Infrastructure Plan fixes areas of built development and those reserved for green (and blue) infrastructure. To be clear, all of the allocated site (including the additional westernmost area included within this application) represents a development site. Whether the site is developed for housing and/or developed for green open space, it is development. Green open space as part of a housing development is not undeveloped land and it is not countryside either, in terms of use or character. Green open space should not be considered to be some kind of countryside buffer that gets transposed into useless swathes of green edge when really it should be spatially dispersed within and part of the built layout. That is why officers are satisfied that, through negotiation, the final parameter plans and design principles move away from that included at the time of submission and have significantly improved along the lines described above. One of those changes relates to the location of the equipped play area, which policy WLP6.1 promotes as being on the northern edge of the site and adjoining the existing play area at Barn Close, with a further (smaller) play area to the southern end of the site. Whilst in theory those policy objectives make some sense, in practice when considering illustrative layouts and associated parameter plans, it became clear that such locations of play space would not integrate well into a site layout. One of the requirements in the preamble to WLP6.1 is that the play space on the site should be “designed and located so as to be overlooked by surrounding properties to provide natural surveillance and be well landscaped to create an attractive space”. The parameter plan that fixes that main area of play space within a central location, enclosed by built residential development – and linked to the southern and western PRoW by green corridors – will ensure the play area is integrated into the layout; well surveilled; and easily accessible to both new and existing residents. Thus, whilst there is some conflict with WLP6.1 in terms of the location of the play space, it would exceed the minimum size requirements set down in the policy and meet all the other objectives of achieving high quality design. Officers are therefore satisfied that the Land Use and Green Infrastructure Plan sets appropriate parameters for the site to guide detailed reserved matters proposals.

#### Conclusions on Design

7.60 For the reasons given above, officers consider that the parameter plans, in addition to the design principles within the DAS, demonstrate that the site can be developed in a way that will deliver a high-quality residential development in accordance with WLP6.1 and the design objectives of the Local Plan and NPPF. For an outline application, officers consider that an appropriate balance has been struck between providing comfort to the decision-taker that a high-quality design will be delivered, whilst at the same time not stifling designer creativity at reserved matters stage. The effort that has been made to fix certain elements of the design approach to guide reserved matters applications also should provide assurance that the site area extending farther west, beyond the allocation, is not just acceptable - but actually allows for any final development design to better integrate into its built and landscape context.

#### Heritage Considerations

7.61 The Planning (Listed Buildings and Conservation Areas) Act 1990 ("The Act") sets out, in section 66, the statutory duty of decision-takers in respect of listed buildings:

*"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of*

*State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

7.62 This statutory requirement is reflected in the objectives of Local Plan policy WLP8.37 and also chapter 16 of the NPPF which sets out (inter alia):

- That heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance (para. 184);
- That applicants should describe the significance of any heritage assets affected, including any contribution made by their setting (para. 189);
- That great weight should be given to the conservation of heritage asset's and, the more significant the asset, the greater the weight should be (para. 193);
- That any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification; and
- That where harm would arise, it must be properly weighed against the public benefits of the development (paras. 195 &196).

7.63 The applicant has provided a Heritage Impact Assessment (HIA) that meets the requirements of NPPF paragraph 189. Historic England have also been consulted on the application but have no comments to make on the application.

7.64 There are two listed buildings, the setting of which are affected by this development proposal. These are the Grade II listed Gorse Lodge Farm close to the south-west corner of the site; and the Grade II\* St Margaret's Church at some distance from the north-west corner of the site but linked to it by a public footpath.

Gorse Lodge Farm

7.65 The farmhouse (now two dwellings) is mid-17th century in origin and is timber-framed with a pantiled roof and two storeys and attic. It originated as a typical 3-cell vernacular Suffolk farmhouse and has some attractive features that contribute to its special interest including chamfered beams and a sawtooth stack. Its principal elevation does appear to face away from the development site which implies that its historic association with it in terms of ownership and use may be relatively limited. Nonetheless, the development site does form part of the wider landscape setting to the farmhouse that contributes generally and importantly to the farmhouse's significance and loss of part of that setting will erode its contribution and harm its significance, thereby.

7.66 Officers agree with the submitted Heritage Statement that this harm will be less than substantial but will need to be given great weight by the decision-taker and weighed against the public benefits of the development proposal, pursuant to the NPPF paragraph 196 balancing exercise. The minor setback in the area of built development adjacent the farmhouse (as shown on the Land Use and Green Infrastructure parameter plan) offers some potential mitigation and complies with a criterion of WLP6.1 to limit the impact upon the setting of Gorse Lodge; however, it does not balance out the overall loss of the farmed landscape in this area of the farmhouse's setting. The farmed landscape will still be apparent to the immediate north, west and south of the farmhouse, such that the current proposal is not some kind of development 'tipping point', in the view of officers.

## Reydon St Margaret's Church

- 7.67 In respect of the parish church of St Margaret's, this building derives its significance from its medieval origins albeit with much Victorian restoration. It now stands semi-isolated from Reydon which appears to have migrated from it some time ago. Modern development along Wangford Road is having an encroaching effect which could be styled as a reclaiming effect, such that the church may yet end up being part of the village, once again. Thus, whilst it is arguable that the application site forms part of the landscape setting to the church, once developed it will only have the effect of bringing Reydon back somewhat closer to its parish church. Such an outcome is one about which officers have no particular concerns.
- 7.68 Most medieval churches are relatively modern buildings that occupy the sites of what started off as private manorial chapels following the Anglo-Saxon Conversion of the seventh century. Thus, these sites predate their current buildings by as much as six or seven centuries - time enough for villages to migrate away from these fixed sites towards better transport routes or interconnections (early medieval buildings were portable and of limited lifespan). Perhaps that is what happened in Reydon.

## Conclusions on Listed Building Impact

- 7.69 To a large extent the Council (and Planning Inspectorate) has already considered and accepted the principle of residential development of the majority of the site within the setting of these listed buildings through the adoption of site allocation policy WLP6.1. In any event, officers have considered the outline proposals, inclusive of parameter plans and illustrative layout plans, and consider that the harm to the significance of proximate listed buildings is limited to a low level of less than substantial harm to the significance of Gorse Lodge Farmhouse. 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 that would accrue from this development proposal. For the purposes of the officer recommendation, that planning balance is set out in the concluding section of this report.

## Archaeology

- 7.70 This site is situated in an area of archaeological potential recorded on the County Historic Environment Record. It is located on the edge of Reydon Common which was a focus for medieval activity, and findspots of medieval date have been recorded around the proposed development area. Various cropmark sites have been identified in the vicinity and archaeological investigations to the west defined archaeological remains of prehistoric date. A geophysical survey of the development area, carried out during the determination period, has identified a number of anomalies which are likely to be archaeological in origin. However, this site has never been the subject of systematic below ground archaeological investigation and there is high potential for previously unidentified archaeological remains to be present. The proposed development would cause significant ground disturbance that has potential to damage or destroy any below ground heritage assets that exist.
- 7.71 There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 199), any permission granted should be the subject of planning conditions to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed. With conditions, the archaeological impact would

be acceptable in accordance with the NPPF and policy WLP8.40 (Archaeology) of the Local Plan.

Affordable Housing, Housing Mix and Self-Build

7.72 Policy WLP8.2 (Affordable Housing) of the Local Plan sets out the Council’s strategy to deliver affordable homes over the plan period in accordance with the NPPF. The Southwold and Reydon area is the most viable of the Waveney plan area and therefore developments can provide 40% of the site as affordable housing. This is a requirement of the policy and applicable to the application site.

7.73 The Council’s Housing Team has provided guidance on the appropriate mix for this development proposal, which would provide 88 affordable homes. The breakdown of those 88 homes is tabled below, and such provision would need to be secured by a S106 legal agreement.

Table: Affordable Housing Mix			% of 44 total Shared ownership and Shared Equity	
No. of Bedrooms	House Type	% of 44 total Affordable rent	Shared Ownership %	Shared Equity %
1 bed	Flat	48%		
1 bed	Bungalows	7%		
2 bed	Bungalows	20%		
2 bed	House	25%		
1 bed	Flat		50%	
2 bed	House			27%
3 bed	House			22%

7.74 The affordable housing provision set out above is a policy compliant mix and a public benefit of this scheme that should carry substantial weight in the balance.

7.75 Policy WLP8.3 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. A provision of 11 self-build plots is proposed to form part of the S106 legal agreement in accordance with the policy.

Relocation and Replacement of Development Affected by Coastal Erosion

7.76 Policy WLP8.26 relates to the 'Relocation and Replacement of Development Affected by Coastal Erosion' and identifies that a significant number of residential properties are at risk from coastal erosion within the next 100 years, and that a small number of properties at Easton Bavents are at the most imminent risk with a number of properties already being lost to erosion over the last 5 years. It is a key objective of the Local Plan, in accordance with the NPPF, to make provision for development that needs to be relocated from the coastal change management areas.

- 7.77 Under allocation policy WLP6.1, there is a unique opportunity to set aside land for the relocation of properties at risk (or already lost) from coastal erosion to a sustainable location. One of the criteria of the policy is that seven plots (equal to those which have been lost since 2011) should be set aside for relocation. Owners of properties at risk from erosion are not obliged to take on these plots. However, if they are not taken up after a period of five years following the completion of the development then the plots can be made available for the provision of affordable housing.
- 7.78 Securing the seven plots for this purpose would need to be through a S106 legal agreement, should outline permission be granted. Officers consider that the opportunity to provide a relocation opportunity to residential property owners affected by coastal erosion is a significant public benefit of this scheme and meets a key objective of policies WLP6.1 and WLP8.26.

#### Residential Amenity and Response to Publication/Consultation

- 7.79 Policy WLP8.29 (Design) of the Local Plan promotes development that integrates well into its context in terms of neighbour amenity and living conditions. There are objections to the proposals from a number of local residents; Reydon and Southwold Society; and Reydon Action Group for the Environment (RAGE). Reydon Parish Council made a representation on the application but do not formally object – and actually comment in their opening remarks that the proposal is consistent with the newly adopted Local Plan, whilst going on to raise points for consideration.
- 7.80 When considering an outline application with details of access, and all other matters reserved for future determination, it is difficult to comment on precise impacts from built development within the site and how any new dwellings will relate to the adjacent environment. However, at a site area of 12 hectares, the proposed 220 dwellings would be a very low density of under 20 dwellings per hectare; for reference, allocation policy WLP6.1 promotes a density of approximately 25 dwellings per hectare. Such a low density of development – and as demonstrated on the illustrative layout – provides ample scope to develop the site in a manner that will not result in unacceptable losses of light and privacy to neighbouring residents due to separation distances; intervening existing vegetation; and areas of proposed landscaping and site drainage features.
- 7.81 As part of the parameter plans, a Massing and Scale plan has been provided and fixes a key gradient of density (in effect) across the site such that it is densest close to existing built form along the eastern boundary; least so along the southern edge adjacent the existing low scale dwellings; and mixed scale everywhere else which can allow for very low density along the countryside edge and a rather higher density around the central green open space, for example. This provides parameters and a degree of control that any detailed design is respectful of neighbouring residential uses at reserved matters stage.
- 7.82 Undoubtedly the proposal will turn agricultural land into a residential development and for some adjacent properties that represents a significant change in outlook, and a source of some of the objections received. Whilst that change is acknowledged by officers, it should be noted that the majority of the site is allocated in the Local Plan for housing development and therefore the adopted Local Plan accepts, in principle, that change in outlook. In any event, change does not represent harm to living conditions and officers consider that a well-designed, comprehensive development of the site will not appear out-of-character in this

edge of settlement location. Whilst the appearance of the site will change, there will be benefits to existing, adjacent residents from improved connections through the site to existing and improved public rights of way, in addition to significant areas of accessible green open space within the site, and equipped area for play that can all be utilised by existing residents. Off-site highway works and bus stop improvements will again be of benefit to existing residents.

- 7.83 The proposed means of vehicle access into the site will of course generate traffic on Copperwheat Avenue and The Crescents. Those routes are suitable for the development traffic generation which is not likely to be so significant and adverse to justify refusal of the application. Reydon is a residential environment and the site will form part of that, with the associated traffic and activity on the site being appropriate for that context. It is not considered that the proposal will generate significantly adverse impact in terms of noise and disturbance once complete and occupied.
- 7.84 In the construction phase there is potential for local disruption and therefore conditions to secure a construction management plan and HGV deliveries plan would be essential to control and reduce those impacts as far as is practically possible.
- 7.85 For the reasons given, officers consider that the proposal, in outline, does not raise significant amenity concerns. Construction impacts could be mitigated through planning conditions, and the low density of development – informed through the massing and scale parameter plan – provides ample scope for reserved matters proposals to detail a development scheme that is respectful of the neighbouring residential environment. There is thus no conflict with the amenity objectives of WLP8.29.

#### Ecology and the Natural Environment

- 7.86 The application is supported by an Ecology Assessment report (Hopkins Ecology, February 2019) and the conclusions and proposed mitigation measures identified are broadly satisfactory to officers. Mitigation and enhancement measures identified in the ecological assessment report should be secured, with construction mitigation measures forming part of a Construction Environment Management Plan (CEMP) and operational mitigation, management and enhancement measures as part of a Landscape and Ecology Management Plan (LEMP). These should ensure that the final development secures significant ecological enhancements as part of its design in accordance with the objectives of WLP8.34 (Biodiversity and Geodiversity).
- 7.87 The Conservation of Habitats and Species Regulations 2017 (“Habitats Regulations”) lays down the legislation on the conservation of natural habitats and of wild fauna and flora. The Habitats Regulations require the competent authority (in this instance, the Council) to determine whether the development is likely to have a significant effect on the interest features of European sites protected under the legislation and, if there would be, to carry out an Appropriate Assessment of the implications of the proposal for the site’s conservation objectives in accordance with the regulations. The applicant has provided a ‘shadow’ Habitats Regulations Assessment to inform such an assessment and Natural England have also been consulted in their statutory role.
- 7.88 The application site is located within 13km of the following European sites:
- Minsmere – Walberswick Ramsar Site

- Minsmere – Walberswick SPA
- Minsmere to Walberswick Heaths and Marshes SAC
- Benacre to East Bavents SPA
- Benacre to East Bavents Lagoons SAC

7.89 The proposed development is not within 200m of those sites and is therefore not likely to directly impact upon the interest features of these European sites through habitat loss, physical damage etc. However, the emerging Suffolk Recreational Avoidance Mitigation Strategy (RAMS) sets out that new residential development within a 13km zone of influence (ZOI) of European sites is likely to have a significant effect – when considered either alone or in combination with other new housing - on the interest features of those sites through increased recreational pressure in terms of dog walking, water sports, hiking etc. Natural England recommend that a suitable per-dwelling financial contribution to RAMS is sought to offset such recreational impacts. That would need to be secured through a S106 legal agreement and this has been agreed by the applicant and their consultant Ecologist.

7.90 The 'shadow' HRA submitted by the applicant provides an assessment of the recreational impacts of the development proposal, and further to input from the Council's own Ecologist, an addendum to the HRA was submitted to further inform officers' assessment of the proposals. The 'shadow' HRA concludes that mitigation included with the development will avoid an adverse impact on the integrity of the identified designated sites. This mitigation includes the provision of an onsite circular walking route of 1.4km and connections to existing offsite walking areas. The Shadow HRA recognises the importance of dog walkers as key users of high value nature sites (paragraph 3.7) and specifically identifies the on-site greenspace as being of high quality. Based on Natural England guidance, the 2.7km distance for walking routes is not a recommendation rather it is the average distance of a daily dog walk: some walk further than this, others walk less. An on-site walking route around the periphery of a roughly square plot is only feasible on a site with an area at least 45ha. The scheme masterplan does allow ready access to blocks of on-site greenspace and all residents will be within the 400-500m distance which most dog walkers will walk for greenspace access. In conjunction with off-site routes the available walking routes through greenspace and farmland will be substantially greater than the mean quoted distance of 2.7km. This assessment of walking route provision is accepted by officers and will provide new residents with walking routes that limit recreational usage of European sites within the 13km zone.

7.91 Officers have undertaken a stage 2 HRA – Appropriate Assessment that concludes, for the reasons given – and with a per-dwelling contribution to the Suffolk RAMS – that the development would not result in likely significant effects on the integrity of the aforementioned European sites. Natural England will be consulted on the Appropriate Assessment undertaken as is required, and officers will work to secure a positive response from Natural England to the HRA Appropriate Assessment of the scheme. Officers are content that the proposal is acceptable in this regard in accordance with WLP8.34 (Biodiversity and Geodiversity).

#### Flood Risk and Surface Water Drainage

7.92 Local Plan Policy WLP8.24 sets out that new housing development will not be permitted in high risk flood areas.

7.93 Chapter 14 of the National Planning Policy Framework (NPPF) sets out planning for flood risk:

- Development should be directed away from areas at highest risk (para. 155).
- Local planning authorities should ensure that flood risk is not increased elsewhere, and applications should be supported by a site-specific flood-risk assessment. Development proposals in higher risk areas should demonstrate that:
  - Within the site development is directed to the lowest risk areas;
  - The development is appropriately flood resilient and resistant;
  - The development incorporates sustainable drainage systems;
  - Any residual risk can be safely managed; and
  - Safe access and escape routes are provided. (para. 163)
- Major developments should incorporate sustainable drainage systems (para. 165).

7.94 The policy approach at a national and local level generally, therefore, is to make developments safe for all future occupiers through appropriate siting and design; and then ensure no adverse local impacts arising from the development through ensuring that development sites are well-designed incorporating sustainable drainage systems.

7.95 The application site is located in environment agency flood zone 1 (the lowest risk area) and therefore sequentially preferable for residential development, hence the allocation within the Local Plan.

7.96 In terms of surface water drainage, the outline proposals demonstrate that the development can be properly drained. The main strategy across the site is the utilisation of a swale corridor to benefit the dispersal of surface water, with an attenuation basin in the north-eastern area of the site (the low point) to accommodate the safe holding of water in an extreme weather event. As an outline application with all matters (save for access) reserved, this is an indicative strategy although one that has been reviewed extensively by the Local Lead Flood Authority (LLFA) at the County Council.

7.97 It should be noted that whilst the precise, technical details of the drainage strategy would come forward as part of reserved matters applications, the 'Land Use and Green Infrastructure' parameter plan supporting this application sets the locations of the primary drainage attenuation basin (wetland park); and also the secondary drainage attenuation (swale corridor) as key aspects of the proposal. Therefore the main elements of the drainage strategy would be fixed through a grant of outline planning permission with conditions requiring the development to be in accordance with the approved parameter plans, offering clarity on where key drainage features would be located and how any built layout would need to be organised around those features.

7.98 The LLFA recommend approval of the application subject to conditions securing the precise drainage strategy concurrent with reserved matters applications, and longer term ensuring its delivery and maintenance for the lifetime of the development.

7.99 The proposal accords with the flood risk prevention/limitation objectives of the NPPF and policy WLP8.24.

## Other Matters

7.100A criterion of WLP6.1 is that any planning application is supported by evidence which assesses the quantity and quality of sand and gravel resources within the site in order to determine whether it is practical to make use of resources on site. This has been provided and the County Council Minerals and Waste Planning Team consulted. The geotechnical site investigation report prepared by RPS Consulting Services Ltd is considered appropriate to assess the sand and gravel resources within the site. It identifies that the material throughout the site is variable, however the county council consider there is material on site that could be used in the construction of the development. A condition would need to be applied accordingly.

7.101 The Council's Environmental Protection Team has requested further ground contamination investigation through a phase II survey. This – along with any required remediation works – should be secured by condition, should planning permission be granted.

7.102 In terms of foul drainage, the applicant has engaged with Anglian Water regarding connections to the sewerage network from the proposed development. The existing network requires upgrades to facilitate the development proposal, but through that pre-application engagement, Anglian Water has identified potential mitigation solutions to provide capacity within the foul water network to take the proposed flows from the site. That will need to be progressed with the infrastructure provider outside the planning process, but it has been demonstrated that the necessary infrastructure upgrades can be achieved to facilitate the development proposal.

## Public Benefits of the Proposed Development

7.103 The proposed development would deliver significant public benefits including (inter alia):

- Up to 220 homes in a sustainable location as part of the plan-led approach to growth in the District;
- 88 affordable homes;
- Economic benefit in the short-to-medium term through creation of jobs in the construction industry;
- Long term benefit to facilities/services in Reydon and Southwold from new resident spend in the economy;
- Seven plots to be made available for property owners whose properties are at risk (or already lost) to coastal erosion in the locality;
- Up to 11 plots to be made available for 'self-build' homes;
- Improvements to the public right of way on the western boundary of the site, through upgrades to a bridleway;
- Substantial areas of green infrastructure and equipped play space for new and existing residents;
- Improved connections to the existing network of public rights of way to the south and west of the site;
- Improvement works to local bus stops;
- Footway improvements along Wangford Road; and
- A new pedestrian crossing on Wangford Road.

## **8. Conclusion**

- 8.1 Officers consider that the proposed development accords with the plan-led approach to deliver housing growth in the Reydon and Southwold area, delivering substantial public benefits as set out above. The extended site area beyond the allocated land is a departure from WLP6.1 but one that, ultimately, will facilitate a more integrated and higher quality residential development in terms of, among other things, connectivity with the Public Right of Way network; provision of green infrastructure; provision of sustainable drainage features; and the overall density of development.
- 8.2 Officers consider that the proposals demonstrate that the site can be developed in a way that will deliver a high-quality residential development in accordance with WLP6.1 and the design objectives of the Local Plan and NPPF. The effort that has been made to fix certain elements of the design approach to guide any future reserved matters applications should provide assurance that the site area extending farther west, beyond the allocation, is not just acceptable - but actually allows for any final development proposal to better integrate into its built and landscape context.
- 8.3 It is acknowledged that the proposal will transform agricultural land into a residential development of the site, and that is not supported by some local residents. Those concerns raised have been given due consideration by officers but do not, in the balance, indicate that planning permission 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.
- 8.4 The proposal would give rise to a low level of less than substantial harm to the significance of the grade II listed Gorse Lodge Farmhouse. 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 numerous and substantial public benefits that would significantly and demonstrably outweigh any harm that would arise.
- 8.5 The proposal is considered to represent sustainable development in accordance with the broad objectives of the National Planning Policy Framework and the adopted Local Plan. The application is therefore favourably recommended.

## **9. Recommendation**

- 9.1 **AUTHORITY TO APPROVE** with conditions (including but not limited to those in section 10), subject to securing agreement from Natural England on the conclusions of the HRA - Appropriate Assessment;

and subject to the completion of a S106 Legal Agreement to secure obligations (including but not limited to):

- Provision of 88 affordable dwellings;
- Provision of seven plots as part of relocation offer for properties lost/at risk to coastal erosion;
- 5% of residential development as self-build plots;

- Per-dwelling contribution to the Suffolk RAMS;
- Provision and long term management of public open space;
- Financial contribution to fund secondary school transport;
- Financial contribution to fund improvement works to local bus stops;
- Financial contribution to fund upgrades to western public right of way; and
- Financial contribution to fund road safety engineering schemes at local accident cluster sites.

## 10. Conditions:

1. Approval of the details of the siting, design and external appearance of the buildings, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced. Development shall be carried out as approved.

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

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

3. Means of vehicular access into the site are hereby approved and shall be carried out in accordance with drawing number 1509 03/001 Rev B, received 12 June 2019; and the Movement and Access Parameter Plan (drawing number 18 050 02), received 27 November 2019.

Reason: To ensure that the site is served by safe and suitable vehicular accesses in the interests of highway safety and in accordance with the site allocation objectives of policy WLP6.1 of the Local Plan.

4. The submission of reserved matters applications pursuant to this outline application shall together provide for up to 220 dwellings and demonstrate broad compliance with the Movement and Access Parameter Plan (drawing number 18 050 02); Land Use and Green Infrastructure Parameter Plan (drawing number 18 050 04); and Massing & Scale Parameter Plan (drawing number 18 050 03), all received 27 November 2019.

Reason: The site is located within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty and therefore in order to secure high-quality design and properly mitigate landscape and visual impact, it is essential to establish development parameters to guide future reserved matters application, in accordance with the design and landscape objectives of Local Plan policies WLP8.29 (Design) and WLP8.35 (Landscape Character).

5. All reserved matters applications shall incorporate the relevant elements of the 'Shaping the Character' principles of section 5.4 of the Design Access Statement, demonstrating broad compliance with the design intent reflected on pages 48-49 (Farmland heritage); pages 50-51 (Rural settlement); and pages 52-53 (Village edge) of the Design and Access Statement. Each reserved matters application shall be accompanied by a statement demonstrating this.

Reason: To ensure that the master planning principles of this permission inform detailed designs and in the interests of delivering a distinctive, attractive and sustainable development with high quality design appropriate for the AONB.

6. No part of the development shall be commenced until details of the proposed access and tie-in works indicatively shown on Drawing No. 1509 03/001 Rev B have been submitted to and approved in writing by the Local Planning Authority. The approved accesses shall be laid out and constructed in their entirety prior to occupation of the first dwelling. Thereafter the accesses shall be retained in the approved form.

Reason: To ensure that the accesses are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

7. No part of the development shall be commenced until details of the proposed pedestrian crossing and other off-site highway improvements (including footway widening, crossing points and traffic calming) indicatively shown on Drawing No. 1509 03/001 Rev B, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to occupation of the first dwelling.

Reason: To ensure that the necessary improvements are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

8. As part of each reserved matters application for layout, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

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

9. 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, unless otherwise approved in writing by the Local Planning Authority.

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

10. As part of each reserved matters application for layout, details of the areas to be provided for the loading, unloading, manoeuvring and parking of vehicles 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 unless otherwise approved by the Local Planning Authority.

Reason: To ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with Suffolk Guidance for Parking (2015) where on-street parking and manoeuvring would be detrimental to highway safety.

11. As part of each reserved matters applications for layout, a plan indicating the positions and design of secure covered and open cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage facilities shall be provided prior to occupation of each respective residential unit. The development shall be carried out in accordance with the approved details.

Reason: In the interests of sustainable development to ensure that residential occupiers of the site have the ability to own, use and securely store cycles as a means of transport.

12. 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 WLP8.40 of the Local Plan.

13. 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 12 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 WLP8.40 of the Local Plan.

14. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority.

The scheme shall be in accordance with the approved FRA and include:

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

The scheme shall be fully implemented as approved.

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

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

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

Reason: To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk

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

The intrusive investigation(s) shall include:

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

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

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

17. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:
  - details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
  - an explanation, including justification, for the selection of the proposed remediation methodology(ies);
  - proposed remediation objectives and remediation criteria; and
  - proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

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

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

18. Prior to any occupation or use of the approved development the RMS approved under condition 17 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

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

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

20. 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.

21. All HGV traffic movements to and from the site over the duration of the construction period shall be subject to a Deliveries Management Plan which shall be submitted to the planning authority for approval a minimum of 28 days before any deliveries of materials commence.

No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan.

The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

Reason: To reduce and/or remove as far as is reasonably possible the effects of HGV traffic on residential roads.

22. 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:
- the parking of vehicles of site operatives and visitors;
  - loading and unloading of plant and materials;
  - storage of plant and materials used in constructing the development;
  - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - wheel washing facilities;
  - measures to control the emission of dust and dirt during construction;
  - a scheme for recycling/disposing of waste resulting from demolition and construction works; and
  - 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 local environment during construction.

23. With the exception of any site clearance works, site investigation works and tree protection works no development in relation to each phase shall take place unless a Mineral Safeguarding Assessment and Minerals Management Plan for that phase has been submitted to and approved in writing by the local planning authority in consultation with the minerals planning authority. The Mineral Safeguarding Assessment shall assess the potential for the onsite reuse of mineral resource arising from groundwork, drainage and foundation excavations in accordance with an agreed methodology. The Minerals Management Plan will identify for each phase of development the type and quantum of material to be reused on site, and the type and quantum of material to be taken off site and to where. The development shall then be carried out in accordance with the Mineral Management Plan unless otherwise approved in writing by the local planning authority.

Reason: In accordance with the minerals safeguarding objectives of Local Plan Policy WLP6.1 and Paragraph 204 of the NPPF.

24. As part of each reserved matters application for landscaping, a plan indicating the positions, design, height, materials and type of boundary treatment to be erected shall be submitted to and agreed by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved scheme before the building to which it relates is occupied.

Reason: In the interests of amenity and the appearance of the development and locality.

25. As part of each reserved matters application for layout and landscaping, details shall be submitted to include:

(a) a plan showing the location of, and allocating a reference number to, each existing tree on, or adjacent to, the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree;

(b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, details of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;

(c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

(d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, [within the crown spread of any retained tree or of any tree on land adjacent to the site] [within a distance from any retained tree, or any tree on land adjacent to the site, equivalent to half the height of that tree];

(e) details of the specification and position of fencing [and of any other measures to be taken] for the protection of any retained tree from damage before or during the course of development.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

The details provided shall be in accordance with the standards set out in 'BS5837:2012 - Trees in Relation to Design, Demolition and Construction' (or the relevant professional standards should the guidance be updated/modified/superseded).

Reason: to ensure that the detailed design retains important trees on the edges of the development site and incorporates existing and new planting into the development layout.

26. As part of each reserved matters application for appearance, details of all external facing and roofing materials for all buildings within that reserved matters area 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 external appearance of the development.

27. As part of reserved matters applications for appearance, layout and scale, details shall be submitted to the Local Planning Authority for approval demonstrating how 40% of the proposed dwellings shall be designed to meet requirement M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings. 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 the lifetime design objectives of policy WLP8.31 of the East Suffolk (Waveney) Local Plan.

28. As part of reserved matters applications for appearance, layout and scale, details shall be submitted to the Local Planning Authority through the submission of a sustainability statement which demonstrates that Sustainable Construction methods have been incorporated into the development proposal. 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 the sustainable construction objectives of policy WLP8.28 of the East Suffolk (Waveney) Local Plan.

29. As part of each layout reserved matters application, details of external lighting to be installed on the site, including the design and specification of the lighting unit, any supporting structure and the extent of the area to be illuminated and how the impact on ecology has been considered shall be submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and no additional lighting shall be installed in public areas without the prior approval of the Local Planning Authority.

Reason: To protect biodiversity and the visual amenity of the surrounding area.

30. No development shall take place in each layout reserved matters area until a scheme for the installation of fire hydrants throughout that part of the site has been submitted to and approved in writing by the Local Planning Authority in conjunction with the Fire and Rescue Service. The fire hydrants shall be installed prior to occupation of dwellings within each part of the development to which they relate, and the phasing of occupation and hydrant installation of that reserved matters area shall be set out in the submission.

Reason: In the interests of fire safety.

## **11. Informatives:**

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

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

If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday

let of any size or convenience retail , your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to [CIL@eastsuffolk.gov.uk](mailto:CIL@eastsuffolk.gov.uk)

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

CIL forms can be downloaded direct from the planning portal:

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

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

3. Informative from Suffolk County Council Archaeological Service:

The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team.

I would be pleased to offer guidance on the archaeological work required and, in our role as advisor to East Suffolk Council, the Conservation Team of SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological work required at this site. In this case, an archaeological evaluation will be required to establish the potential of the site, before approval of layout and drainage under reserved matters, and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation. We would strongly advise that evaluation is undertaken at the earliest opportunity.

Further details on our advisory services and charges can be found on our website: <http://www.suffolk.gov.uk/archaeology/>

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

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification.

The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council

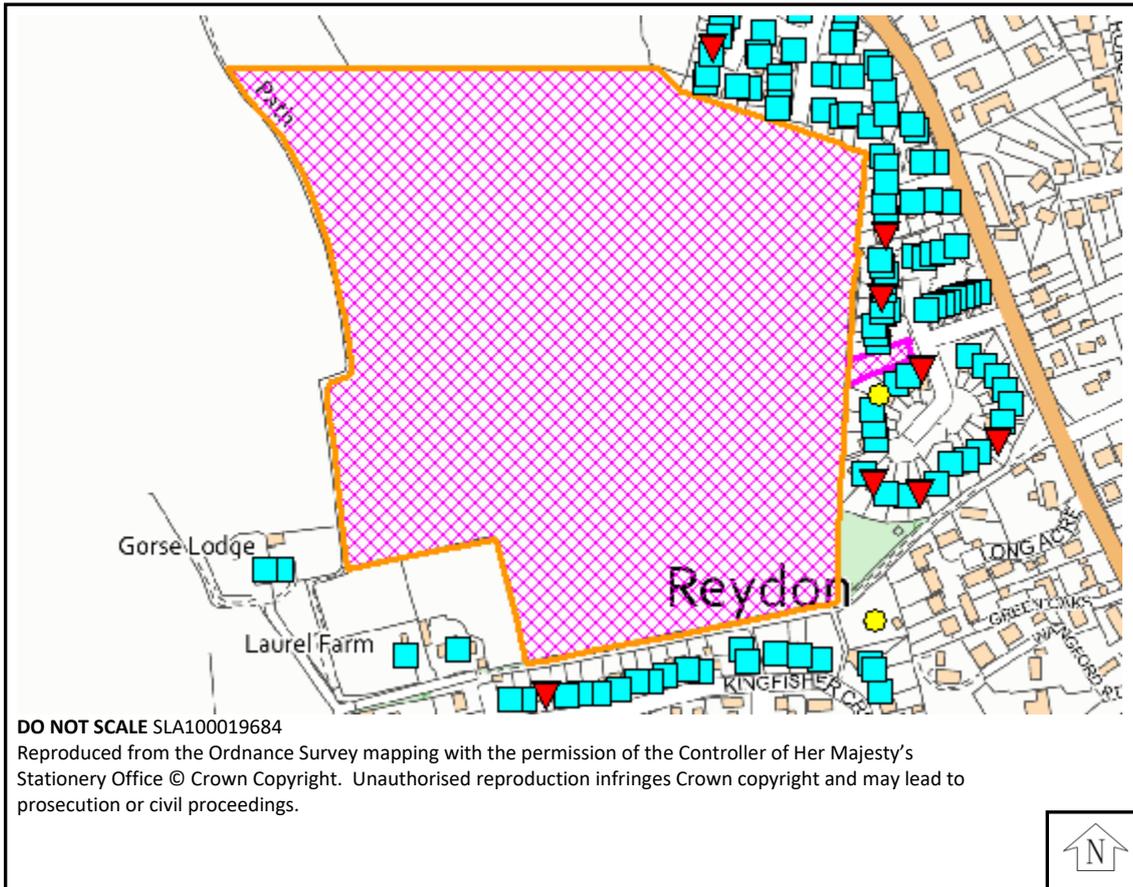
regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.

The Local Planning Authority recommends that developers of housing estates should enter into formal agreement with the Highway Authority under Section 38 of the Highways Act 1980 relating to the construction and subsequent adoption of Estate Roads.

### **Background information**

See application reference DC/19/1141/OUT at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=POEXALQXIQE00>

## Map



## Key

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

**Committee Report**

**Planning Committee - 11 February 2020**

**Application no DC/18/4429/ARM**

**Location**

Part Land Surrounding Waveney  
Valley Pool  
St Johns Road  
Bungay  
Suffolk  
NR35 1PH

**Expiry date** 23 January 2019  
**Application type** Approval of Reserved Matters  
**Applicant** Cripps Developments Ltd

**Parish** Bungay

**Proposal** Approval of Reserved Matters of DC/14/4193/OUT - Outline Application with all matters reserved apart from access for up to 150 new dwellings (including affordable housing), associated infrastructure, open space and up to 3ha of employment land (comprising uses within use class B1 (including starter units) and use class B2) - Access, appearance, landscaping, layout and scale for the development of 150 dwellings (including affordable housing).

**Case Officer** Iain Robertson  
(01502) 523067  
[iain.robertson@eastsoffolk.gov.uk](mailto:iain.robertson@eastsoffolk.gov.uk)

**1. Summary**

1.1. The application seeks approval of reserved matters following the grant of outline planning permission in 2016 (Ref: DC/14/4193/OUT) for the development of *"Outline Application with all matters reserved apart from access for up to 150 new dwellings (including affordable housing), associated infrastructure, open space and up to 3ha of employment land (comprising uses within use class B1 (including starter units) and use class B2)"* on land surrounding Waveney Swimming Pool situated on the South side of Bungay.

- 1.2. This application relates to the residential phase of the development (150 dwellings) which also includes 3 no. B1 units. The matters under consideration relate to the detailed design of the development in terms of access, layout, appearance, landscaping and scale. Access was partially considered during the outline application in so far as the vehicular access to the site already exists and the suitability of this was found to be acceptable. Access to the employment phase of the development was also dealt with at outline stage.
- 1.3. Since the grant of planning permission and during the process of considering this application a new local plan covering the former Waveney Area of East Suffolk Council has been adopted which allocates this and adjacent land for the purposes of residential development and employment uses within Policy WLP5.2.
- 1.4. Overall the design of the proposal is considered to be acceptable and complies with the requirements of the Local Plan and would enable development to come forward on other areas of this allocation which are reliant on access over this land.
- 1.5. This application is before members as it was considered necessary by the referral panel for an application of this scale to be determined by members.

## **2. Site description**

- 2.1. The site is situated on the South East side of Bungay currently used as arable farmland which abuts existing residential development on Kings Road to the North of the site. The site covers an area of 5.49 hectares.
- 2.2. On the frontage of the site, slightly removed from the residential development to the North West, lies the Bungay swimming pool. Access is gained from St. Johns Road to the swimming pool site which is the proposed access route into the application site.
- 2.3. From St. Johns road to the South West the land rises gently to the back of the site and to the other side of St. Johns Road to the North East the land falls into the valley before rising up the other side. Along the South Western side of the site is the high point of the site and is bounded by a native species hedge, part of this boundary is shared with Bungay High School and sixth form centre. A pond lies on the western edge of the site, this is little more than the meeting of two ditches, containing only a small amount of water in a deepened section, much woody debris and discarded rubbish. It is largely overgrown by the adjoining hedgerow. Other than this there are no other natural features on the site.
- 2.4. To the South Eastern side of the site and separated from the site by St. Johns Road is Dukes Farm which comprises a group of Grade II listed buildings.

## **3. Proposal**

- 3.1. The application is for the Approval of Reserved Matters following the grant of outline planning permission Ref: DC/14/4193/OUT for the development of 150 dwellings (including affordable housing).
- 3.2. The following reserved matters are being considered within this application:
  - Access;
  - Layout;

- Appearance;
- Landscaping; and
- Scale.

- 3.3. The application proposes a range of property types from one bedroomed flats to four-bedroom detached houses. The majority of properties are two storeys in height with a number of single storey properties throughout the site. The design approach is properties of traditional design and character predominantly using brick facing material and clay pantile and, to a lesser extent, render with slate tiles.
- 3.4. There are four areas of open space throughout the site which vary in size and function. Pedestrian and cycle links are created through the site to connect the site to existing residential areas and services and facilities in the area.
- 3.5. A surface water storage basin is provided on land to the East of this site. This application is therefore also associated with application Ref: DC/18/5082/FUL which proposes an 'option 2' location for the surface water storage basin which forms part of the drainage strategy for this site.

#### **4. Consultations/comments**

- 4.1. Six representations of Objection have been received raising the following material planning considerations (inter alia):
- Overdevelopment
  - Impact on local services; already stretched
  - Infrastructure not suitable
  - It has not been demonstrated that the highways network proposed on this site is sufficient to deliver the remainder of allocation 5.2
  - Poor pedestrian and cycle links
  - Not demonstrated that refuse storage is sufficient.
  - Not clear if the size of parking spaces is acceptable.
  - No masterplan as required by Policy WLP5.2
  - Car parking inadequate
  - Access inadequate
  - Impact on amenity of properties on Northern boundary due to closeness of properties
  - Impact on wildlife

#### **Consultees Bungay Town Council**

Consultee	Date consulted	Date reply received
Town Council	1 November 2018	14 November 2018
Summary of comments: Strongly objects - See full details on file		

Consultee	Date consulted	Date reply received
Town Council	2 October 2019	25 October 2019

With reference to the above planning application, you may recall that we discussed our concerns regarding this application in December 2018 prior to submitting our comments on the proposed development on 17th December 2018 and discussed the matter further in January 2019 after Cripps Development submitted modified drawings. We feel it appropriate to observe that many of the original concerns expressed in our letter of 17/12/018 have yet to be addressed and wish to submit the following comments relating to the current development proposals.

We should also note that BTC Councillors and the Town Clerk met with the Landowner Mr T. Basey-Fisher and representatives of Cripps Development and ASD Architects on 21/10/2019 to discuss the present application. These informal talks have informed our understanding of changes to the site layout, although in evaluating this application we have also referred to all documentation in the public domain in addition to:

- The preceding outline planning application for this site (DC/14/4193/OUT),
- The New Waveney Local Plan – Modifications and additional modifications Policy 5.2 (December 2018)
- The Addendum to Sustainability Appraisal Report of the Waveney Local Plan Policy 5.2 (December 2018)
- Waveney Local Plan modifications and Annex – Policy 5.2 (Examiner – 21 November 2018)

In relation to the above we take specific note of the requirement by the Inspector (Local Plan examination) under policy 5.2 that ‘ A detailed Masterplan informed by on-going engagement with the community should be prepared and submitted as part of any full or outline planning application’. Re. this matter we are unaware of any community consultation relating to this application, and in its present form, the exclusion of core details and documents from the application suggest that this does not constitute a detailed Masterplan.

We should similarly note that in the absence of key information relating to this important land allocation under the 2018 Local Plan, we commissioned AECOM Consultants to undertake a Housing Needs Assessment and Neighbourhood Plan Design Guidelines for Bungay. These documents were completed in March 2019 and copies provided to Waveney District Council. We are compelled to note that had the developers undertaken on-going engagement/consultation with the local community as specified in the Local Plan this information would have represented a valuable resource to the developers in taking the planning application forward. Unfortunately, this was not the case.

Specific matters of concern are as follows:

#### **1. Drainage**

The present application makes no reference to the drainage infrastructure or the Attenuation pond to the east of St Johns road (DC/18/5082/FUL). Drainage and FR attenuation to the east of St Johns Road is critical, and In response to the preceding outline planning application DC/14/4193/OUT for 150 homes on this site the Environment Agency noted ‘ the inclusion of land to the east of St Johns road is critical to the success of the drainage strategy. Flood risk at the

development site is likely to be unacceptable if the area is not included for drainage purposes.

The developer should provide full details of the drainage strategy and infrastructure proposals for the attenuation of surface water flows from the development site in accordance with the provisions of Policy 5.2 requiring any planning application to be accompanied by a drainage strategy incorporating sustainable drainage principles. We are unaware of any methodology or data indicating projected surface water flows for the current layout and infrastructure. As the construction of 150 homes represents the first stage of development on this site (area 5.2) where up to 400 homes will be built under the local plan allocation, the drainage strategy should take full account of the incremental development and surface water flows arising from future development. Appropriate drawings of the drainage proposals should be provided with this application and a flood risk assessment in accordance with NPPF and Local plan requirements.

## **2. Transport Access Parking and Connectivity**

- The only currently approved access to the development utilises the existing exit from the A144 to Bungay Gym and swimming pool. This location is used by large numbers of school children and pedestrians; we suggest that the anticipated traffic flows arising from a development of this size represents an unacceptable level of risk to the users of these facilities. A further access point to the south of Bungay Gym has been proposed adjacent to the commercial land that forms part of the outline agreement, however we understand that this will be subject to a separate planning application. It would be helpful if this matter was clarified. As with 1 above, the proposals should take account of future development on Area 5.2 and the subsequent increase in traffic flows. The current access proposals may not adequately accommodate future development. A pedestrian crossing should be provided to safeguard pedestrians accessing the sports facility
- The road layout proposes a series of cul-de-sacs that provide limited capacity for turning heads, on-street and/or visitor parking. The dimensions and design of the internal road layout provides no appropriate access for service/waste vehicles in conflict with current guidance. No details of potential PSV/Bus services to and within the development have been provided and the road layout does not appear to provide the capacity for turning or stopping points. Based on our discussions with the developers we understand that no provision has been made on site for bus services.
- No Travel Plan has been provided with this application in conflict with the current requirements
- The Local Plan modifications for policy 5.2 following the Local Plan examination require footpaths and cycleways with on-going connections – limited provision is made within the current plan. The opportunity to establish a linear green corridor to the north of the site linking to public footways to the west of the site and to Stow Fen are precluded by the current layout. Additionally there is no connection between the High school and the existing footpath and cycle route to the east of St Johns road (to be formalised under Local Plan policy 5.1) connecting to Hillside road east and utilised by the High school students to the north west of the current development site. Interconnection of a footpath and cycle network consistent with the Waveney cycle strategy and WDC Green Infrastructure Strategy is central to the emerging Neighbourhood Development Plan for Bungay and aims to ensure adequate green amenity space and corridors to integrate new development with the town centre.
- No provision has been made for electric vehicle charging points in accordance with the Suffolk code 2015;
- No provision has been made for disabled parking and access in accordance with the SCC guidance 2015

- A key concern is that the current layout and specification of the private estate roads do not appear to meet the requirements/criteria for adoption by Highways and should this be the case it is unlikely that the estate will meet the development needs of Bungay and the towns social economic and environmental objectives. This requires urgent clarification.
- The proposed layout provides inadequate linkages with adjacent development. As representatives of Bungay Town Council and the Bungay NDP our interest is in ensuring integrated and sustainable development that facilitates access rather than promoting the development of an enclave. It is unclear from currently available documentation why access to Ethel Mann Road and adjacent roads are restricted. The dependence on cul-de-sacs under the proposed plan inhibits integrated development across site 5.2 and potentially deters adoption and appropriate management of the road network within the site. We suggest that failure to achieve adoption by Highways may lead to suppressed property demand and values.
- We also have concerns regarding the non-adoption of internal roads in the development because the failure of Highways to adopt these routes may jeopardise the next phase of development on 5.2 (and the other 350 houses) if there is any covenant and/or charging mechanism imposed on residents in the next phase

### 3. Layout and Design matters

- The current application appears to fulfil only the very minimum legal space and storage requirements for residential buildings of this nature. Qualitatively the development is not consistent with the Local plan proposals for adoption of Build for Life 12 standards and does not conform to the standard of housing required to facilitate sustainable economic development and growth in Bungay.
- It is unclear what the building density is for this development and how this is sympathetic to existing developments either adjacent to the site or in the immediate vicinity. In addition, there is no reference to local character and distinctiveness in house design as per WLP8.29. Information on building materials is minimal and determined on market availability as opposed to design considerations. Policy WLP8.31 has not been referenced. Building design that is supportive of the needs of older people is of particular importance. The HNA for Bungay shows a significantly higher demographic of older people currently living in the town and this figure is set to grow in the future.
- We are concerned that there is no indication of what proportion of the development is Affordable Housing. Where 30% of all developments over 11 dwellings need to provide for AH we note that 50% must be rented and the other 50% needs to be of mixed tenure.
- A particular concern is that despite the inclusion of affordable housing, management fees applied for maintenance of green space, surface water management, and unadopted roads may generate a fee structure that is unaffordable for many residents. As a matter of urgency this must be clarified.
- There is insufficient information relating to housing mix although it is noted that WLP is only permitting new developments where at least 35% on a site are 1 – 2-bedroom properties. The Bungay NDP Steering Group commissioned Housing Needs Assessment set out a more detailed analysis for the town and in this AECOM report published in March 2019 precise data was made available. This was shared with ESC. Had MM41 (vi) requiring submission of a masterplan informed by **ongoing** engagement with the community this data would have informed the application.
- Commercial and business development is restricted to a minimal number of small B1 offices to comply with the provisions of the site development – the bulk of the 3Ha commercial development is shifted to land now currently for sale to the south of the current development.

No consideration has been given to the scheduling of the commercial development as specified in the original agreement, or how future commercial space will either be accessed or linked to the residential areas.

#### 4. Landscape Archaeology and Heritage

- We note that no ecological, archaeological and landscape character assessments have been submitted with the present application. These documents should be provided by the developer in the current application taking full account of current criteria set out in the revised National Planning Policy Framework, and the modified Waveney local Plan 2018, and specifically in relation to Policy 5.2.

#### 5. Other matters

- The Steering Group of Bungay Neighbourhood Development Plan wish to emphasise that they fully support housing and commercial development on site 5.2 to ensure the long term sustainability of the local economy, but wish to ensure that all proposed development is consistent with National and Local Plan policy in addition to social economic and environmental objectives under the emerging neighbourhood development plan. We are unaware of any consultation process relating to the current development proposal in accordance with the provisions in Local Plan policy 5.2.
- The current application fails to fulfil many of the legal or statutory requirements and much of the supporting evidence for a development of this scale is absent; the most important of these is the absence of a drainage strategy and any discussion on the design construction and operation of the proposed off-site drainage attenuation located to the east of St Johns Hill (separate planning application DC/18/5082/FUL). The absence of the above exposes the site and the downstream receiving waters (Tin River) to potential flood risk. The developer must provide a drainage strategy and design consistent with NPPF and Local Plan policy.
- We conclude the present development proposal is poorly thought through and the design only marginally compliant with minimum standards. In its present form it is unacceptable and greatly inferior to the preceding application for this site (DC/14/4193/OUT)

#### Statutory consultees

Consultee	Date consulted	Date reply received
SCC Flooding Authority	7 February 2019	27 February 2019
Summary of comments: Holding objection because a full drainage strategy with supporting calculations has not been submitted.		

Consultee	Date consulted	Date reply received
Anglian Water	1 November 2018	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	1 November 2018	12 November 2018
Summary of comments: No objection subject to a water connection for the new dwellings being made onto their Company network for revenue purposes.		

Consultee	Date consulted	Date reply received
Suffolk County - Rights of Way	1 November 2018	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	1 November 2018	16 November 2018
Summary of comments: Objection - A number of matters raised.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	1 November 2018	5 November 2018
Summary of comments: No comment made.		

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	1 November 2018	12 November 2018
Summary of comments: No objection - Standard conditions suggested.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	14 November 2018	22 November 2018
Summary of comments: Holding objection as no details regarding surface water drainage have been provided.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	9 December 2019	23 December 2019
Summary of comments: <u>No objection</u> subject to conditions requiring implementation of Drainage strategy, maintenance and management strategy, details of all Sustainable Drainage System components and a Construction Surface Water Management Plan (CSWMP).		

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	2 October 2019	9 January 2020
Summary of comments: No objection subject to conditions		

### Non statutory consultees

Consultee	Date consulted	Date reply received
WDC Environmental Health - Contaminated Land	1 November 2018	3 December 2018
Summary of comments: Objection failure to address issues in acoustic report.		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	N/A	22 November 2019
Summary of comments: No objection - The proposal of a 2.5 m acoustic fence on the boundary with the leisure centre is acceptable and in accordance with the specification in AJA's Noise report. Noise impacts of the proposed industrial uses to the west (currently with Outline PP) can be deferred until detailed stage of that development.		

Consultee	Date consulted	Date reply received
Waveney Norse - Property and Facilities	1 November 2018	No response

Summary of comments:  
No comments received.

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	1 November 2018	13 November 2018

Summary of comments:  
Objection due to lack of ecologically sensitive lighting strategy and landscape Management Plan.

Consultee	Date consulted	Date reply received
Planning Policy (Internal)	1 November 2018	14 November 2018

Summary of comments:  
Comments incorporated into main report.

Consultee	Date consulted	Date reply received
Design and Conservation (Internal)	1 November 2018	No response

Summary of comments:  
No comments received.

Consultee	Date consulted	Date reply received
Mr Nick Newton	1 November 2018	2 April 2019

Summary of comments:  
Internal - Comments incorporated into report.

Consultee	Date consulted	Date reply received
Economic Regeneration (Internal)	1 November 2018	No response

Summary of comments:  
No comments received.

Consultee	Date consulted	Date reply received
County Planning Officer	1 November 2018	No response

Summary of comments:  
No comments received.

Consultee	Date consulted	Date reply received
Suffolk County Council Travel Planner	1 November 2018	19 November 2018
Summary of comments: No comment - Implementation of travel plan was not secured at outline stage.		

Consultee	Date consulted	Date reply received
Building for Life	1 November 2018	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Suffolk County Council Section 106 Officer	7 November 2018	7 November 2018
Summary of comments: Informing that CIL bids will be made with relation to Education, libraries and waste.		

Consultee	Date consulted	Date reply received
Police - Alan Keely Crime Reduction Beccles Police Station	2 November 2018	6 November 2018
Summary of comments: No objection received advice given providing some suggestions which may further reduce the opportunity for crime to occur. Advised to consider secured by design status.		

Consultee	Date consulted	Date reply received
Police - Alan Keely Crime Reduction Beccles Police Station	2 October 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	2 October 2019	5 November 2019
Summary of comments: Internal - Comments included within report.		

## 5. Publicity

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

<b>Category</b>	<b>Published</b>	<b>Expiry</b>	<b>Publication</b>
Public Right of Way Affected	9 November 2018	30 November 2018	Beccles and Bungay Journal

<b>Category</b>	<b>Published</b>	<b>Expiry</b>	<b>Publication</b>
Public Right of Way Affected	9 November 2018	30 November 2018	Lowestoft Journal

## 6. Site notices

General Site Notice	Reason for site notice: In the Vicinity of Public Right of Way Major Application Date posted: 6 November 2018 Expiry date: 27 November 2018
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## 7. Planning policy

7.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that where in making any determination under the planning Acts, if regard is to be had to the development plan, then determination shall be made in accordance with the plan unless material considerations indicate otherwise.

7.2. National Planning Policy Framework (NPPF) (2019)

7.3. National Planning Policy Guidance (NPPG)

7.4. The East Suffolk Council - Waveney Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:

- WLP8.1 – “Housing Mix “
- WLP8.21 – “Sustainable Transport”
- WLP8.24 – “Flood Risk”
- WLP8.28 – “Sustainable Construction”
- WLP8.29 – “Design”
- WLP8.30 – “Design of Open Spaces”
- WLP8.31 – “Lifetime Design”
- WLP8.32 – “Housing Density and Design”
- WLP8.34 – “Biodiversity and Geodiversity“
- WLP8.35 – “Landscape Character”

## 8. Planning considerations

### Background/Planning History

8.1. Outline Planning permission was granted in March 2016 Ref: DC/14/4193/OUT for the development of:

*"Outline Application with all matters reserved apart from access for up to 150 new dwellings (including affordable housing), associated infrastructure, open space and up to 3ha of employment land (comprising uses within use class B1 (including starter units) and use class B2)"*

- 8.2. Attached to this outline planning permission is a section 106 agreement which has various trigger points in order to deliver essential infrastructure; such as the provision of the site access for the adjacent employment site; provision of affordable housing and access to and construction of the B1 units up to footings level.
- 8.3. With all matters being reserved at outline stage and no design parameters in place officers have had to carry out extended discussion with the applicant and their agent to develop an acceptable scheme that can be presented favourably to members.
- 8.4. This site forms part of a wider allocation covered by Policy WLP5.2 within the Waveney Local Plan area of East Suffolk Council, which was adopted in March 2019. This allocation seeks to provide approximately 400 dwellings, 3 hectares of employment land, a pre-school setting and open space over an area of 21 hectares.
- 8.5. The outline permission was granted on 4<sup>th</sup> March 2016 and required, by condition, that:
  - a) *Application for approval of any reserved matters must be made within three years of the date of this outline permission and then*
  - b) *The development hereby permitted must be begun within either three years from the date of this outline permission or within two years from the final approval of the reserved matters, whichever is the later date.*
- 8.6. The reserved matters application was submitted in accordance with the time limit, and provides an opportunity to bring forward development on this site, in accordance with the outline permission. Should this reserved matters application be refused then the outline permission would expire.

#### Principle of Development

- 8.7. The principle of development of this site was approved within the outline application. Although some aspects of principle are referred to within some of the representations made with respect to this application, many of the policy requirements of Policy WLP5.2 - "Land West of St Johns Road, Bungay" cannot be considered within this application as this policy was adopted within the new local plan which after the grant of this earlier planning permission which is currently extant.
- 8.8. Design quality is given significant weight within the planning process, the main matters under consideration all relate to the design quality of the proposal. Section 12 of the NPPF states that:

*"the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable*

*development, creates better places in which to live and work and helps make development acceptable to communities"*

- 8.9. Policy WLP8.29 - "Design" of the local plan requires that development proposals will be expected to demonstrate high quality design which reflects local distinctiveness. Building for life 12 and the National Design Guide provide additional guidance in order to achieve well designed places.

#### Access

- 8.10. This was partly considered within the outline application as this permission covered the wider employment area also. Within the S106 agreement a specification for the employment land access was agreed which must be provided prior to the occupation of the 112th dwelling.
- 8.11. The access to the residential part of the site is already in place as it currently serves the existing swimming pool.
- 8.12. As vehicular access is in place, the access aspect of this application relates to the provision of infrastructure to encourage people to travel using non-car modes, as required by Policy WLP8.21 – "Sustainable Transport" and the NPPF objectives, and the suitability of the road layout to serve the wider allocation.
- 8.13. This application proposes to extend the existing footway/cycleway from St. Johns Road enabling people to access this site on foot and by cycle. North-westerly connections are also made into the existing residential development to the North along Ethel Mann Road and Thomas Bardwell Drive creating access through to Bungay High school for occupants of the development, and to the swimming pool from Kings Road as required by BU20 of the Waveney Cycle Strategy (Adopted July 2016). These routes also allow onward progression into the remaining area of allocation policy WLP5.2 when this area of the site comes forward in the future.
- 8.14. Also, when allocation WLP5.1 comes forward to the East of St. Johns Road enhanced access could be achieved in a North Easterly direction in accordance with BU24 of the Waveney Cycle Strategy.
- 8.15. Access is also required through this development site to access the future additional houses to the South West which forms the remainder of allocation WLP5.2 and the limited amount of traffic to the B1 units proposed within this application.
- 8.16. Objections have been received from the owners of the land to the South West on a number of highway related issues. Their primary objection is that they consider that sufficiently detailed information has not been submitted with this application. In their view this results in uncertainty for the development of their land and that this proposal therefore prejudices the ability to develop their land. It is suggested that it is difficult to determine from the information received whether the highway layout proposed complies with the requirements of Suffolk County Council (SCC) in order that the road layout can be adopted and whether it will provide adequate access through to the remainder of the allocation.

- 8.17. Although road widths have not been provided on the layout plan the plans are drawn to scale and measure at a width of 5.5 metres which is what would be expected for a 'major access route'. Exact details are required by conditions on the outline permission.
- 8.18. The status of the road outside plots 30-36 has been queried, originally shown as a shared surface this is now a minor access route. It is not expected that the roads within this part of the development would be used as access to the wider employment site or for buses. A public bus service would not be expected to enter the site as there are bus stops at the entrance to this site on St. Johns Road; any requirement for buses to access the rear of the high school within allocation WLP5.2 would be expected to gain access through the employment site entrance, which would bypass this part of the allocation.
- 8.19. It is acknowledged that a masterplan would have been useful, but this cannot be insisted upon under allocation policy WLP5.2, as this is only required for full or outline applications (whereas this is a reserved matters application on an extant outline permission).
- 8.20. It has been confirmed by SCC Highways Authority that they have no objection to the application on highway grounds and that they have properly considered the points raised by the adjacent landowner.
- 8.21. The proposed access arrangements are considered to be acceptable in accordance with the sustainable transport objectives of policy WLP8.21.

#### Layout, Scale and Appearance

- 8.22. Significant discussion has taken place between the LPA and the applicant with input from officers within the Major Projects and Design and Conservation teams. It is considered that the revised layout and appearance of the development is acceptable, and the properties are of an appropriate scale for the location.
- 8.23. The layout would provide a mixture of single and two storey properties varying in size from 1-bedroom flats to 4-bedroom detached dwellings; 35% of the properties on the site will be 1 and 2-bedroom properties as required by Policy WLP8.1 - "Housing Mix". The level of development has already been determined within the outline permission which equates to a level of approximately 25 dwellings per Hectare (DPH), which is broadly in line with the minimum 30 DPH stated within Policy WLP8.32 - "Housing Density and Design"
- 8.24. Development along the frontage with St. Johns Road is an important aspect of the site. The properties in this area will step up from single storey scale on the North Western boundary where they meet the existing development on St. Johns Road and Ethel Mann Road to provide a curved line of well-designed two storey properties with a generous landscaped area to the front. This is considered to set the scene for the quality of the development within the rest of the site.
- 8.25. As previously stated, the existing access to the Waveney swimming pool is utilised to provide access into this residential site. The road layout is such that it creates a hierarchy to the street layout with a main access road through the site which will eventually lead through to the remainder of allocation WLP5.2. Along the main access route are two areas of public open space, one of which is primarily for amenity value and is a horseshoe shape with properties surrounding it, the second of which is larger in size and will serve as a Local

Equipped Area for Play (LEAP); again this area would be situated with properties fronting onto it. These areas are considered to provide a sense of place and legibility to the layout. A third area of open space is in the area where the site joins Ethel Mann Road which will also address the existing properties in this location. A smaller play space provision is proposed for this location, this and the larger open space also provide access through them as a shared cycle/footway passes through these areas.

- 8.26. At strategic points within the layout prominent 'landmark' buildings are situated which will be of a slightly higher design quality with differing materials; those of which are situated on corner aspects are designed to have a frontage to both roads.
- 8.27. A good variety of materials are proposed comprising red brick (blend and multi), buff brick and the odd rendered property. Roofing materials comprise a mix of red and black clay pantiles with some properties with slate tiles. These are all vernacular materials that can be found within the market town of Bungay and throughout Suffolk. Features such as bay windows and chimney details have been introduced to some buildings to provide additional interest to the appearance of prominent properties adding a sense of local distinctiveness. Appropriate materials are proposed for means of enclosure such as metal railings and brick walls to prominent locations with wooden knee rails to open spaces and timber fences to divide garden areas.

#### Open Spaces

- 8.28. The Waveney Green infrastructure Strategy (2015) highlights that provision of open space for general use in Bungay is relatively poor with only the North and South West of the town having reasonable coverage. Overall, as highlighted in the Open Space Needs Assessment (2015), access to parks and gardens, amenity green space, and equipped play space in Bungay is limited with lesser access than the District Average.
- 8.29. Therefore, provision of suitably designed open space is an important aspect of this scheme. Policy WLP8.30 - "Design of Open Spaces" sets out the design considerations that are required to be met.
- 8.30. The areas of open space have been located so that they are integral to the development and provide good connectivity with footpaths and cycleways. They would be well overlooked from surrounding residential properties creating safe and attractive areas. They demonstrate a clear function supporting informal play areas accessible to people of all ages and abilities and are therefore considered to comply with the requirements of Policy WLP8.30.

#### Landscaping

- 8.31. A landscaping plan has been provided which provides an acceptable level of detail to gain an understanding of the proposals. This provides details and specification of the planting proposed and also considers the biodiversity benefits that suitable landscaping can offer.
- 8.32. Details of landscape management arrangements will be required by condition to ensure that the landscaped areas are maintained in the future. This will include features such as the acoustic barrier which is within an area of open space on the boundary with the swimming pool. Details of the appearance of this feature and how it will be screened are

elements of the proposal which can be provided within the requirements of condition 18 of the outline permission.

### Ecology

- 8.33. Policy WLP8.34 - Biodiversity and Geodiversity states that "development will be supported where it can be demonstrated that it maintains, restores or enhances the existing green infrastructure network and positively contributes towards biodiversity through the creation of new green infrastructure and improvement to linkages between habitats"
- 8.34. Within the outline application a Preliminary Ecology Assessment was carried out. This did not recommend any further surveys but within the discussion section it recommended that enhancements are included within the project design. The objective being to maximise the value of the completed development for wildlife and to maintain and enhance landscape connectivity. Some such actions are achieved by the significant retention of the hedges on the land of which qualify as a Biodiversity Action Plan priority habitat, equivalent to a habitat of principal importance. A number of the other enhancement measures were suggested, some of which have been incorporated into the scheme with the inclusion of wildflower lawn mix, bird boxes and bat boxes throughout the development.
- 8.35. The ecology report also recommends the inclusion of hedgehog friendly garden boundaries (through the provision of holes in the bases of fences) as part of the scheme. Whilst it is noted that the provision of these is referenced in the text on the soft landscaping drawings it would be clearer if the proposed locations of such holes were marked on plans. Further details of this and the inclusion of additional swift boxes across the development are to be required by condition.
- 8.36. Other enhancement recommendation such as the restoration of the pond on the Western edge and the provision of wildlife ponds and other wildlife rich habitats which were shown indicatively on the outline proposal unfortunately have not been forthcoming within this application. Albeit that the attenuation basin associated with drainage strategy is off site, this will offer biodiversity benefit through the provision of permanent open water and marginal vegetation in the location proposed.
- 8.37. Overall the ecological connectivity through the proposed development could be better with the proposed greenspaces in the north and south of the site relatively isolated both from each other and from the retained habitat features around the site boundaries. This is one of the drawbacks of not being able to secure street trees within the layout which would have helped provide wildlife corridors within the development which the outline proposal indicatively showed.
- 8.38. In terms of criteria 6 of building for life 12 "Working with the site and its context" this is an area of the scheme where ecological connectivity could have been improved. However, in the context of Policy WLP8.34 it is considered that it does maintain the existing green infrastructure network and retains Biodiversity Action Plan habitats with the retention of existing hedgerows and the attenuation basin which will have biodiversity benefits.

### Car Parking

- 8.39. The level of car parking proposed is in accordance with SCC minimum standards for residential development and maximum standards for the small provision of B1 units on the

site. This has been an area of lengthy discussion with the applicant as it is an area of the scheme that does not perform as well against the building for life criteria (Criteria 10 "Car-Parking"). Ideally a greater mix of parking solutions would have been provided to allow convenient parking for occupiers which has less impact on the streetscene.

- 8.40. There are instances within this layout where tandem spaces are evident where perhaps some well-designed on-street provision would have been better. This could have incorporated street tree planting to enhance the appearance of the development, however this was problematic due to issues relating to maintenance concerns from the Highways Authority. In the end street trees were not able to be included within the development.
- 8.41. Instances where tandem spaces were situated in front of garages (where the garage space counts as a parking space) have been amended as a key improvement.

#### Drainage

- 8.42. A fundamental objection to this proposal from the Town Council was the lack of drainage proposals. This application includes the 'option 1' drainage basin in the position shown within the outline application. As has been detailed in the accompanying application Ref DC/18/5082/FUL a second drainage basin has also been proposed and considered to be acceptable (option 2).
- 8.43. The purpose of the Addendum Report submitted with this application is to confirm the detailed drainage proposals for the residential development in accordance with the information stated in Condition 9 of the outline planning permission.
- 8.44. The drainage strategy has been produced to demonstrate that a sustainable drainage system can be provided for the residential site. The proposals are shown on the detailed drainage proposals within Appendix I of the drainage strategy.
- 8.45. This, together with the on-site infiltration methods described within the drainage strategy, have been scrutinised by the local lead flood Authority (SCC) and found to be acceptable and would comply with the requirements of Policy WLP8.24 - "Flood Risk".

#### Sustainable Construction

- 8.46. Policy WLP8.28 "Sustainable Construction" of the Local Plan requires that proposals for major residential development of 10 or more houses and commercial development schemes of 1,000sqm or more of floorspace should demonstrate through the submission of a sustainability statement that, where practical, they have been incorporated. This should include matters such as:
- Improved efficiency of heating, cooling, and lighting of buildings by maximising daylight and passive solar gain through the orientation and design of buildings.
  - Sustainable water management measures such as the use of sustainable drainage systems, green roofs and/or rainwater harvesting systems.
  - Locally sourced and recycled materials.
  - Renewable and low carbon energy generation into the design of new developments. Larger schemes should explore the scope for District heating.

- Minimising construction waste, including designing out waste during the design stage, selecting sustainable and efficient building materials and reusing materials where possible.
- Accessible and unobtrusive sustainable waste management facilities such as adequate provision of refuse, recycling and composting bin storage.
- A show home demonstrating environmentally sustainable options which can be purchased and installed in homes bought off-plan.

8.47. Whilst there is consideration of some of these matters within Section 7 of the Design and Access Statement, this is limited to increased insulation levels, low energy light fittings, reduced water consumption through dual flush cisterns, water saving taps and flow regulating access valves, water butts and grey water recycling. Renewable energy systems are discussed within the D&A but there is no firm commitment such installations

8.48. As this policy was not in place at the time that outline planning permission was granted it is not considered reasonable to impose a condition that requires a sustainable construction statement at this stage.

#### Lifetime Design

8.49. Policy WLP8.31 - Lifetime Design requires that where appropriate proposals for development should demonstrate that the design supports the needs of older people and those with dementia.

8.50. All new housing developments on sites of 10 or more dwellings must make provision for 40% of all dwellings to meet Requirement M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings. Dwellings that meet Requirement M4(3) of Part M of the Building Regulations will be supported and can count towards the requirement above.

8.51. As this policy was not in place at the time that outline planning permission was granted it is not considered reasonable to impose a condition requiring this at this stage. Nineteen of the properties on the site are bungalows which will go some way to providing properties suitable for the elderly and less physically able.

### **9. Conclusion**

9.1. After lengthy negotiations between the LPA and the applicant it is considered that the significant amendments made to the proposals have addressed the concerns raised by officers in terms of the general layout and design of this residential scheme.

9.2. Officers consider that the design of the proposal is acceptable in accordance with the NPPF and policy WLP8.29. The proposal provides a legible layout around key open spaces that are functional and well overlooked. The design of the dwellings themselves relate well to vernacular buildings that can be found within Bungay and the proposal places bespoke properties in key locations on the site. The proposal offers good connectivity between the site and existing residential areas for pedestrians and cyclists in the form of shared use paths through the development site.

9.3. A detailed drainage strategy has been provided which demonstrates a robust approach to surface water drainage of the site which was a primary matter raised within the Town

Council's objection to this proposal. The proposed surface water storage basin together with the on-site infiltration methods described within the drainage strategy are acceptable to the lead local flood authority (SCC) and comply with the requirements of the NPPF and Local Plan.

- 9.4. It is considered that the road layout, parking provision and footway/cycleways are designed to an acceptable standard that will enable adoption of the scheme as confirmed by Suffolk County Council as Highways Authority, which will allow development of land to the South West which forms part of this allocation.
- 9.5. Although it is acknowledged within this report that there are areas of the proposal and general layout of the site which could have been improved upon, subject to the requirements of the conditions suggested within this report and those outstanding on the outline approval, on balance the proposal is considered to represent a sustainable form of development and an acceptable detailed scheme pursuant to the outline permission. Officers recommend approval of the reserved matters application.

## **10. Recommendation**

10.1. That the reserved matters application be APPROVED subject to the following conditions:

1. The development hereby permitted shall be completed in all respects strictly in accordance with the listed plans and documents, 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.

5201 Rev Q: Site layout plan - Received 08 January 2020

MP01 Rev G: Materials Plan - Received 19 November 2019

2365 -18A and 18B Rev 3: Soft landscaping proposals - Received 01 November 2019

Noise control measures and areas of the site requiring good acoustic design as highlighted in Adrian James Acoustic limited Noise Assessment - Technical Report Ref: 11826 Report 1 Rev A received on 06 November 2019

(Plans received on 29 October 2019)

PL222 Rev A: Plots 5 - 8 - 533 F Flat type

PL221 Rev A: 777H/646H terrace house type

PL206 Rev A - 1130 H House type

PL205 Rev A - Plot 143 - 1302H House Type

PL204 Rev A - 132H House type

PL201 Rev A - 1539 H House type

Perspectives S02 Rev A, S03 Rev A & S04 Rev A

(Plans received on 01 October 2019)

RS01 Rev A: Refuse Plan

PL202: House Type - 1241H - Gable

PL203: House Type - 1241H - Hipped

PL207: House Type - 1087H

PL208: House Type - 999H

PL209: House Type - 900B

PL210: House Type - 894B  
PL211: House Type - 953H Terrace  
PL212: House Type - 997H Semi  
PL213: House Type - 850H Terrace  
PL214: House Type - 850H Terrace  
PL215: House Type - 850H Semi  
PL216: House Type - 822B  
PL217: House Type - 710H  
PL218: House Type - 710H  
PL219: House Type - 710B  
PL220: House Type - 777/646H Semi  
PL223: House Type - 646H Terrace  
PL224: Business Unit  
PL225: House Type - 797H Terrace  
PL226: House Type - 797H Terrace  
PL227: House Type - 1122H  
G01: Garages  
G02: Garages  
G03: Garages

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

2. The strategy for the disposal of surface water and the Flood Risk Assessment (FRA) (dated December 2019, ref: 1353/JSH/FRAA-Option1/02-19 Rev A) shall be implemented as approved in writing by the local planning authority.

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

3. The development shall not be occupied until details of the maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

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

4. Prior to the 100th property being occupied, details of all Sustainable Drainage System components and piped networks will be submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk

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

5. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

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

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

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

6. The following pedestrian and cycle access and highway improvements shall be completed and made available for use in accordance with the relevant permitted drawings prior to occupation of the first dwelling:

Shared cycle way and footway connection from St. Johns Road into the site and the extension of the footway on the Northern side of swimming pool shown on drawing number. 7061-SL01 Revision Q

Reason: To ensure that the accesses and walking/cycling routes are designed and constructed to an appropriate specification and brought into use before the development is occupied in the interests of highway safety and sustainability.

7. Before the development hereby permitted is occupied full details of the electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with the Suffolk Guidance for Parking and paragraph 110 of the National Planning Policy Framework.

8. No part of the development shall be commenced until details of the proposed shared use cycle track (with regard to where it passes through private driveways and crosses or enters roads) have been submitted to and approved in writing by the Local Planning Authority. The approved layout shall be laid out and constructed in its entirety prior to occupation of the dwellings that the cycle track serves.

Reason: To ensure that the cycle track is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

9. Details in respect of the following shall be submitted to and approved in writing by the Council as Local Planning Authority before the work is begun. The work shall be carried out in accordance with such approved details:

- Acoustic barrier
- Boundary details of the railings, fences and brick walling (e.g. appearance, brick type and bond)
- Make and manufacturers details of mock slate tile
- Full details of hard surfacing throughout the site

Reason: In the interest of the visual appearance of the development

10. Prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority a detailed landscape maintenance and management plan covering the management of the open spaces/play equipment and the acoustic barrier which forms part of one of the open spaces on the boundary of the swimming pool building shall be submitted to and approved in writing by the Local Planning Authority. The landscape maintenance and management plan shall be implemented in full accordance with the agreed details.

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

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

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

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

Reason: To ensure that the development delivers ecological enhancements

### **Informatives:**

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

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

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

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

CIL forms can be downloaded direct from the planning portal:

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

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

2. The applicant is advised that the proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business premises. For details of the address charges please see our website [www.eastsuffolk.gov.uk/planning/street-naming-and-numbering](http://www.eastsuffolk.gov.uk/planning/street-naming-and-numbering) or email [llpg@eastsoffolk.gov.uk](mailto:llpg@eastsoffolk.gov.uk)
3. 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.
4. The applicant should note that there are several conditions on the outline permission ref DC/14/4193/OUT, which are required to be discharged either prior to the development

commencing or before those matters are carried out (as specified on each condition). These include the following:

Conditions 4 -7: Contaminated land

Condition 11: Air quality

Condition 12 - 13: Archaeology

Condition 14: External lighting

Condition 18: Landscaping

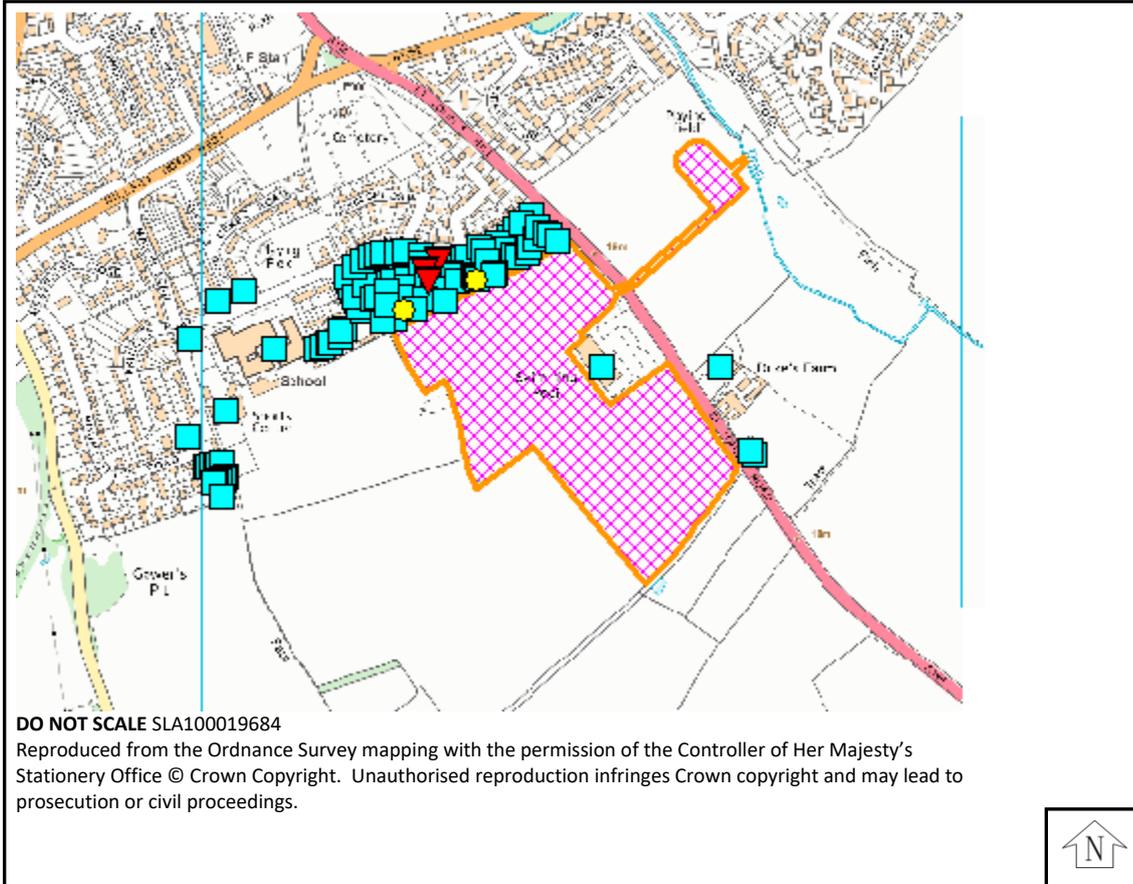
Condition 22: Details of estate roads and footpaths

Condition 25: Details of areas for cycle storage

### **Background information**

See application reference DC/18/4429/ARM at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PH5QJOQXMEK00>

# Map



## Key

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

## **Committee Report**

**Planning Committee - 11 February 2020**

**Application no DC/18/5082/FUL**

**Location**

Part Land East Of Dukes Farm  
St Johns Hill  
Bungay  
Suffolk

**Expiry date** 4 February 2019  
**Application type** Full Application  
**Applicant** Cripps Developments Ltd

**Parish** Bungay  
**Proposal** Surface water storage basin

**Case Officer** Iain Robertson  
(01502) 523067  
[iain.robertson@eastsoffolk.gov.uk](mailto:iain.robertson@eastsoffolk.gov.uk)

### **1. Summary**

- 1.1. The application seeks full planning permission for an attenuation basin which forms part of the drainage strategy for a development of 150 residential dwellings which was granted outline planning permission within Ref: DC/14/4193/OUT; detailed proposals for the design of this development are being considered alongside this proposal within reserved matters application Ref: DC/18/4429/ARM.
- 1.2. Within these associated applications an 'option 1' proposal for an attenuation basin has been approved in outline form. The purpose of this application is to provide a second option for the location of the attenuation basin.
- 1.3. The infiltration drainage potential on the main development site is limited, therefore this attenuation pond forms a critical part of the overall drainage strategy for this development. In accordance with the surface water disposal hierarchy, water will be directed to the Tin River. Surface water will be managed using a combination of large diameter pipes, permeable pavements and the proposed attenuation basin.

- 1.4. The proposal is considered to be well designed for its purpose and subject to suitable landscaping will assimilate into the surrounding landscape whilst providing biodiversity benefits.

## 2. Site description

- 2.1. The site is situated on the Southern side of Bungay on the Eastern side of the A144. This area is currently in use as arable farmland; the location for the attenuation pond is proposed within the corner of the field adjacent to the Southern field boundary and the Tin River.
- 2.2. The landscape is not of any specific designation; within the Waveney District - Landscape Character Assessment (April 2008) this area is described as 'Mid Waveney Tributary Valley Farmland' which lies along the southern edge of the Waveney River Valley between the settlements of Bungay and Beccles. The character area is defined by the 15-20m AOD contour to the valley edge and by the 30-35m AOD contour at the transition with the adjacent plateau. The landform of the area is cut by tributaries draining into the River Waveney. It forms part of the landscape setting of the Broads abutting the Broads Authority boundary along much of its length.

## 3. Proposal

- 3.1. The proposal is for the siting of an attenuation basin which forms part of the drainage strategy in relation to residential development on Land Surrounding Waveney Valley Swimming Pool shown within applications DC/14/4193/OUT and DC/18/4429/ARM.
- 3.2. The attenuation basin will measure approximately 70m x 50m in size, situated 250m to the South West of the residential development site on the opposite side of St. Johns Road positioned adjacent to the watercourse.

## 4. Consultations/comments

- 4.1. No third-party representations received.

### Consultees

#### Town Council

Consultee	Date consulted	Date reply received
Bungay Town Council	17 December 2018	4 January 2019
<p>Summary of comments:</p> <p>It was proposed by DO, seconded by ML and unanimously RESOLVED to recommend refusal of these plans with the following comments:</p> <p>This application relates to the surface water drainage plan for the development of 150 houses to the west of St Johns road, expressed through (a) the recently discussed development DC/18/4429/ARM that was not recommended for approval by the last Bungay Town Council</p>		

Planning Committee meeting (b) the preceding outline planning application DC/14/4193/OUT, and (c) Planning Policy 5.2 under the final Waveney Local Plan 2018. The present application is therefore for a surface water drainage system for a development that has yet to be approved and may be significantly modified prior to approval by WDC, due to the wide range of concerns expressed by statutory consultees.

The proposed attenuation pond has been moved from its original location to a new site to the south east of Dukes Farm - no explanation is provided for the change in location. The revised location is a receiving basin for dual flows: - (a) from the original drainage point on the right-hand side of the swimming pool/sports centre. (b) a second discharge point to the south of the sports centre draining the area that is currently for sale as commercial land – in the absence of specific plans for the commercial site it is unclear how the drainage capacity requirement has been determined.

The calculation of surface flow and impermeable area appears to be based on the FRA prepared by Bidwells for the previous application DC/14/4193/OUT and a different layout and hard surface area for the development to the west of St Johns Road. Essentially this attenuation basin provides for assumed surface flows from the development of 150 houses as per the original outline application. It takes no account of future flows from the 400 houses proposed for this site under the Waveney Local Plan, or how the incremental flows arising from the full-scale development under Planning policy 5.2 may be accommodated through expansion of the attenuation capacity - it should be noted that the developed area will expand from circa 9Ha to 21 Ha. This has bearing on future land use adjacent to the Tin River that will become the receiving environment for all surface water flows from development under PP5.2 (Local Plan 2018).

It is worth noting that there has been no community consultation or contact with the Bungay Town Council regarding the current proposal(s) in conflict with the recommendations of the Waveney Local Plan modifications and Annex – Policy 5.2 (Examiner - 21 November 2018) In relation to the above we take specific note of the requirement by the Inspector (Local Plan Examination) under policy 5.2 that ‘ A detailed masterplan informed by on-going engagement with the community should be prepared and submitted as part of any full or outline planning application’.

### Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Rights Of Way	17 December 2018	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	N/A	11 January 2019
Summary of comments: No objection subject to standard Archaeological conditions requiring implementation of a programme of archaeological work and post investigation assessment.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	17 December 2018	27 December 2018
Summary of comments: No objection.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	17 December 2018	18 December 2018
Summary of comments: Holding objection due to insufficient information.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	9 December 2019	23 December 2019
Summary of comments: Approval of this application is recommended subject to conditions requiring the implementation of the strategy for the disposal of surface water submitted within the FRA Details of all Sustainable Drainage System components and piped networks and details of a Construction Surface Water Management Plan (CSWMP).		

### Non statutory consultees

Consultee	Date consulted	Date reply received
Ecology (Internal)	N/A	22 November 2019
Summary of comments: Internal - Comments incorporated within report.		

### 5. Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 27 December 2018

Expiry date: 18 January 2019

### 6. Planning policy

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that where in making any determination under the planning Acts, if regard is to be had to the development plan, then determination shall be made in accordance with the plan unless material considerations indicates otherwise.

- 6.2. National Planning Policy Framework (NPPF) (2019)
- 6.3. National Planning Policy Guidance (NPPG)
- 6.4. The East Suffolk Council - Waveney Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:
  - WLP8.24 – “Flood Risk”
  - WLP8.34 – “Biodiversity and Geodiversity”
  - WLP8.35 – “Landscape Character”
  - WLP8.40 – “Archaeology”

## **7. Planning considerations**

### Background

- 7.1. Planning permission for development on land surrounding Waveney swimming pool was granted within Ref: DC/14/4193/OUT - *Outline Application with all matters reserved apart from access for up to 150 new dwellings (including affordable housing), associated infrastructure, open space and up to 3ha of employment land (comprising uses within use class B1 (including starter units) and use class B2).*
- 7.2. Within the outline application an attenuation pond (option 1) was proposed to be sited in a North Westerly position to that shown within this application as part of the drainage strategy for this site.
- 7.3. The Surface Water Drainage Strategy is essentially as that approved at the Outline stage, with surface water having a restricted discharge to the nearby watercourse (known as Tin River), with the provision of surface water storage both on the development site and off site.
- 7.4. Due to external factors it was necessary to prepare a second option for the location of the attenuation basin. The attenuation basin (option 2) shown within this application is proposed outside of the application site for the outline permission; therefore, this amended position for the attenuation basin could not form part of the reserved matters application (Ref: DC/18/4429/ARM), and has therefore been submitted as a separate application.
- 7.5. The purpose of this application is to provide a second option for the location of the attenuation basin which forms part of the drainage strategy for the residential development on the land surrounding Waveney Swimming Pool.

### Flooding/Drainage Strategy

- 7.6. The application site for the residential development shown within applications DC/14/4193/OUT and DC/18/4429/ARM is situated within Flood Zone 1 and is at a low risk of flooding. Paragraph 163 of The NPPF and Policy WLP8.24 - Flood Risk of the Local Plan requires that developments use sustainable drainage systems to drain surface water.

- 7.7. The Flood Risk Assessment (FRA) - (Basin Option 2) provided by ASD Consultants includes the following information:
- An assessment of the practical use of sustainable drainage (SuDS) strategy measures,
  - Determines the existing surface water drainage across the site using appropriate methods,
  - Develops a post-development drainage strategy for foul drainage and surface water across the site,
  - Assesses the flood risk to the site during return period events up to the climate change enhanced 1 in 100-year storm event and recommend mitigation measures accordingly,
  - Appraisal of flood risk from any other sources such as groundwater as required by NPPF; and
  - Report findings and recommendations.
- 7.8. Initially Suffolk County Council Flood Authority lodged a holding objection to this application; whilst the design of the attenuation pond was 'very good' the potential of infiltration on the actual development site had not been adequately considered. The potential for infiltration was identified in the southern part of the site within the outline application and there was no evidence of further onsite testing to assess this potential.
- 7.9. A revision to this addendum has since been submitted following further site investigation where nine additional window samples were bored across the Southern part of the site. The site investigation revealed that the suitable strata available for a Sustainable Drainage Systems (SUDs) solution was difficult to define and while some infiltration drainage potential is present in parts of the site, it is not suitable for large scale SUDs features.
- 7.10. The use of Sustainable urban Drainage Systems (SUDs) are encouraged in all new developments, the use of appropriate source control techniques is important as this allows for the containment of the surface water collected on the site. SUDs, as a sustainable development approach to Surface Water Design Techniques, has the aim of balancing the following: to manage water run-off from developed areas to similar quantities prior to development (Source Control), reduce and avoid incidences of downstream flooding, to protect or enhance water quality of the run-off and to improve or enhance the amenity where possible.
- 7.11. Soakaways, using cellular crates, are unlikely to work on the site because of poor infiltration rates close to the surface. Therefore, in accordance with the surface water disposal hierarchy, water will be directed to the Tin River. Surface water will be managed using a combination of large diameter pipes, permeable pavements and the proposed attenuation basin.
- 7.12. Water unable to enter the piped system during rainfall events in excess of the 1 in 100 year return period will be managed using a variety of techniques. This will include infiltration in garden areas, temporary storage in the highway, parking areas and routing through the development to the North East corner of the site. The site levels will be designed so no significant volume of run-off leaves the site.
- 7.13. The Town Council are concerned that this strategy does not consider development on the employment land or residential development on the remaining area within allocation

WLP5.2. This cannot be considered as part of this application given the layout and use of the site is unknown at this stage. When applications for that area come forward, they too will need to demonstrate appropriate drainage solutions.

- 7.14. The amended strategy has been assessed by SCC Flood Authority; confirmation has been received that the drainage strategy provided for the site is acceptable and approval is recommended subject to conditions to ensure that the strategy is implemented and maintained. The proposal therefore accords with the requirements of Policy WLP8.24 – “Flood Risk”.

#### Archaeology

- 7.15. This site lies in an area of archaeological potential recorded on the County Historic Environment Record, in close proximity to the cropmark of a ring ditch, likely to present the remains of a prehistoric burial mound (BUN 024). Large multi-period finds scatters have also been recorded in the immediate vicinity (BUN 113) and Anglo-Saxon burials have been located to the north (BUN 003). The position of the attenuation basin to a water course also means that it is situated in a topographically favourable position for archaeological remains from all periods. As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the construction of the attenuation basin and its associated infrastructure have the potential to damage or destroy any archaeological remains which exist.
- 7.16. There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 199) and Local Plan Policy WLP8.40 - "Archaeology", any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

#### Ecology

- 7.17. The design of the proposal will provide a biodiversity benefit through the provision of permanent open water and marginal vegetation and therefore accords with the requirements of policies Policy WLP8.34 - "Biodiversity and Geodiversity" and WLP8.24 - "Flood Risk".

#### Landscape Impact

- 7.18. Policy WLP8.35 - "Landscape Character" requires that development is sympathetic to the distinctive character areas, strategic objectives and considerations identified in the Waveney District Landscape Character Assessment (2008). In this case it is considered that the proposal would not harm the character of this tributary valley farmland area and would sit comfortably in the corner of the field. A landscape planting condition will be required to ensure that suitable planting is carried out. The proposal accords with WLP8.35.

### **8. Conclusion**

- 8.1. It is considered that the 'option 2' location for the attenuation basin shown within this application has been well designed and is acceptable as part of the overall drainage

strategy associated with the residential development of 150 houses located on land surrounding Waveney swimming pool.

- 8.2. It would have an acceptable visual appearance within the surrounding landscape and would provide biodiversity benefits through the provision of permanent open water and marginal vegetation.
- 8.3. Therefore, the proposal is considered to represent an acceptable form of development and officers recommend that planning permission be granted.

## **9. Recommendation**

9.1. That planning permission be APPROVED subject to the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Site location plan Ref: 1353/LOC/001 received 21 December 2018, and Attenuation Basin Outfall Option 2 Ref: 1353/DRA/106 Rev B received 10 December 2019, 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 strategy for the disposal of surface water and the Flood Risk Assessment (FRA) (dated December 2019, ref: 1353/JSH/FRAA-Option2/02-19 Rev A) shall be implemented as approved in writing by the local planning authority. The strategy shall thereafter be managed and maintained in accordance with the approved strategy.

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

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

Reason: To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>

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

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

6. 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 WLP40 "Archaeology" of Waveney Local Plan Area of the East Suffolk Council (Adopted March 2019) and the National Planning Policy Framework (2019).

7. The attenuation pond 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 6 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 WLP40 "Archaeology" of Waveney Local Plan Area of the East Suffolk Council (Adopted March 2019) and the National Planning Policy Framework (2019).

8. No development shall take place until full details of soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation programme.

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

9. The landscaping scheme shall be completed prior to the attenuation pond being brought into use, or such other date as may be agreed in writing with the Local Planning Authority. Any trees or plants which die during the first 3 years shall be replaced during the next planting season.

Reason: To ensure the satisfactory appearance within the landscaping and to provide optimal biodiversity benefit.

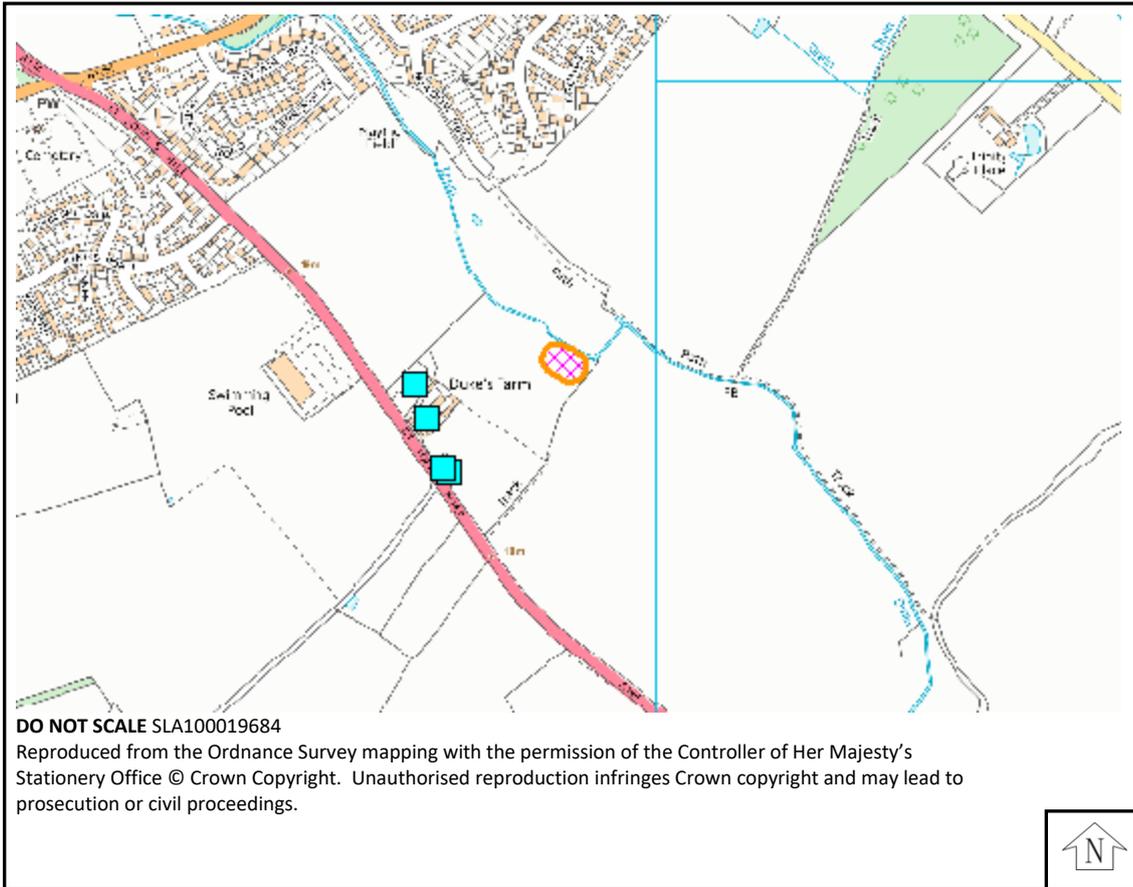
#### **Informatives:**

1.
  - Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
  - Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
  - Any discharge of surface water to a watercourse that drains into an Internal Drainage Board catchment is subject to payment of a surface water developer contribution
  - Any works to lay new surface water drainage pipes underneath the public highway will need a section 50 license under the New Roads and Street Works Act 1991
  - Any works to a main river may require an environmental permit

#### **Background information**

See application reference DC/18/5082/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PJKM93QXG0S00>

## Map



## Key

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

**Committee Report**

**Planning Committee - 11 February 2020**

**Application no DC/18/4104/OUT**

**Location**

Land Off  
Pilgrims Way  
Bungay  
Suffolk

**Expiry date** 1 January 2019

**Application type** Outline Application

**Applicant** Halsbury Homes Ltd

**Parish** Bungay

**Proposal** Outline Application (All Matters Reserved) - Residential development for up to 40 dwellings with open space, landscaping, access and associated infrastructure.

**Case Officer** Iain Robertson  
(01502) 523067  
[iain.robertson@eastsoffolk.gov.uk](mailto:iain.robertson@eastsoffolk.gov.uk)

**1. Summary**

- 1.1. The application seeks outline planning permission for the development of the site for up-to 40 residential dwellings with all matters reserved for later consideration.
- 1.2. Under the current adopted local plan for the Waveney area of East Suffolk Council the site is not allocated for development. The site is however situated within the 'settlement boundary' of Bungay as highlighted on the policy maps. Settlement boundaries define the built up area of settlements, and subject to the other policies of this Local Plan, indicate where development for housing, employment and town centre development would be suitable in principle.
- 1.3. As highlighted within the sustainability appraisal which accompanied the Final Draft Local Plan prior to adoption, the site was not considered to be suitable for development as the Strategic Flood Risk Assessment (SFRA) (2008) showed the site to be within Flood Zone 2

when taking into account climate change, which represents an annual probability of 1% - 0.1 %

- 1.4. Within the process of this application the applicant has challenged the evidence within the SFRA and has remodelled the Tin River demonstrating that the site is actually within Flood Zone 1, which represents a low risk at a 0.1% probability of flooding in any year and therefore sequentially preferable for residential development.
- 1.5. Although access is a matter reserved for further consideration it has been demonstrated that safe and suitable access can be achieved onto Wingfield Street. Although there is concern locally with the suitability of the surrounding road network to accommodate additional traffic there has been no objection from the Highways Authority in this regard and, within the Suffolk County Transport Model (SCTM) forecast model report, Bungay was shown to have junctions which operate within capacity in both the AM and PM peak in 2036 across all development scenarios within the Local Plan.
- 1.6. There would be significant public benefits from the proposal including (but not limited to): up-to 40 dwelling contribution to housing supply; 30% proportion of affordable housing, short term job creation; and longer term spend in the local economy by future residents.
- 1.7. The proposal is therefore considered to represent a sustainable form of development and officers recommend that planning permission be granted.
- 1.8. The recommendation is authority to approve subject to the signing of a section 106 legal agreement to secure necessary planning obligations; along with planning conditions to secure further details as detailed in the recommendation section of this report.

## **2. Site description**

- 2.1. The site is situated adjacent the Bungay Conservation Area which includes properties on Wingfield Street and St. Johns Road. This site is situated between Wingfield Street and Pilgrims Way and has historically been used as allotment land; however, the site has not been in this use for many years and has since become overgrown and is within private ownership.
- 2.2. The site measures 1.12 hectares in area and is roughly rectangular in shape.
- 2.3. The site is surrounded by existing residential development. The Southern side of the site borders with existing residential property on Pilgrims Way and the Northern side with the rear gardens of properties on Wingfield Street. To the East is an existing area of open space equipped with play equipment; pedestrian access leads through this area to the properties beyond in Garden Close. To the West are properties on St. Johns Road.
- 2.4. Access to the site would naturally be gained from Wingfield Street as there is an existing access at this point which serves an existing garage block. These structures are in a state of disrepair and do not appear to be in use for the keeping of vehicles. Pilgrims Way terminates on the Southern boundary of the site and would naturally allow access at this point. Pedestrian access is currently available from Pilgrims Way to Garden Close.

2.5. There is no recent planning history to report; however, planning permission for residential development was refused in the early 1990's on two separate occasions Ref: W15642 and W15642/1 as it was contrary to the structure plan at the time, the latter being dismissed on appeal.

### 3. Proposal

3.1. The application seeks outline planning permission for the erection of up to 40 residential dwellings with all matters reserved (access, layout, scale, appearance and landscaping) for further consideration.

3.2. In accordance with article 5(3) of the Development Management Procedure Order 2015, where access is a reserved matter, the application for outline planning permission must state the area or areas where access points to the development proposed will be situated.

3.3. In this case vehicular access is proposed onto Wingfield Street at the point where access is currently provided to a garage court. Pilgrims Way is shown on the indicative layout plan to extend from its current position through the site to join the highway at the point shown on the indicative layout plan. The position of pedestrian and cycle ways are shown indicatively through the site on to St. Johns Road and Pilgrims Way. In addition to this a shared cycleway/footway is sought to connect through to Garden Close.

### 4. Consultations/comments

4.1. Thirty-five representations of Objection have been received raising the following material planning considerations (inter alia):

- Flooding/drainage
- Traffic/Access
- Parking
- Congestion
- Overdevelopment /Density not appropriate
- Impact on local services; already stretched
- Infrastructure not suitable
- Impact on wildlife/Loss of habitat
- Not allocated in Local Plan
- Loss of open space - Potential to be used by the community.
- Impact on trees

#### Consultees

##### Town Council

Consultee	Date consulted	Date reply received
Bungay Town Council	8 October 2018	5 November 2018
Summary of comments: DC/18/4104/OUT - Land Off Pilgrims Way. -. It was unanimously RESOLVED to recommend Refusal of these plans and strongly decline them with the following comments. (Proposed ML and		

seconded DO).

Vehicular Access onto and around the development is insufficient for this scale of development and also includes the entrance to a Junior School. It is identified that much of the site is at risk of flooding leaving only 0.2 hectares for development and safe access / egress would need to be addressed whilst safeguarding heritage assets and neighbour amenity. Area prone to flooding under current Environment Agency Flood Risk Assessment. Existing sewage system is inadequate. Existing Plans include a cycleway which is not owned by the Developer and therefore should not be included in these plans. Under the Local Plan Sustainability Appraisal (page 875) it notes under item 10 that 'this site is in a flood risk zone identified in the Strategic Flood Risk Assessment and Development of this site is likely to increase flood risk elsewhere'. The Local WDC local plan (March 2018) identifies that only 0.20 hectares may be suitable for housing and at current density of 25 per hectare this would equate to 5 or 6 houses and not the 40+ number as proposed. Better use of this land could be a 'Green Space' for the Community. There is no need for a further 40 new houses to be built in the Town as the existing allocations under the final Draft of the Local Plan (that does not include this development) more than adequately covers the projected growth of 6% for Bungay.

### Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	N/A	24 October 2018

Summary of comments:  
No objection subject to standard conditions.

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	8 October 2018	5 November 2018

Summary of comments:  
No objection subject to conditions relating to details of access, road safety audit, cycle way provision, Estate road details, manoeuvring and parking areas & refuse plan..

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	8 October 2018	15 October 2018

Summary of comments:  
No objection subject to a water connection for the new dwellings being made onto their Company network for revenue purposes.

Consultee	Date consulted	Date reply received
SCC Flooding Authority	8 October 2018	16 October 2018

Summary of comments:  
No objection subject to conditions to secure drainage strategy.

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	N/A	8 November 2018

Summary of comments:  
Advice in relation to fire-fighting facilities and water supplies.

### Non statutory consultees

Consultee	Date consulted	Date reply received
WDC Environmental Health - Contaminated Land	8 October 2018	19 November 2018

Summary of comments:  
No objection - Phase I assessment suggests that contamination may be present. Phase II assessment required by condition.

Consultee	Date consulted	Date reply received
Anglian Water	8 October 2018	No response

Summary of comments:  
No comments received.

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	8 October 2018	No response

Summary of comments:  
No comments received.

Consultee	Date consulted	Date reply received
Police - Alan Keely Crime Reduction Beccles Police Station	12 October 2018	No response

Summary of comments:  
Consideration should be given to the 'Designing Out Crime in Suffolk, Residential' document at detailed design stage but have highlighted concerns with permeability through to Wingfield Street.

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	8 October 2018	No response

Summary of comments:  
No comments received.

Consultee	Date consulted	Date reply received
Disability Forum	8 October 2018	No response

Summary of comments:  
No comments received.

Consultee	Date consulted	Date reply received
Building For Life	8 October 2018	8 October 2018

Summary of comments:  
Building for life assessment not possible at this stage as this is an outline application with all matters reserved.

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	18 October 2018	18 December 2018

Summary of comments:  
Internal, comments incorporated into report.

Consultee	Date consulted	Date reply received
WDC - Arboricultural And Landscape Officer	18 October 2018	26 October 2018

Summary of comments:  
Internal, comments incorporated into report.

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	N/A	26 October 2018

Summary of comments:  
No objection – Satisfied with the findings of (Ecology by design, September 2018), conditions required.

Consultee	Date consulted	Date reply received
Police - Alan Keely Crime Reduction Beccles Police Station	11 October 2018	16 October 2018

Summary of comments:  
Consideration should be given to the 'Designing Out Crime in Suffolk, Residential' document at

detailed design stage but have highlighted concerns with permeability through to Wingfield Street.

Consultee	Date consulted	Date reply received
Suffolk County Council Section 106 Officer	N/A	8 November 2018
Summary of comments: Planning obligation requirements for Pre-school provision of approximately £91,704. CIL bids will be made for other matters such as libraries and education.		

## 5. Publicity

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

Category	Published	Expiry	Publication
Major Application	12 October 2018	2 November 2018	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Major Application	12 October 2018	2 November 2018	Lowestoft Journal

## 6. Site notices

General Site Notice	Reason for site notice: Major Application Date posted: 16 October 2018 Expiry date: 6 November 2018
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## 7. Planning policy

- 7.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”.
- 7.2. Planning (Listed Buildings and Conservation Areas) Act 1990. Section 72 states that, with regard to Conservation Areas, “*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*”.
- 7.3. National Planning Policy Framework (NPPF) (2019)
- 7.4. National Planning Policy Guidance (NPPG)
- 7.5. The East Suffolk Council - Waveney Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:
  - WLP1.1 – “Scale and Location of Growth”

- WLP1.2 – “Settlement Boundaries”
- WLP8.1 – “Housing Mix”
- WLP8.2 – “Affordable Housing”
- WLP8.21 – “Sustainable Transport”
- WLP8.24 – “Flood Risk”
- WLP8.29 – “Design”
- WLP8.30 – “Design of Open Spaces”
- WLP8.32 – “Housing Density and Design”
- WLP8.33 – “Residential Gardens and Urban Infilling”
- WLP8.34 – “Biodiversity and Geodiversity”
- WLP8.37 – “Historic Environment”
- WLP8.39 – “Conservation Areas”
- WLP8.40 – “Archaeology”

## **8. Planning considerations**

### Background

- 8.1. Within the previous Waveney local Plan this site was highlighted as an area of public open space as it was former allotment land.
- 8.2. It can be seen on the policy maps that within the current local plan that this site is not now designated as public open space. It was considered that, as this site is within private ownership, the prospect of it being brought into a public use was unlikely and that this area could not be justified under the protection afforded by policy WLP8.23 "Protection of Open Space".
- 8.3. Within the Sustainability Appraisal (SA) to the Draft Waveney Local Plan this land was identified as site option 55. Within the SA it was highlighted that this site was at risk of flooding based on the evidence within the Strategic Flood Risk Assessment (2008), which together with the update to the SFRA (2018) formed the evidence base to the Local Plan.
- 8.4. For this reason, the site was not allocated for residential development in the Local Plan.

### Principle of Development

- 8.5. The site is situated within the settlement boundary of Bungay as highlighted by Policy WLP1.2 - "Settlement Boundaries" as shown on the policy maps. The Settlement boundaries define the built-up area of settlements, and subject to the other policies of this Local Plan, indicate where development for housing, employment and town centre development would be suitable in principle.
- 8.6. The distribution of growth strategy detailed in Policy WLP1.1 "Scale and Location of Growth" aims to ensure the vision for the Local Plan is delivered alongside the requirements of the National Planning Policy Framework. The strategy allows for reasonable levels of development in the market towns. Bungay has good employment opportunities, a good range of services and facilities and an attractive town centre making it a sustainable location for growth. However, Bungay is proposed to take more modest

levels of growth at 6% of housing growth compared to other market towns, reflecting the environmental constraints to growth around the town.

- 8.7. Based on evidence in the Strategic Housing and Economic Land Availability Assessment and given that the potential for development within Settlement Boundaries will be proportional to the settlement size, windfall development coming forward from planning applications in accordance with Policy WLP1.2 such as this proposal are unlikely to skew the distribution strategy.
- 8.8. The NPPF promotes and supports the development of under-utilised land and buildings and promotes the effective use of this land but also recognises that some undeveloped land can perform important functions.

#### Flood Risk/Drainage

- 8.9. Paragraph 155 of the National planning policy framework requires that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future).
- 8.10. Strategic policies should be informed by a Strategic Flood Risk Assessment (SFRA) and should manage flood risk from all sources. Policy WLP8.24 - "Flood Risk" follows this approach and states that new residential development on sites not allocated in this Local Plan or a Neighbourhood Plan will not be permitted on sites at risk from flooding.
- 8.11. It should first be noted that the site is situated with the Environment Agency (EA) Flood Zone (FZ) 1, which represents the lowest risk area at a 0.1% probability of flooding in any year, this is also known as having a 1:1000-year chance. This flood risk is from fluvial (river) flooding, the source being the Tin River. The Environment Agency will not comment on a scheme of this size in flood zone 1, as they do not deem there to be a significant flood risk.
- 8.12. As is required by the NPPF and the Local Plan, climate change must also be considered as part of the flood risk assessment. Within the 2008 SFRA this site is shown within FZ2 when considering climate change, which represents an annual probability of 1% - 0.1 %. This can be seen on figure A10 on page 51 of Appendix 1 of the 2008 SFRA.
- 8.13. A further SFRA was undertaken in 2018; the 2018 assessment is an update to the 2008 Assessment. The data relating to climate change was not fully re-modelled across the entire district; the rivers that were re-modelled in Bungay are shown on figure 13.3 Rev 3; the lack of re-modelling of the Tin River can be seen on 09.3 Rev 4 of this assessment. Therefore, the information on climate change within the 2008 assessment in respect of the Tin River, Bungay forms part of the evidence base for the East Suffolk Council - Waveney Local Plan, which was adopted in March 2019.
- 8.14. This 2008 data has been challenged by the applicant and they have carried out re-modelling of the Tin River. In response to this submission the Council employed an external consultant to independently assess the study undertaken. The Council's consultant provided feedback on the modelling undertaken, which was amended in line with the guidance. The updated report shows the site to be in FZ1 when considering climate change. The modelling undertaken is recent, up-to-date and properly reflects the

flood risk at the site when accounting for climate change. Officers have sought appropriate input from an external, independent consultant to ensure the assessment is robust in its findings – which are accepted by officers. It is therefore considered that the applicant has demonstrated that the site is within FZ1 when considering climate change. The site is therefore sequentially preferable for residential development in accordance with the objectives of policy WLP8.24 to locate housing in lowest risk areas.

#### Drainage Strategy

- 8.15. As highlighted in Policy WLP8.24 - "Flood Risk" development proposals should consider flooding from all sources and that "developments should use sustainable drainage systems to drain surface water". Sustainable drainage systems should be integrated into the landscaping scheme and the green infrastructure provision of the development and not detract from the design quality of the scheme. They should deliver water quality and aquatic biodiversity improvements wherever possible.
- 8.16. No surface water connections should be made to the foul system and connections to the combined or surface water system should only be made in exceptional circumstances where there are no feasible alternatives (this applies to new developments and redevelopments). Foul and surface water flows should also be separated where possible.
- 8.17. It is acknowledged within the submitted FRA that the site is susceptible to surface water flooding. The proposed development will create an increase in overall impermeable areas and surface water run-off from the development that will be greater than existing. Therefore, suitable mitigation will be provided in the drainage strategy to ensure surface water run-off is no greater than existing greenfield run off rates with allowance for climate change and surface water flows restricted and attenuated on site.
- 8.18. The SUDs hierarchy demands that surface water run off should be disposed of as high up the following list as practically possible:
  - Into the ground (infiltration) and re-use, or then;
  - To a surface water body, or then;
  - To a surface water sewer, highway drain or another drainage system, or then;
  - To a combined sewer.
- 8.19. The surface water drainage design has considered the use of SUDs appropriate to the development. Several options are available noting that further intrusive ground investigation works are required before a final drainage strategy can be designed. Any proposed drainage strategy should be designed to accommodate surface water flows up to, and including, the 1 in 100-year storm event plus 40% for climate change, without flooding.
- 8.20. Existing ground conditions appear to be Sand Formation and therefore surface water run-off will be drained using sustainable drainage methods (i.e. soakaways and permeable paving). Full site investigation works are required, and infiltration testing undertaken prior to any detailed drainage design being undertaken. A full maintenance regime will be implemented at detailed design stage and will provide input into the operation and maintenance manual (O&M).

- 8.21. Suffolk County Council Flood and Water Management have reviewed the information submitted within the Flood Risk Assessment (FRA) in terms of the impact of surface water flooding on the site. It is considered that it has been demonstrated that the drainage strategy provided within the FRA would be suitable to prevent flooding from this source by ensuring the satisfactory storage and disposal of surface water is provided. Several conditions have been suggested to ensure that at reserved matters stage a detailed surface water drainage scheme is submitted, including maintenance and management of the scheme, details of the Sustainable Urban Drainage System (SUDs) components and a Construction Surface Water Management Plan (CSWMP).
- 8.22. It is therefore considered that the applicant has taken into account all forms of flooding (whether existing or future) as required by paragraph 155 of the NPPF and Policy WLP8.24 - "Flood Risk" of the Local plan and it has been demonstrated that the site is at a low risk of flooding.

### Heritage Impact

- 8.23. The NPPF and the Local Plan give significant weight to conserving and enhancing the historic environment. Paragraph 193 of The NPPF states:
- "when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".*
- 8.24. A heritage assessment has been included within the application which is considered to meet the requirements of paragraph 189 of the NPPF and Policy WLP8.37 - "Historic Environment" of the Local Plan.
- 8.25. This site is situated adjacent to the designated heritage assets of the Bungay Conservation Area, there are a number of listed buildings in the vicinity, the closest being a Grade II listed building at 14 Wingfield Street, which abuts the site. The initial part of the access road falls within the designation where it joins Wingfield Road. A number of non-designated heritage assets, in the form of Locally Listed buildings fronting Wingfield Street and St John's Road also adjoin the site to their rear gardens.
- 8.26. The site is set back from Wingfield Road with the visual impact limited to the access road. This is currently an unmade track to a garage area and although it has a quite rural character with a view beyond this is not overly attractive. With thought given to materials and detailing the access road would have minimal impact in itself. Views into the site will be possible; however, it appears that the two storey structures will be set back twice as far as No 8 so they will be regressive.
- 8.27. There are some gaps in the frontage to St Johns Road; the gap between No7 and No9 provides a view of the existing relatively recent buildings of 2-8 Wingfield Street which will mask development behind.

- 8.28. The view from the Conservation Area through the existing gap between Nos 15 and 17 St. Johns Road will afford views into the development. The addition of higher-level landscaping to the rear boundary to 21- 25 here may reduce this impact.
- 8.29. Views of the site and its impact on heritage assets are considered to be low. The impact on the Conservation Area and the surrounding listed and locally listed buildings based on the information available is considered to be minimal due to the sites position, behind existing development. Suitable hard landscaping to roads, footpaths and cycle ways where they connect to the existing road network, as well as some strategic landscaping would be likely to reduce this impact further, which would be addressed at reserved matters stage.

#### Archaeology

- 8.30. This site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER). This site is within the area of the early post-medieval town, defined in the HER and has high archaeological potential. Also, it overlooks the lower lying floodplain. It is also close to Saxon and Roman finds (BUN 023, 015) and medieval occupation remains (BUN 091) Thus, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.
- 8.31. There are no grounds to consider refusal of permission to achieve preservation in situ of any important heritage assets. However, in accordance with Paragraph 199 of the NPPF, any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.
- 8.32. Overall the harm to heritage assets within the vicinity will be less than substantial and at a low level; as required by the Paragraph 196 of the NPPF where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be properly weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

#### Highways/Access

- 8.33. Under article 5(3) of the Development Management Procedure Order 2015, it states that where access is a reserved matter, the application for outline planning permission must state the area or areas where access points to the development proposed will be situated.
- 8.34. An indicative plan has been provided which shows Pilgrims Way extending into the site and exiting onto Wingfield Street. Although access is a reserved matter the highways authority needs to be satisfied that access can be provided without having an unacceptable impact on highway safety.
- 8.35. A Transport Statement (TS) has been submitted with the application. A number of enhancements to the highway layout in the vicinity of the proposed access onto Wingfield Street will be required to ensure safe access can be provided, which have been shown on a detailed access plan. In addition to the TS, data to show traffic speeds in the area has been provided. Based on the review of this information and taking account the local factors a

reduced visibility splay of 20m to the nearside edge of the highway in a North Easterly direction has been shown to be feasible and is considered to be acceptable by the Highways Authority. The principle of providing an access point for up to 40 dwellings is therefore considered to be acceptable.

- 8.36. The TS highlights that the site is situated in a sustainable location and access to services and facilities by sustainable means such as walking, and cycling is feasible. Public transport can be accessed close to the site from St. Johns Road which provides access to other surrounding settlements.
- 8.37. The development of this site also provides the opportunity to provide cycle/pedestrian access through from Garden Close to Wingfield Street as suggested within BU12 of the Waveney Cycle Strategy (2016). This will be required by condition to be provided at reserved matters stage.
- 8.38. The TS provides forecast trip generation data for this scale of development. In terms of increased volume of traffic and the proposed access on to Wingfield Street the highways authority does not object to the proposal; within the Suffolk County Transport Model (SCTM) forecast model report Bungay was shown to have junctions which operate within capacity in both the AM and PM peak in 2036 across all development scenarios.
- 8.39. Within paragraph 109 of the NPPF it sets out clear guidance when development should be refused on highways grounds. Although access is a matter reserved for further consideration it is considered by officers that within this application it has been demonstrated that safe and suitable access can be achieved at the access point onto Wingfield Street and that the surrounding highway network has the capacity for the numbers of dwellings proposed. It is considered that the proposal would not have an unacceptable impact on highway safety as required by the NPPF. The proposal also accords with the sustainable transport objectives of the NPPF and Policy WLP8.21 - "Sustainable Transport" of the Local Plan.

#### Density/Housing mix

- 8.40. Paragraph 122 of the NPPF states that planning policies and decisions should support development that makes efficient use of land. Policy WLP8.32 - "Housing Density and Design" of the Local Plan requires that development proposals make best use of a site in a manner that protects or enhances the distinctiveness and character of the area and takes into account the physical environment of the site and its surroundings. Development proposals in and adjacent to the built-up areas of the market towns such as Bungay should aim for urban scale development at a density of at least 30 Dwellings Per Hectare (DPH), unless local character indicates otherwise.
- 8.41. This site is 1.12 hectares in size, a development of 40 properties equates to 35 DPH. It is not considered that the character of the area would dictate a lower density and this density can be delivered without harm to the adjacent Conservation Area subject to a suitable design and layout.
- 8.42. Although the plan is only indicative it does demonstrate that a suitable housing mix could be provided which would accord with Policy WLP8.1 - "Housing Mix" which requires at least 35% of new dwellings on a site are 1- or 2-bedroom properties.

### Open Space

- 8.43. Policy WLP1.3 - Infrastructure states that "Open space should be provided on residential development sites of 1 hectare or more in size and be based on the needs identified in the Waveney Green Infrastructure Strategy and Open Space Needs Assessment".
- 8.44. Within the Waveney Green infrastructure Strategy this site is highlighted as allotment land but as already discussed this has not been in this use for many years. The strategy highlights that provision of open space for general use in Bungay is relatively poor with only the North and South West of the town having reasonable coverage. Overall as highlighted in the Open Space Needs Assessment access to parks and gardens, amenity green space and equipped play space in Bungay is limited and have less access than the District Average. Therefore, provision of a proportionate area of open space is important to be secured.
- 8.45. The open space will be required to be equipped with suitable play equipment; a Local Equipped Area for Play (LEAP) would be considered suitable for a development of this size which would supplement the play provision in the neighbouring area of open space. This would be secured within the S106 agreement.
- 8.46. The layout of this area would be considered at reserved matters stage.

### Affordable housing

- 8.47. Policy WLP8.2 - "Affordable Housing" states that all new housing developments on sites with a capacity of 11 dwellings or more must make provision for a proportion of the total dwellings to be affordable housing as follows:
- Housing developments in the Lowestoft and Kessingland area (excluding Corton) must provide 20% affordable housing;
  - Housing developments in the Southwold and Reydon area must provide 40% affordable housing; and
  - Housing developments in the remainder of the District must provide 30% affordable housing.
- 8.48. Proposals which provide a higher amount of affordable housing than set out above will also be permitted.
- 8.49. Of these affordable dwellings, 50% should be for affordable rent. Sheltered and extra-care housing should be included as affordable units where needed and where practicable.
- 8.50. A commitment to provide the affordable housing as required by the Local Plan has been highlighted within the D&A statement which can be secured by S106 agreement.

### Ecology

- 8.51. In accordance with the National Planning Policy Framework (NPPF), ODPM Circular 06/2005 and East Suffolk Council: Waveney Local Plan policy WLP8.34, ecology assessments are required in order to establish whether the proposed development is likely

to result in any adverse impacts on protected and/or UK Priority species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006))."

- 8.52. A preliminary Ecology Assessment (PEA) has been submitted with this application, it is noted that the consultant has recommended further emergence surveys for bats from buildings 1,4 and 5, and a closer examination of the potential roosting features in the surrounding trees to determine whether they are suitable for bats. A walkover survey for badgers is also recommended once bramble clearance is complete.
- 8.53. It is considered that in addition to this, details of site clearance methodology (for reptiles, breeding birds and hedgehogs), external lighting and ecological enhancements need to be secured by condition to be addressed at reserved matters stage.
- 8.54. This site is outside of the 13km 'zone of influence' for European designated sites, therefore a contribution towards the Suffolk Coast Recreational Disturbance Mitigation Strategy is not required.

#### Sustainable Construction

- 8.55. Policy WLP8.28 "Sustainable Construction" of the Local Plan requires that proposals for major residential development of 10 or more houses and commercial development schemes of 1,000sqm or more of floorspace should demonstrate through the submission of a sustainability statement that, where practical, they have been incorporated. This should include matters such as:
- Improved efficiency of heating, cooling, and lighting of buildings by maximising daylight and passive solar gain through the orientation and design of buildings.
  - Sustainable water management measures such as the use of sustainable drainage systems, green roofs and/or rainwater harvesting systems.
  - Locally sourced and recycled materials.
  - Renewable and low carbon energy generation into the design of new developments. Larger schemes should explore the scope for District heating.
  - Minimising construction waste, including designing out waste during the design stage, selecting sustainable and efficient building materials and reusing materials where possible.
  - Accessible and unobtrusive sustainable waste management facilities such as adequate provision of refuse, recycling and composting bin storage.
  - A show home demonstrating environmentally sustainable options which can be purchased and installed in homes bought off-plan.
- 8.56. It is considered appropriate to impose a condition requiring the submission of a sustainability statement in order that future development proposals meet the requirements of policy WLP8.28.

#### Life-time Design

- 8.57. Policy WLP8.31 - Lifetime Design requires that where appropriate proposals for development should demonstrate that the design supports the needs of older people and those with dementia.

- 8.58. All new housing developments on sites of 10 or more dwellings must make provision for 40% of all dwellings to meet Requirement M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings. Dwellings that meet Requirement M4(3) of Part M of the Building Regulations will be supported and can count towards the requirement above.
- 8.59. It is considered appropriate to impose a condition requiring details to be provided of this proportion of properties that meet the requirements highlighted within policy WLP8.31.

Financial contributions – Highways

- 8.60. Paragraph 56 of the NPPF is clear that planning obligations should only be sought where they meet all the following tests:
- Necessary to make the development acceptable in planning terms
  - Directly related to the development; and
  - Fairly and reasonably related in scale and kind to the development.
- 8.61. Within the highways response a contribution of £5,000 has been requested to improve the nearest bus stops to site by installing raised kerbs and a new pole.
- 8.62. In this case the requirement for a total contribution of £5,000 would meet the three tests within paragraph 56 of the NPPF. The request is related to the development by improving sustainable transport modes and making them more attractive to future residents as required by Policy WLP8.21 – “Sustainable Transport” and is reasonably related in scale and kind to the development and will therefore be sought through S106 agreement.

Financial contributions - Pre-school provision

- 8.63. Within section 5 of the Local Plan "Strategy for Bungay" the requirement for a new preschool setting is required on Land West of St. Johns which will be delivered under policy WLP5.2
- 8.64. This requirement is highlighted within Appendix 1 "Infrastructure and Delivery Framework" of the Local Plan Table A1.2 - Infrastructure Delivery Framework as highlighted below:

Project	Priority	Lead Provider	Approximate Cost	Funding Sources	Potential Funding Amount	Required Developer Contribution	Type of Developer Contribution	Potential Remaining Funding Gap	Potential Funding Sources to Fill Gap	Timescale/Progress
1 new Pre School setting at Land West of St Johns Road, Bungay (Policy	Essential	Suffolk County Council	£500,000	None	£0	£500,000	Section 106	£0	None	Short-medium term

- 8.65. From these development proposals Suffolk County Council would anticipate up to 6 FTE pre-school children arising (one FTE is based on a place used for 30 hours per week).
- 8.66. In respect of the developer contributions sought to mitigate the harm arising from this proposed scheme the following trigger points are required:
- a) Build cost contribution (BCIS linked) of £87,180 (2018/19 costs) to be payable prior to 1st dwelling occupation. To be secured by way of a planning obligation.

- b) Land contribution of £4,524 to be payable prior to 1st dwelling occupation. To be secured by way of a planning obligation.
- c) The developer contributions will be secured for a period of up to 10 years and returned if not spent.

8.67. In this case the requirement for a total contribution of £91,704 would meet the three tests within paragraph 56 of the NPPF and will be sought through the S106 agreement.

#### Design of Development

8.68. Paragraph: 013 Reference ID: 26-013-20191001 of the NPPG encourages the use of conditions highlighting design parameters when determining outline applications to influence the design of future detailed development proposals:

8.69. "During the decision-making stage, where limited design documentation has been prepared as part of the outline planning application, a local planning authority can consider using conditions to ensure that fundamentally important principles are respected in detailed design and to set out if there are further detailed design requirements to make a scheme acceptable. Conditions on design can be identified at the outline planning application stage allowing for the details to be submitted for later determination as part of a reserved matters application".

8.70. Therefore condition 28 of this report sets out key design parameters which provides policy based criteria that should be adhered to by the future developer when designing a detailed scheme.

### **9. Conclusion**

9.1. Although the site is not allocated for residential development under the current, adopted Development Plan for the Waveney area of East Suffolk, the application site is situated within the settlement boundary of Bungay and would represent efficient use of an unused piece of land which is well located in terms of access to services and facilities within Bungay.

9.2. Within the application detailed consideration has been given to flood risk from all forms of flooding, taking into account the current risk to the site and also the position when climate change is considered, as required by the NPPF and the Local Plan. It has been demonstrated through the modelling exercise of the Tin River that the site is situated within Flood Zone 1 which represents a low risk at a 0.1% (1:1000 year) probability of flooding in any one year. It is also considered that the information within the FRA demonstrates that a suitable approach to surface water flooding has been taken within the drainage strategy.

9.3. It has been demonstrated to the satisfaction of officers and Suffolk County Council as highways authority that the proposed access point onto Wingfield Street would allow suitable and safe access to the site when taking into account the traffic speeds in this area. Furthermore, it is considered that the surrounding road network can cope with the additional traffic that would be generated from this scale of development when taking into

account other allocated sites in Bungay without causing an unacceptable impact on highway safety.

- 9.4. Whilst local objection to the application is noted and has been duly considered, officers are of the view that significant material harm would not arise from this proposal. The proposal would also give rise to significant public benefits including (but not limited to): up to a 40-dwelling contribution to housing supply, with a 30% provision for affordable homes; contribution towards a new pre-school facility, pedestrian and cycling connectivity through the site, short term construction job creation and longer term spend in the local economy by future residents.
- 9.5. Therefore, the proposal is considered to represent a sustainable form of development and officers recommend that planning permission be granted.

## **10. Recommendation**

10.1. Authority to Approve with conditions as set out below and subject to completion of a S106 agreement securing:

- Affordable housing provision;
- Open space provision and long-term site management; and
- A financial contribution towards a new pre-school setting in Bungay.

1. a) Application for approval of any reserved matters must be made within three years of the date of this outline permission and then
- b) The development hereby permitted must be begun within either three years from the date of this outline permission or within two years from the final approval of the reserved matters, whichever is the later date.

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

2. Details relating to the layout, scale, appearance, access and landscaping of the site (the "reserved matters"), shall be submitted to and approved by the Local Planning Authority before any development is commenced.

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

3. The development hereby permitted shall be completed in all respects strictly in accordance with the Site Location Plan, drawing no. BRL – 01 received 03 October 2018, 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.

4. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be in accordance with the approved FRA and include:
  1. Dimensioned plans and drawings of the surface water drainage scheme;
  2. 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;
  3. 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;
  4. 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;
  5. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
  6. Topographical plans depicting all exceedance flowpaths 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;
  7. Details of how existing surface water flooding will be managed, supported by sufficient modelling of proposed ground levels and site layout

The scheme shall be fully implemented as approved.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development.

5. Concurrent with the first reserved matters application(s) details of the implementation, maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

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

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

Reason: To ensure all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act.

7. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site

during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

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

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

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses in line with the River Basin Management Plan

8. No part of the development shall be commenced until details of the proposed pedestrian cycle and vehicular access (including the position of any gates to be erected and visibility splays provided) has been submitted to and approved in writing by the Local Planning Authority. The approved access(es) shall be laid out and constructed in their entirety prior the occupation of any dwelling. Thereafter the access(es) shall be retained in their approved forms.

Reason: To ensure that access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

9. Concurrent with the first reserved matters application the results of a Road Safety Audit (Stage 1/2) on the design of the development's proposed access onto Wingfield Street shall be submitted, complete with the signed 'Road Safety Audit Response Report' produced by the developer's design team. The Road Safety Audit shall be carried out in compliance with GG119 (formerly HD 19/15) subject to any departures agreed in advance with the planning authority.

Reason: In the interests of highways safety the developer is required to undertake and submit a Road Safety Audit in support of the 'access' reserved matters application.

10. The development shall not be occupied until a Stage 3 Road Safety Audit (RSA) has been undertaken on the new Wingfield Street access and any requirements under this Stage 3 RSA have been completed or a programme of remedial works has been agreed with the Local Planning Authority.

Reason: In the interests of highway safety to ensure the approved layout is properly designed.

11. Concurrent with the first reserved matters access application details of a scheme to provide a shared-use cycle track to connect Garden Close, Pilgrims Way and Wingfield Street shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to occupation of any dwelling.

Reason: In the interests of highway safety to reduce conflict between non-motorised and motorised traffic, to encourage the sustainable transport benefits of walking and cycling, and improve pedestrian and cyclist connectivity between residential areas, the town centre and increase access to nearby schools and play areas as per National and Local Planning Policies including Waveney Local Plan Policy WLP8.21 and the Waveney Cycle Strategy (2016) BU12.

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

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

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

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

14. Before the development is commenced details of the areas to be provided for storage of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

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

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

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

- 1) A desk study and site reconnaissance, including:
  - o a detailed appraisal of the history of the site;
  - o an inspection and assessment of current site conditions;

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

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

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

All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including BS10175:2011+A1:2013 and CLR11.

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

17. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:
- o details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
  - o an explanation, including justification, for the selection of the proposed remediation methodology(ies);
  - o proposed remediation objectives and remediation criteria; and
  - o proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

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

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

18. Prior to any occupation or use of the approved development the RMS approved under condition 17 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

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

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

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

20. 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. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

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

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 WLP8.40 of the East Suffolk Council - Waveney Local Plan (March 2019) 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 WLP8.40 of the East Suffolk Council - Waveney Local Plan (March 2019) and the National Planning Policy Framework (2019).

23. All hedges or hedgerows within the site, unless indicated as being removed on the approved drawings, shall be retained for at least five years following practical completion of the approved development, unless otherwise agreed by the Local Planning Authority; and these hedges shall be protected by the erection of secure fencing, to the satisfaction of the Local Planning Authority in accordance with the relevant British Standards (BS5837:2012 Trees in relation to design, demolition and construction - Recommendations) for the duration of works on site.

Within the aforementioned five year period any parts of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the Authority's opinion, seriously damaged or otherwise defective shall be replaced and/or shall receive remedial action as required by the Authority. Such works shall be implemented by not later than the end of the following planting season, with plants of such size and species and in such number and positions as may be agreed with the Authority. The hedge(s) shall be reinforced with further planting where necessary to the satisfaction of the Local Planning Authority.

Reason: To ensure the continuity of amenity afforded by existing hedges or hedgerow.

24. Concurrent with the first reserved matters application up to date surveys for bat roosts (in buildings and trees) and badgers will be undertaken and submitted to the Local Planning Authority for approval in writing. Avoidance, mitigation, compensation and enhancement measures identified through these surveys must form part of the development design included within the Reserved Matters.

Reason: In the interests of species protected by the Wildlife and Countryside Act 1981 as required by Policy WLP8.34 - "Biodiversity and Geodiversity" of the East Suffolk Council - Waveney Local Plan (Adopted 20 March 2019).

25. No external lighting shall be provided on the site until, a "lighting design strategy for biodiversity" has been submitted to and approved in writing by the local planning authority. The strategy shall:

a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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: In the interests of species protected by the Wildlife and Countryside Act 1981 as required by Policy WLP8.34 - "Biodiversity and Geodiversity" of the East Suffolk Council - Waveney Local Plan (Adopted 20 March 2019).

26. No development, demolition, site clearance (including clearance of vegetation), earth moving shall take place or material or machinery brought onto the site until a plan detail how ecological receptors (particularly protected and UK Priority species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006))) will be protected during site clearance has been submitted to and approved in writing by the local planning authority. All site clearance (including clearance of vegetation) shall be undertaken in accordance with the approved plan.

Reason: In the interests of species protected by the Wildlife and Countryside Act 1981 as required by Policy WLP8.34 - "Biodiversity and Geodiversity" of the East Suffolk Council - Waveney Local Plan (Adopted 20 March 2019).

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

Reason: In the interests of species protected by the Wildlife and Countryside Act 1981 as required by Policy WLP8.34 - "Biodiversity and Geodiversity" of the East Suffolk Council - Waveney Local Plan (Adopted 20 March 2019).

28. Any future application for approval of reserved matters shall incorporate the following 'Design Parameters' into the Development proposal.

General Design:

An assessment under building for life 12 should accompany any future application, demonstrating positive outcomes against the guidelines, as required by Policy WLP8.29 - "Design".

Open space:

New development must be laid out in a manner which provides a strong and positive relationship with the existing open space to the East of the site, supporting safe, convenient and well-overlooked connections for pedestrians and cyclists. As required by policy WLP8.29 "Design", WLP8.30 "Design of open spaces" and WLP8.21 "Sustainable Transport" and the Waveney Cycle Strategy (2016).

In accordance with the requirements of Policy WLP8.30 "Design of Open Spaces", the layout of the development should ensure that the open space is integral to the scheme, demonstrating a clear function with design and landscaping to a high standard. The open space should have a strong and positive relationship to adjacent properties and adjoining spaces, ensuring it is well overlooked to promote public safety and deter crime and antisocial behaviour.

Parking:

As required by building Policy WLP8.29 "Design", the development layout should demonstrate well-integrated car parking and landscaping to create a high-quality public realm and avoiding a car dominated environment. Consideration should be given to incorporating a range of parking solutions to meet this objective.

Scale:

Future development proposals shall respond to local context and the form of surrounding buildings. A maximum of two storey height is expected and shall consist of a good mix of house types in order that the development complements local character and distinctiveness and preserves or enhances the adjoining Conservation Area. These elements must be clearly demonstrated in a Heritage Impact Assessment in accordance with policy WLP8.37 "Historic Environment".

Cycling/pedestrians

Good quality and well overlooked pedestrian and cycle connections must be provided to connect Garden Close, Pilgrims Way and Wingfield Street. As required by policy WLP8.21 "Sustainable Transport" and as required in the Waveney Cycle Strategy.

Reason:

In order to provide a high level of design quality as required by Policy WLP8.29 "Design" of the Local Plan the NPPF and NPPG.

29. Concurrent with the first reserved matters application, details shall be submitted to the Local Planning Authority, through the submission of a sustainability statement, which demonstrates that Sustainable Construction methods have been incorporate into the development proposal. The development shall thereafter be carried out in accordance with the approved details unless otherwise approved in writing.

Reason: in accordance with the sustainable construction objectives of policy WLP8.28 of the East Suffolk (Waveney) Local Plan.

30. Concurrent with the first reserved matters application, details shall be submitted to the Local Planning Authority for approval demonstrating how 40% of the proposed dwellings shall be designed to meet requirement M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings. The development shall thereafter be carried out in accordance with the approved details unless otherwise approved in writing.

Reason: in accordance with the lifetime design objectives of policy WLP8.31 of the East Suffolk (Waveney) Local Plan.

#### **Informatives:**

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

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

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

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

CIL forms can be downloaded direct from the planning portal:

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

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

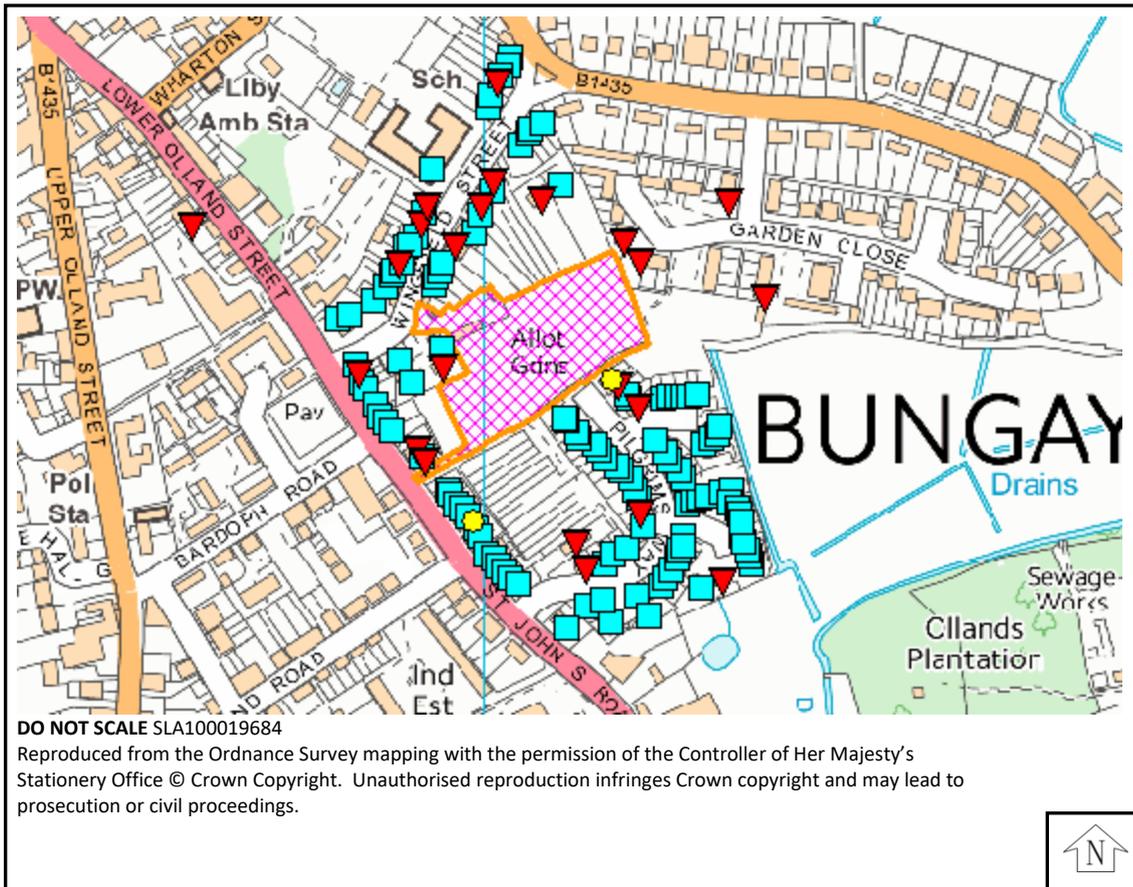
3. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing. For further information please visit <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>
4. The Local Planning Authority recommends that developers of housing estates should enter into formal agreement with the Highway Authority under Section 38 of the Highways Act 1980 relating to the construction and subsequent adoption of Estate Roads. For further information please visit: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

Please note that this development may be subject to the Advance Payment Code.

#### **Background information**

See application reference DC/18/4104/OUT at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PG0X0SQXLS900>

## Map



## Key

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

## **Committee Report**

**Planning Committee - 11 February 2020**

**Application no DC/20/0003/FUL**

**Location**

47 Southend Road

Bungay

Suffolk

NR35 1DN

**Expiry date** 27 February 2020

**Application type** Full Application

**Applicant** Mr Danny Clarke

**Parish** Bungay

**Proposal** Side and rear extensions and replacement windows

**Case Officer** Iain Robertson  
(01502) 523067  
[iain.robertson@eastsoffolk.gov.uk](mailto:iain.robertson@eastsoffolk.gov.uk)

### **1. Summary**

- 1.1. Planning permission is sought for the construction of a first-floor side and single storey rear extension and replacement windows to the property which is situated within the Bungay Conservation Area. The dwelling is noted as being a building of local importance within the Conservation Area Appraisal.
- 1.2. The Conservation Area is protected by an Article 4 (2) direction which removes permitted development rights for such alterations which would not otherwise require planning permission. In this case it relates to the replacement windows, with the door having been granted consent to be replaced in March 2019.
- 1.3. The proposal is considered to preserve the character and appearance of the Conservation Area and is therefore recommended for approval.
- 1.4. This item has come before Members as the applicant is employed by East Suffolk Council.

## 2. Site description

- 2.1. The property subject to this application is one half of a pair of late nineteenth-century dwellings constructed from gault brick, rendered and painted with a slate roof and end ridge stacks. Each pair of dwellings are two-storey and have two windows with entrance doors at the centre creating a symmetrical appearance within the street. There are wedge lintels over the ground floor openings.
- 2.2. The dwelling is located on the eastern side of Southend Road and is midway along the road, where the road curves round from the northeast to the south, with St Johns Road junction being to the north-east and Tower Mill Road to the south.
- 2.3. The area is mixed in character although there is a predominance to late Victorian two-storey dwellings either in terraced or semi-detached form, with more modern dwellings mixed in - generally of single storey form.

## 3. Proposal

- 3.1. First floor side and single storey rear extensions and replacement windows.

## 4. Consultations/comments

- 4.1. No third-party comments have been received in respect of this application.

### Consultees

#### Parish/Town Council

Consultee	Date consulted	Date reply received
Bungay Town Council	3 January 2020	23 January 2020
Summary of comments: Recommended for approval with no additional comments.		

## 5. Publicity

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

Category	Published	Expiry	Publication
Conservation Area	10 January 2020	31 January 2020	Beccles and Bungay Journal
Conservation Area	10 January 2020	31 January 2020	Lowestoft Journal

## 6. Site notices

General Site Notice

Reason for site notice: Conservation Area  
Date posted: 10 January 2020  
Expiry date: 31 January 2020

## **7. Planning policy**

- 7.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Local Planning Authority's Development Plan, unless material considerations indicate otherwise.
- 7.2. The East Suffolk Council – Waveney Local Plan (2019) policies are considered relevant:
- WLP8.29 - Design
  - WLP8.37 - Historic Environment
  - WLP8.39 - Conservation Areas
- 7.3. The National Planning Policy Framework (NPPF 2019) and National Planning Policy Guidance (NPPG) are material considerations.

## **8. Planning considerations**

### Residential amenity:

- 8.1. The proposed first floor extension is to be constructed above the existing garage. The dwelling to the immediate north is of a single storey form with one window in the side elevation facing the application site and is set back from the front of the garage by approximately three metres. There is approximately four metres separation between the dwellings which are separated by a close board fence. There are no windows directly overlooking the adjacent property and the rear window is a high-level window thereby maintaining privacy. There is unlikely to be any significant loss of light or overshadowing due to relationship, orientation and scale of the extensions, with the ground floor corner being chamfered and angled away from the property to maintain distances insofar as possible. The window in the chamfered element is obscured glazed as it serves a downstairs WC, with the only addition being a side entrance door to access the utility room.
- 8.2. The ground floor flat roofed element projects four metres from the rear of the property. The closest opening on the adjoining property is a rear door which is covered by a light-weight structure, this serves as a rear entrance to the property into the kitchen area. This aspect of the proposal would not impact significantly on the amenity of the adjoining property.
- 8.3. The proposal would therefore protect the amenities of neighbouring residential properties as required by Policy WLP8.29 – “Design”.

### Visual amenity and street-scene:

- 8.4. With regards to the visual amenities and street-scene there would be some limited impact created by the construction of the first floor extension however there are other properties in the area which have been extended in a similar manner and it is of a form that is not unusual for this type of property. The proposed extension is subordinate to the main

property and will be clearly read as an extension and therefore will not have a significant or detrimental impact on the visual amenities of the area or the street-scene.

#### Heritage Considerations:

- 8.5. The planning considerations within this application relate to the impact of this proposal on the character and appearance of the Conservation Area and the architectural and historic interest of a building, highlighted as being of local importance. The Bungay Conservation Area is a designated heritage asset, section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. This is reflected in the heritage objectives of the NPPF and Local Plan policies WLP8.37 and WLP8.39.
- 8.6. With regard to the proposed extensions and replacement of windows to the front within the Conservation Area, the Built Heritage and Design SPD provides a point-based system to provide guidance in determining such applications. This is based on the prominence of the location, the building and the feature to be replaced. This is not relevant to the proposed extension but is required when considering the proposed replacement windows.
- 8.7. Southend Road is not in a prominent location within the Conservation Area and scores only 1 point for location. The property is however prominent in a group on Southend Road and is largely intact and is therefore given a score of 3 points, with the windows being non-original and therefore there is a 0 score for these, giving a total of 4 points. The SPD guidance therefore suggests that a suitably designed uPVC replacement is acceptable.
- 8.8. Whilst it is difficult to achieve precise replica's in uPVC, the proposed windows are reflective of the windows in the adjacent semi-detached pair at 51-53 and will not detract from the dwelling itself or the Conservation Area as a whole and are, therefore, considered acceptable.
- 8.9. Furthermore, the proposed first floor extension would be subservient and recessive. Although it would be rendered, this is considered acceptable as a matching brick would be hard to achieve satisfactorily - and a contrast would have a lesser impact than that of poorly matched brick. For the reasons given, the proposals would preserve the character and appearance of the Conservation Area in accordance with The Act, NPPF and relevant Local Plan policies.

#### Parking:

- 8.10. The existing garage is being converted into living accommodation as part of this proposal. The garage is small at 4.8m x 2.8m; the space in front of this is of minimal depth at 3.4m, neither of which allows for convenient parking. The garage does not appear to be used for the parking of a car which means that cars parking on the space in front of the garage obstructs the carriageway. Although the garage would be lost the extension is set further back from the road at 4.5m. Although this is not a standard sized space it is a better situation than currently exists.

## **9. Conclusion**

- 9.1. The proposal shows the first-floor side, single storey rear extensions and the replacement of the windows using an acceptable design which is considered to be an appropriate form of development for the residential context.
- 9.2. In this case the proposal is considered to preserve the character and appearance of the Bungay Conservation Area and would therefore comply with the requirements of the Act and the Local Plan Policies. WLP8.29 “Design”, WLP8.37 “Historic Environment” and WLP8.39 – “Conservation Areas”.

## **10. Recommendation**

10.1. That planning permission be APPROVED subject to the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with drawing P01 and window specification drawing W01; received 02 January 2020, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building unless annotated otherwise on the drawing hereby approved.

Reason: To ensure the satisfactory external appearance of the development.

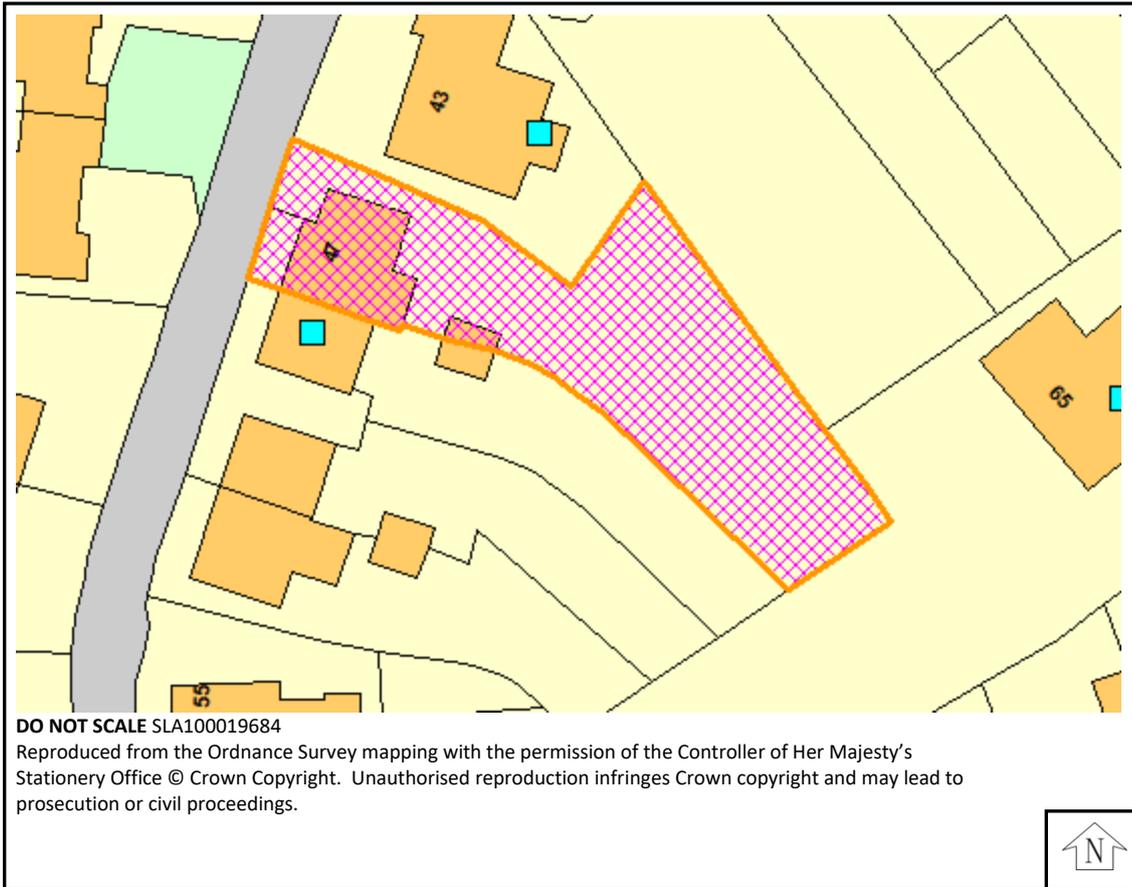
### **Informatives:**

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

### **Background information**

See application reference DC/20/0003/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q3H7SUQX07400>

## Map



## Key

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

## **Committee Report**

Planning Committee – 11 February 2020

**Application no** DC/19/3918/FUL

**Location**

79 Rushton Drive  
Carlton Colville  
Lowestoft  
Suffolk  
NR33 8GB

**Expiry date** 23 January 2020

**Application type** Full Application

**Applicant** Mrs Zoe Botten

**Parish** Carlton Colville

**Proposal** Extend the size of existing lounge onto the front garden

**Case Officer** Debbi Wicks  
01502 523020

[debbi.wicks@eastsoffolk.gov.uk](mailto:debbi.wicks@eastsoffolk.gov.uk)

### **1. Summary**

1.1. The application comes before planning committee as the applicant is an employee of East Suffolk Council.

1.2. This householder application seeks planning permission for the construction of a single storey front extension to a detached property in Lowestoft. The proposal is acceptable and in accordance with the Local Plan. Approval is therefore recommended.

### **2. Site description**

2.1. The subject property is a modern, detached dwelling positioned as part of a group of four, served by a private drive leading from Rushton Drive which is the main distributor road through a large housing development in Carlton Colville. The site is within the settlement boundary and directly adjoins the southern side of a recently constructed main highway

known as the South Lowestoft Relief Road. Consequently, there is a wide, landscaped green buffer to the north side of the applicant's boundary fence.

- 2.2. The four dwellings in the group are arranged as two pairs facing one another and no.79 differs in that it is the only one of the four which does not have a garage. The property is positioned behind no. 77 and is also set back further from the eastern front wall which means that it is currently fairly concealed from Rushton Drive.
- 2.3. The group also differs in external appearance with the two dwellings at the rear faced in buff brick while to the front of the site no. 77 is red brick and no.83 has a white rendered and painted exterior, stone sills and a contrasting window design. There is a central brickweave shared driveway and an open grassed area retained to the front of 77 and 79.
- 2.4. There is no relevant planning history and the site is not located within a conservation area or subject to any other planning constraints.

### 3. Proposal

- 3.1. This application proposes a forward extension of the living room on the northern side of the property, projecting just under 3.5 metres and five metres wide and to a height of 4.3 metres at the central apex of the pitched roof. The extension will be constructed in brick and tiles to match the host dwelling.

### 4. Consultations/comments

- 4.1. No third party representations have been received.

#### Consultees

##### Parish/Town Council

Consultee	Date consulted	Date reply received
Carlton Colville Town Council	3 December 2019	31 December 2019
Summary of comments: Approval.		

### 5. Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 10 December 2019

Expiry date: 3 January 2020

### 6. Planning policy

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination is made in accordance with the Development Plan unless material considerations indicate otherwise. The relevant policies of the Development Plan are:

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

6.3. The National Planning Policy Framework is also a material consideration.

## **7. Planning considerations**

7.1. The key considerations in assessing this proposal are its resultant visual impact, being forward of the principal elevation and the relationship with surrounding buildings in terms of scale and proportions.

### Siting and scale

7.2. The area where the extension is proposed is currently underused and is purely an open visual gap. From the floor plans supplied, the present living room does appear rather small and doubling its depth on the part of the site and in the manner proposed would seem to be a natural expansion of the property with minimal impact arising. The additional footprint is not considered to be excessive and the resultant scale and massing will be in harmony with the host dwelling.

### Neighbour Impact

7.3. Due to the positioning of the extension, there can be no neighbour amenity impact as there is no neighbouring dwelling to the north side of the site and the proposal will be shielded from the eastern neighbour by their own double garage located in between the fronts of the two dwellings. The two properties to the south of the grouping will be unaffected.

### Design and Appearance

7.4. With regard to form and design, the proposal will replicate the gabled front projection to which it will be attached, with a sympathetic design, albeit with no east facing aperture proposed. This is understandable, however, given the context - as any window in the new gable would have a restricted outlook due to the neighbour's garage alignment. The proposed northern side wall will be seen from the bypass but will be no closer to the boundary than many others in the vicinity and will not look prominent or out of keeping with its surroundings.

## **8. Conclusion**

8.1. All elements of the proposal are deemed compliant with the aims of policy WLP8.29 and as such no objection is raised by officers.

## **9. Recommendation**

9.1. Approval recommended.

### **Conditions:**

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with the Site Plan and Drawing No. 2554.19.1 received 15th October and 29th November 2019, 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 to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason: To ensure the satisfactory external appearance of the development.

### **Informatives:**

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

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

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

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

CIL forms can be downloaded direct from the planning portal:

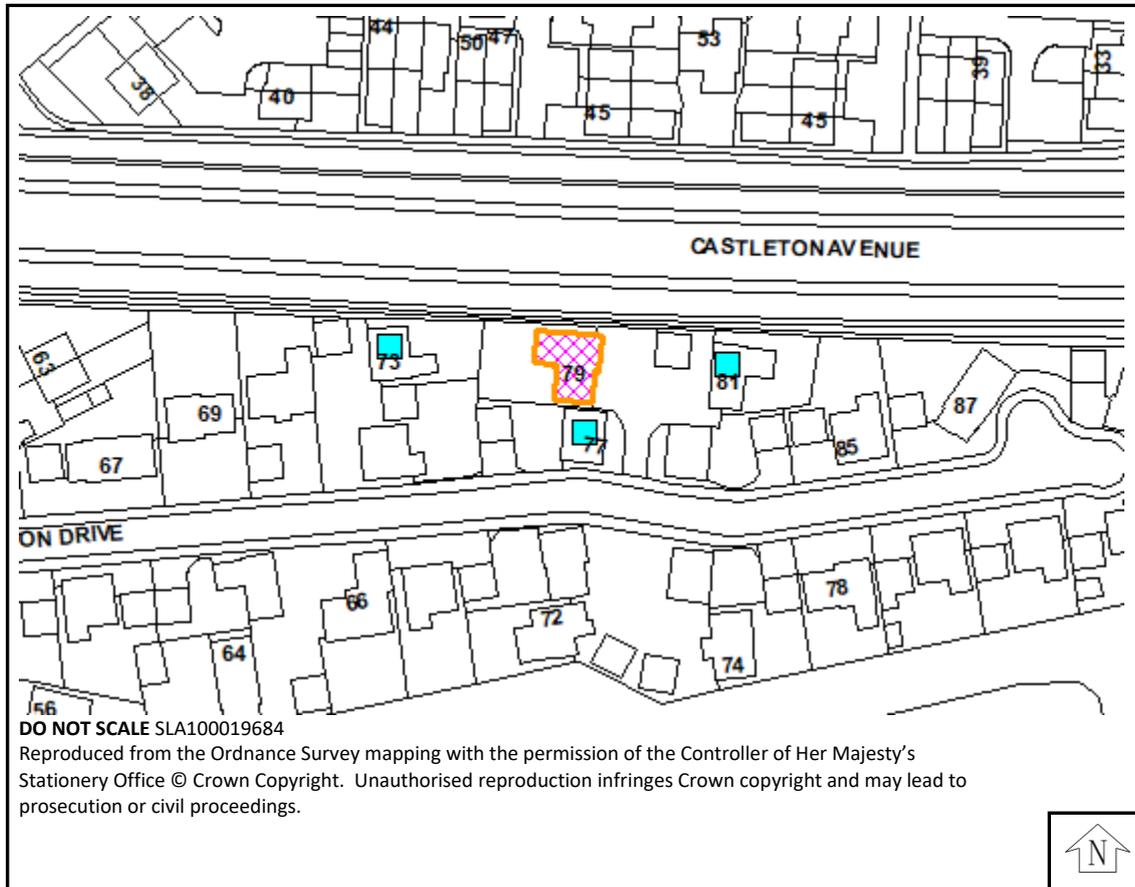
[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

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

## Background information

See application reference DC/19/3918/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PYYK4HQXMZ400>

## Map



## Key

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

## **Committee Report**

**Planning Committee** - 11 February 2020

**Application no** DC/19/4696/FUL

**Location**

37 Common Lane

Beccles

Suffolk

NR34 9RH

**Expiry date** 26 January 2020

**Application type** Full Application

**Applicant** Mr & Mrs A/G & J Mobbs Saunders

**Parish** Beccles

**Proposal** Extension and alterations

**Case Officer** Debbi Wicks  
01502 523020

[debbi.wicks@eastsoffolk.gov.uk](mailto:debbi.wicks@eastsoffolk.gov.uk)

### **1. Summary**

- 1.1. This householder application proposes a single storey rear extension to the property. No objections have arisen, and officers are supportive of the scheme.
- 1.2. The application has come before Planning Committee because the landowner is East Suffolk Council.

### **2. Site description**

- 2.1. The subject property is a semidetached red brick two storey dwelling located along Common Lane in Beccles. The site is within the town boundaries and overlooks allotment gardens to the east. There is no heritage impact or other planning constraints and no relevant planning history.
- 2.2. There are terraced dwellings to the south and rear of the site and a large community sports hall and playing fields to the north.

### 3. Proposal

- 3.1. The proposal looks to add a single storey flat roofed extension across the rear of the property to a depth of 5.3 metres in matching facing brick.
- 3.2. There is presently a flat roofed brick outbuilding positioned close to the house and up to the central dividing boundary with the adjoining neighbour. This has been linked to the dwelling by a lightweight structure that has a sloping roof. The tallest part of that roof, where it abuts the dwelling, finishes at a height of three metres and it is proposed that the new flat roofed extension will align through at the same height.
- 3.3. The extension would not adjoin the existing rear projection but there would instead remain a one-metre-wide open walkway between the two structures, for access from the lobby. The family's requirements are such that this extension will allow two bedrooms to be created at ground floor level and the living room relocated to the rear.

### 4. Consultations/comments

- 4.1. No third party representations have been received.

#### Consultees

#### Parish/Town Council

Consultee	Date consulted	Date reply received
Beccles Town Council	5 December 2019	19 December 2019
Summary of comments: Approved.		

### 5. Publicity

#### Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 13 December 2019

Expiry date: 8 January 2020

### 6. Planning policy

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination is made in accordance with the Development Plan unless material considerations indicate otherwise. The relevant policies of the Development Plan are:

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

- 6.2 The National Planning Policy Framework is a material consideration.

## **7. Planning considerations**

- 7.1. The key consideration is impact arising from scale and massing as a result of the 5.3 metre projection.
- 7.2. The fallback position in terms of permitted development would be an extension with a maximum three metre depth as the dwelling is semi-detached. The proposed depth, in combination with the three metre height, could cause amenity issues in certain situations and hence is controlled. However, this control has been relaxed by way of the Prior Notification process for larger extensions with a maximum of six metres projection and three metres high and, in fact this proposal, does fall within those parameters and could therefore be constructed under permitted development as the neighbour has raised no material planning concerns.
- 7.3. As a full application has been submitted for consideration, the effects upon neighbour amenity have been assessed and the proposal is found to be acceptable due to the position of the existing offshot in between the development and the adjoining semi-detached neighbour, which finishes at the same depth. Furthermore, the neighbour to the south side is a bungalow; however, spacing and orientation are such that the resultant massing will not result in adverse shading, loss of outlook or dominance from that side.

## **8. Conclusion**

- 8.1. The proposal satisfies policy WLP8.29 with regard to scale, height, design and impact upon adjacent neighbours and is therefore supported.

## **9. Recommendation**

- 9.1. Approval recommended.

## **10. Conditions:**

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with the Site Location Plan and proposed drawing nos. 420/4 (Floor Plans), 420/5 (Elevations), 420/6 (Section) and 420/7 (Block Plan) received 2nd December 2019, 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 to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason: To ensure the satisfactory external appearance of the development.

**Informatives:**

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

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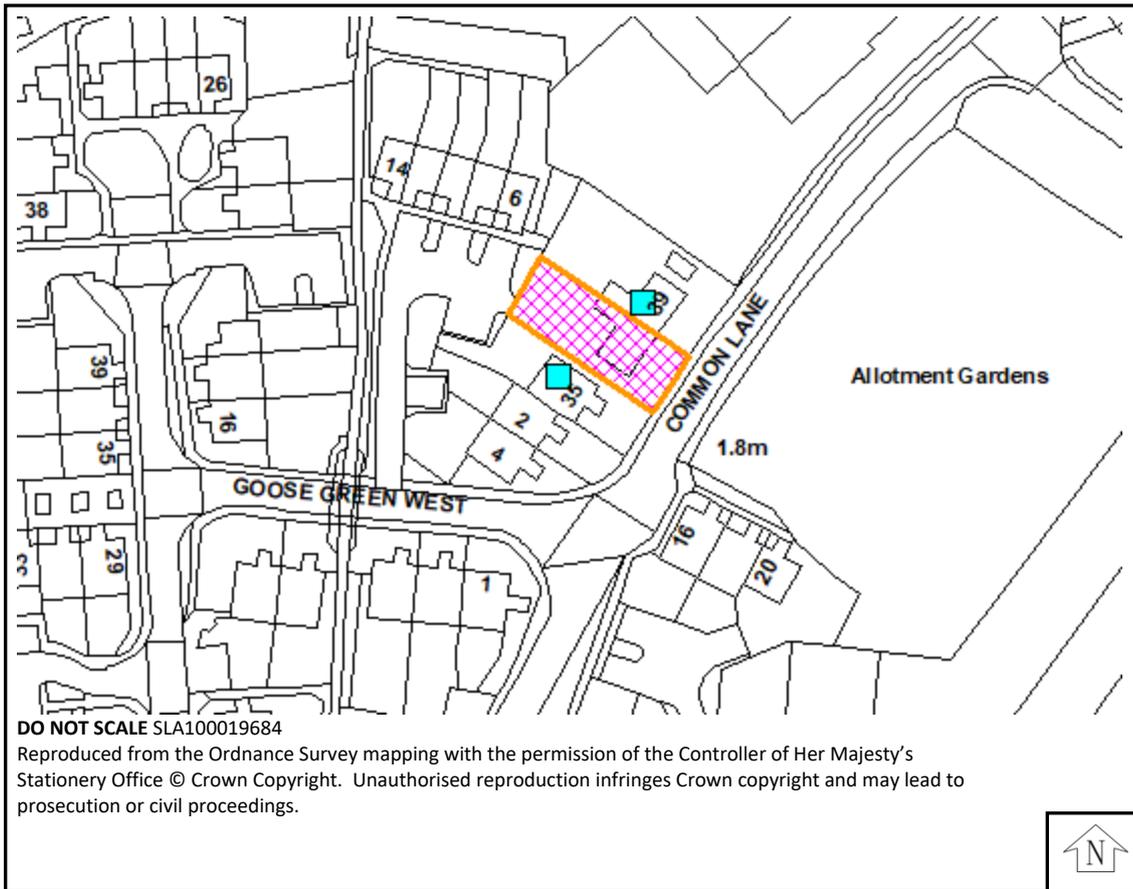
[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

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

**Background information**

See application reference DC/19/4696/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q1W5RIQX07400>

## Map



## Key

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-  Representation
-  Support