



## Committee Report

Planning Committee – 09 June 2020

Application no DC/19/1462/FUL

**Location**

Land Adjoining 8  
The Street  
Darsham  
Suffolk

**Expiry date** 10 July 2019

**Application type** Full Application

**Applicant** Hopkins & Moore (Developments) Limited

**Parish** Darsham

**Proposal** Erection of 26 Residential Dwellings, together with associated access, car parking and open space

**Case Officer** Joe Blackmore, Principal Planner (Development Management)  
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### 1. Summary

- 1.1 The application seeks full planning permission for the development of 26 dwellings and associated development on land to the north side of The Street, Darsham.
- 1.2 Under the current, adopted Development Plan for the Suffolk Coastal area of East Suffolk, the site is not allocated for development and is therefore in the countryside, for planning purposes. The proposed development represents housing in the countryside and a departure from the adopted Development Plan - and thus has been brought direct to planning committee for determination.
- 1.3 However, the application site is an allocation in the emerging Suffolk Coastal Final Draft Local Plan (January 2019) (policy SCLP12.49). The plan is at an advanced stage in the process and this specific allocation policy is deemed to be consistent with the National Planning Policy Framework (2019). The site is also sustainably located and would represent infilling of a gap between existing residential development. Thus, whilst the proposal represents a

departure from the current adopted spatial strategy of the Development Plan, weight can be given to policy SCLP12.49 as a site allocation for residential development. The sustainable location of the site also weighs in favour of the principle of development.

- 1.4 The proposal is considered to be well-designed and suitably related to the existing character of the village, including the local residential environment. Safe and suitable access can be achieved whilst retaining the frontage trees protected by Tree Preservation Order. Local concern related to disruption in the construction phase could be properly controlled through a conditional construction method statement.
- 1.5 There would be significant public benefits from the proposal including (but not limited to): a 26-dwelling contribution to housing supply; eight affordable homes; short term construction job creation; and longer term, spend in the local economy by future residents.
- 1.6 The proposal is therefore considered to represent a sustainable form of development and officers recommend that planning permission be granted.
- 1.7 The application was considered at the Planning Committee North meeting in January 2020, with a decision deferred until the examining Inspector had issued his post-hearings letter on the Suffolk Coastal Final Draft Local Plan. The Inspector's letter of February 2020 states that 'subject to main modifications the Plan is likely to be capable of being found sound and legally compliant'. The Main Modifications consultation is currently underway (1 May 2020 - 10 July 2020). No modifications are proposed to the key relevant site allocation policy SCLP12.49. On that basis, officers consider that this policy can now be given considerable weight in support of the proposal.
- 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 compliance and further details, where necessary, as detailed in the recommendation section of this report.

## **2. Site description**

- 2.1 Darsham is a small village to the east of the A12 approximately halfway between Ipswich and Lowestoft. The village has a small number of facilities including a village hall and a public house. Darsham station is around 0.8 miles to the southwest of the village and provides rail connections to Ipswich and Lowestoft.
- 2.2 The application site is located on the north-western edge of Darsham and represents a gap within the existing developed area in this part of the village, with development of Millfields immediately to the east of the site having recently taken place. Planning Permission has also been granted for residential development on land to the south east of the site on the opposite side of The Street that is currently under construction (The Cheyney Green Development). That development incorporates the provision of a new village hall.
- 2.3 The application site is broadly rectangular in shape and covers some 1.1 hectares to the north side of The Street where it forms the junction with Fox Lane. The majority of the site is well-maintained grassland with scrub, species-rich hedgerow and mixed deciduous trees

delineating the southern, western and northern boundaries. The site is relatively flat and there is an existing field access at the southern edge, from The Street.

2.4 There is a recent residential development to the east, further residential development to the west and south, and arable land to the north. As the site falls outside the drawn Darsham settlement boundary it is a countryside location, for planning purposes.

2.5 There is no relevant planning history to report for the application site.

### **3. Proposal**

3.1 The application seeks full planning permission for the erection of 26 Residential Dwellings together with associated access, car parking, drainage and open space.

3.2 The development proposal has been amended during the determination period in response to local comments, consultation responses and officer feedback; the proposal for consideration includes the following key elements:

- 26 dwellings, comprising 18 open market dwellings and 8 affordable dwellings;
- Areas of public open space;
- Frontage pedestrian footway;
- Surface water drainage strategy;
- Comprehensive site landscaping proposal; and
- Associated development.

3.3 The proposed development would take vehicle access from The Street at the eastern end of the site frontage. This will involve the removal of around 40 metres of hedgerow and some existing trees in that area to facilitate visibility splays from the highway access point. The frontage Oak trees (protected by Tree Preservation Order) to the central and western half of the site would be retained as part of the development proposal.

3.4 The layout is generally organised around a main shared surface road running west-east through the site with private drives running off that to serve smaller groups of dwellings. Development along the southern frontage has been pulled back from The Street, to avoid the root protection areas of retained TPO trees, and the result is a curved building line in the central area with a semi-circular area of open space to the south, diagonally opposite the road junction with Fox Lane. Adjacent the vehicle access is further open space where the site adjoins Millfields, to the east; and then to the west side of the access is a shallow attenuation basin as part of the drainage strategy for the site.

3.5 The proposed buildings are standard house types for Hopkins & Moore Ltd – traditional in form and detailing, all two-storeys in height comprising a mix of external materials (various brick types, rendering, pantiles, slates, and painted weatherboard cladding).

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

4.1 49 letters of objection have been received that raise the following key concerns (inter alia):

- Darsham has already seen lots of residential development and there is not a housing need in the village;
- The village would, with all of the housing development, become a town;
- The Street is narrow and not suitable for more vehicles;
- More dwellings at the entrance to the village will divide the village into two: a commuter development at the entrance and established, older dwellings further down;
- Proposal does not respect rural character of the village;
- Proposal will put stress on local infrastructure;
- Removal of trees and hedgerows will harm the character and appearance of the village;
- Site is not yet allocated for development in the Local Plan;
- Construction works in the village are disruptive and this proposal would add to that impact;
- Development will result in loss of wildlife;
- Increased traffic in the village will result in serious accidents and congestion;
- Development will result in light pollution in the village;
- The proposal, in addition to proposed works at Sizewell, will result in disruption to local residents;
- Millfields and Cheyney Green are not in keeping with the village and nor would this proposal be in keeping;
- Bus service in the village is poor;
- Loss of outlook and view from neighbouring properties;
- The access will result in a dangerous staggered junction with Fox Lane;
- Darsham is not a sustainable location as there are very few services within the village;
- Parking provision is inadequate due to density of development;
- Darsham village plan recommends single depth plots complementing the rural nature of the village; and
- Development should be focussed on the site at Darsham Station;

## Consultees

### Parish/Town Council

Consultee	Date consulted	Date reply received
Parish Council	12 April 2019	16 May 2019
<p><i>"Darsham Parish Council object and oppose this application in the strongest possible terms. This decision [taken at the meeting on 14th May 2019] was unanimous with all 9 councillors rejecting the application.</i></p> <p><i>To ascertain the thoughts of the village a ballot for parishioners was undertaken. 68 ballots were cast, the result of this was - 67 AGAINST with 1 for."</i></p>		

## Statutory consultees

Consultee	Date consulted	Date reply received
SCC Flooding Authority	31 May 2019	17 June 2019
Summary of comments: Holding objection for further information.		

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	12 April 2019	20 May 2019
Summary of comments: Holding recommendation of refusal until matters addressed.		

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	12 April 2019	18 April 2019
Summary of comments: No objections; conditions recommended.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	12 April 2019	18 April 2019
Summary of comments: Holding objection for further information.		

Consultee	Date consulted	Date reply received
Network Rail	12 April 2019	No response
Summary of comments: No objections.		

## Non statutory consultees

Consultee	Date consulted	Date reply received
Development & Policy (SCDC)	2 May 2019	No response
Summary of comments: Internal; see report.		

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	N/A	7 May 2019

Summary of comments:

No objections. Standard advice given regarding building regulations compliance in terms of access and firefighting facilities; water supply; and sprinklers.

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	12 April 2019	3 May 2019

Summary of comments:

Holding objection as further survey work is required.

Consultee	Date consulted	Date reply received
SCDC Environmental Protection	12 April 2019	1 May 2019

Summary of comments:

No objections. See report for details.

Consultee	Date consulted	Date reply received
Mr Nick Newton	12 April 2019	3 May 2019

Summary of comments:

Internal consultee; comments incorporated into officer report.

Consultee	Date consulted	Date reply received
Suffolk Police Designing Out Crime Officer	12 April 2019	17 April 2019

Summary of comments:

Comment that layout is generally well-designed. Design guidance offered on some aspects of the layout.

Consultee	Date consulted	Date reply received
Mr Steve Newman	12 April 2019	15 April 2019

Summary of comments:

No comment; consulted in error.

Consultee	Date consulted	Date reply received
Police - Alan Keely Crime Reduction Beccles Police Station	12 April 2019	No response
Summary of comments: Comment that layout is generally well-designed. Design guidance offered on some aspects of the layout.		

Consultee	Date consulted	Date reply received
Disability Forum	12 April 2019	18 October 2019
Summary of comments: No objections but comments on accessibility of the dwellings and provision of bungalows.		

Consultee	Date consulted	Date reply received
Suffolk County Council Section 106 Officer	16 May 2019	7 June 2019
Summary of comments: Advice given on infrastructure requirements through CIL contribution and S106 planning obligations.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology (Internal)	13 May 2019	5 June 2019
Summary of comments: Internal consultee; comments incorporated into officer report.		

Consultee	Date consulted	Date reply received
Housing Development Team (Internal)	9 October 2019	No response
Summary of comments: No comments received.		

**Re-consultation consultees – in response to amended layout plans.**

Consultee	Date consulted	Date reply received
Disability Forum	26 September 2019	No response
Summary of comments: No further comments received.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	26 September 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology (Internal)	26 September 2019	31 October 2019
Summary of comments: Internal consultee; see officer report.		

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	26 September 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Mr Steve Newman	26 September 2019	No response
Summary of comments: See previous comments.		

Consultee	Date consulted	Date reply received
Darsham Parish Council	26 September 2019	10 October 2019

*Darsham PC objects to this planning application on the following grounds:*

*The land in question is not within the village envelope till the proposed Local Plan is adopted by East Suffolk Council following the recommendations of the inspector.*

*The PC has consistently opposed early development of this site, while acknowledging that it could be developed in 10 years' time, if the need for new houses dictates. In the consultation over the Local Plan, we asked that the Delivery Timescale should be changed from 2020-2025 to 2030-2035. This request was ignored. We then made representations to the inspector, who asked the planning department to take our views into account, a request they verbally agreed to at the inspector's meeting on the 17th September 2019. As the Local Plan has "over-allocated" delivery of houses in the early part of the plan period, (see appendix A page 436) we felt this to be a very reasonable request.*

*The reasons for our request are that Darsham has had two major developments of the past 4 years, the second one, of 20 houses, is still ongoing, with few if any of the new houses yet sold. There has been major disruption in the village caused by these developments (not least the Hopkins Homes*



Phase 1 estate). This has led to the street being impassable for the local bus on many occasions and consequent danger as emergency vehicles could not access the village from the A12. A further building site without means of storage off site (which existed in phase 1) would inevitably lead to major problems on the street, a problem not even mentioned by Hopkins Homes in their application.

There is also the question of social integration. We have welcomed new residents from the new estate and look forward to welcoming the new residents from the 20 new houses on the south of the street. But as a small village, there is a rate of development over which the present village would not be able to integrate new residents. The immediate building of a third estate of so many houses would endanger this integration. These new houses are definitely not “much needed” (See Para 3.9 of the Design and Access statement).

This objection is firmly supported by Darsham residents, who voted in a secret ballot at the last Annual Parish Meeting by 67 votes to 1 to object to this application. Note also the number of residents who have written objection letters to this application.

If, despite all the above, East Suffolk nevertheless decides to ignore the wishes of the village and support this application, then Darsham PC has the following points to make.

1) In the Local Plan Darsham is being asked to supply 43% of all new houses built in small villages, despite being only one of 14 small villages (7%)

2) This application is for 26 houses, where originally the site was for 15 houses then revised up to 20. The Hopkins Homes phase 1 site had 20 houses and no public space. Nevertheless, it was developed to a density of 20.83 homes per hectare. This application is for 23.42 homes per hectare despite having open space and a lower ratio of affordable homes to the neighbouring estate (Phase 1); a clear case of overdevelopment and not in keeping with the village or even recent development. It is noted too, that as well as the 8 affordable houses, 5 houses have no garage. This also suggests that too many houses are being crammed into too small a space.

3) The Suffolk Police report makes much of providing adequate lighting to deter crime. We strongly object to this recommendation as Darsham has no street lights at present and has a “Dark Skies” policy. This is a small rural village and not the middle of Ipswich and residents here, as in neighbouring villages, object to light pollution. If there must be night lighting on this estate, it should be only low level both in height and intensity.

**Officer note:**

Darsham Parish Council also submitted comments on 10 October 2019 stating:

“26 houses N. of the Street: councillors supported this application with the reservation that it should be delayed for 5 or 10 years.”

Consultee	Date consulted	Date reply received
Police - Alan Keely Crime Reduction Beccles Police Station	26 September 2019	No response
Summary of comments: No further comments.		

Consultee	Date consulted	Date reply received
Network Rail	26 September 2019	No response
Summary of comments: No further comments.		

Consultee	Date consulted	Date reply received
Suffolk County Council Section 106 Officer	26 September 2019	7 October 2019
Summary of comments: Updated advice on infrastructure requirements.		

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	26 September 2019	No response
Summary of comments: See previous comments.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	26 September 2019	No response
Summary of comments: See previous holding objection.		

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	26 September 2019	28 October 2019
Summary of comments: Continued holding objection until amendments made.  Update: Holding objection removed and conditions recommended on 27/11/2019.		

Consultee	Date consulted	Date reply received
Suffolk Police Designing Out Crime Officer	26 September 2019	No response
Summary of comments: See previous comments.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	26 September 2019	No response
Summary of comments: No further comments received.		

Consultee	Date consulted	Date reply received
Development & Policy (SCDC)	26 September 2019	No response
Summary of comments: Internal consultee; see officer report.		

Consultee	Date consulted	Date reply received
SCDC Environmental Protection	26 September 2019	No response
Summary of comments: No further comments received.		

Consultee	Date consulted	Date reply received
Mr Nick Newton	26 September 2019	8 October 2019
Summary of comments: Internal consultee; see officer report.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	22 November 2019	25 November 2019
Summary of comments: Holding objection removed and conditions recommended (25/11/2019).		

## 5. Publicity

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

Category	Published	Expiry	Publication
Tree Preservation Order; Departure; Major Application	25 April 2019	17 May 2019	East Anglian Daily Times

<b>Category</b>	<b>Published</b>	<b>Expiry</b>	<b>Publication</b>
Tree Preservation Order	18 April 2019	14 May 2019	East Anglian Daily Times

### **Site notices**

General Site Notice

Reason for site notice: Tree Preservation Order; Major Application; Departure from Development Plan  
Date posted: 18 April 2019  
Expiry date: 14 May 2019

## **6. Planning policy**

National Planning Policy Framework (2019)

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

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

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

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

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

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

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

SP29 - The Countryside (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

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

DM3 - Housing in the Countryside (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM4 - Housing in Clusters in the Countryside (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

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

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

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

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

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

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

DM28 - Flood Risk (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SSP2 - Physical Limits Boundaries (East Suffolk Council - Suffolk Coastal District Local Plan - Site Allocations and Area Specific Policies Development Plan Document (January 2017))

SSP32 - Visitor Management -European Sites (East Suffolk Council - Suffolk Coastal District Local Plan - Site Allocations and Area Specific Policies Development Plan Document (January 2017))

## **7. Planning considerations**

### Policy Background

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the plan unless material considerations indicate otherwise. The relevant planning policies of the adopted Development Plan are set out in section 6 of this report.
- 7.2 Where policies of the East Suffolk Council – Suffolk Coastal Final Draft Local Plan (2019) (“The Emerging Local Plan”) are relevant they will be addressed within the planning analysis to follow.

### Principle of Development and the Emerging Local Plan

- 7.3 The site is located outside of the Darsham settlement boundary and therefore the current Development Plan establishes that the proposal represents an application for housing

development in the countryside. The proposal should therefore be considered in relation to spatial strategy policies SP19, SP29 and DM3 of the adopted Core Strategy.

- 7.4 Policy SP19 (Settlement Hierarchy) of the Core Strategy details that residential accommodation in the countryside will only be permitted in special circumstances, including where the proposal relates to housing in a cluster. Policy SP29 (The Countryside) states that, within the countryside, the strategy in respect of new development is that 'it will be limited to that which of necessity requires to be located there and accords with other relevant policies of the Core Strategy (e.g. SP7 or DM17) or would otherwise accord with special circumstances outlined in paragraph 55 of the National Planning Policy Framework.'
- 7.5 Policy DM3 (Housing in the Countryside) sets out conditions under which housing in the countryside are considered, for which the proposal does not fall under criteria (a) to (e) of Policy DM3. To be considered a cluster, in relation to criterion e) of Policy DM3, a group of dwellings would need to be able to be infilled by one dwelling or a pair of semi-detached dwellings in order to provide a continuous built up frontage, as is required by criterion (a) of Policy DM4 (Housing in Clusters in the Countryside). Moreover, the scale of development under consideration in this application, namely 26 dwellings, is greater than that which would be acceptable under criterion (a) of Policy DM4. Criterion (f) of Policy DM3 states that development in the countryside would be allowed where it comprises 'Development which would otherwise accord with the special circumstances outlined in paragraph 55 of the National Planning Policy Framework.' Paragraph 55 of the 2012 NPPF has been superseded by paragraph 79 of the 2019 NPPF. The proposal does not fall within the definitions of the types of development set out under Paragraph 79a)-e).
- 7.6 For the reasons set out, the principle of development is not supported by the current, adopted Development Plan for the Suffolk Coastal area of the District.
- 7.7 However, the relevant policies of the Emerging Local Plan set out that the site occupies land proposed for site allocation under policy SCLP12.49. Thus, according to SCLP12.49 the principle of development in this location is accepted and the scale proposed, for 26 dwellings, is in accordance with the approximate scale afforded by SCLP12.49.
- 7.8 Paragraph 48a) of the NPPF sets out that the more advanced the emerging Plan in the plan-making process, the greater the weight that may be afforded to the policies within. The Emerging Local Plan has reached an advanced stage in its production, and the Final Draft Local Plan (2019) was submitted for Examination under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 in March 2019. Since The Emerging Plan's submission for examination the hearing sessions have been carried out between 20 August and the 20 September 2019. In February 2020, the examining Inspector issued his post-hearings letter which indicates that, 'subject to main modifications the Plan is likely to be capable of being found sound and legally compliant'. The Main Modifications consultation is currently underway (1 May 2020 - 10 July 2020). No modifications are proposed to the key site allocation policy SCLP12.49. The Inspector will have considered all representations made on this policy when coming to a view on where modifications are required.
- 7.9 Paragraph 48b) of the NPPF is concerned with the extent to which there are unresolved objections to the relevant policies of the emerging Plan and dictates that the less significant the unresolved objections the greater the weight that may be attributed to such policies.

Two representations were made against SCLP12.49 at the regulation 19 consultation stage (14 January - 25 February 2019). Of these representations, Hopkins & Moore Ltd supported the principle of the allocation but objected to certain aspects of the policy and Darsham Parish Council objected to the Policy. Darsham Parish Council did not submit a Hearing Statement and thus their comments reflect those made at the Regulation 19 consultation. These objections include matters concerning historic amount of development, density, delivery timescale, traffic, cost of housing/second homes, and community cohesion.

- 7.10 East Suffolk Council and Hopkins & Moore Ltd have entered into a Statement of Common Ground (SoCG) in relation to some of the representations they have raised. This SoCG agreed to a number of modifications to Policy SCLP12.49 and its supporting text. The SoCG sets out that both parties agree the site is deliverable for approximately 25 dwellings; however, that the policy wording should be amended to refer to the need to provide safe and suitable access, rather than to specify which road this should be from and that, if access is via The Street, agreed that trees should be retained except where necessary to provide a satisfactory access. As set out later in this report, the proposed development is considered to provide safe and suitable access with retention of trees protected by Tree Preservation Order. It is therefore considered that the representations made by the applicant (Hopkins & Moore Ltd) on emerging policy SCLP12.49 are largely resolved.
- 7.11 In terms of the representation made by Darsham Parish Council during the plan-making process, that is as follows:

*"Introduction*

*The PC find it difficult to understand the continued thrust of the Local Plan with regard the development to the south of Darsham station when there could well be a car park in the village for approximately 1,200 vehicles with coach transport running along the A12 for 24 hours a day. A development in the proposed location will involve a new access road to the A12, thus increasing the level of traffic using the A12 in a very short space.*

*There is also the development at Friston to consider and the impact the will have on traffic flow through and around the village.*

*The Local Plan also fails to take into account the rising age of people living in the area [though SCDC do recognise that by 2030 this will be the highest in any council area] and the cost of new housing. This is prohibitive to younger people trying to establish a first home in the area and will only encourage the older retiree to take up residence, it may also promote the purchasing of properties for 'second homes'.*

*Background*

*The 2012 register of electors shows Darsham had 282 electors living in 132 houses. Since then, along with 6 infill developments, we have had an estate of 19 new houses and are in the process having a further 20 built. In numbers this is exactly one third. SCDC are now proposing two further developments of 25 and 120 houses, Together with recent developments this would increase the village by 136%. This is the equivalent to building an additional 60,000+ houses in Ipswich or an additional 300+ houses in Aldbrough.*

*Developments of this nature would change the village totally and impair the social integration within a village with a strong community spirit.*

*SCLP12.45*

*This is a natural infill within the village and would be quite acceptable, but with a changed time frame and a lower density of houses. The village has lived with a range of major build sites within its boundaries for the last three years and is still coping with one currently, expected to last a further two years.*

*It is strongly felt that we need a break from development and so the Parish Council STRONGLY believes this particular development should not start till 2030 at the earliest, with a maximum of 15 houses.*

*Summary and conclusion*

*SCLP12.45*

*This is a natural infill within the village. But, the village has had far too much development over the past three years, some of which is still ongoing.*

*The Parish Council STRONGLY believe the delivery time scale should be addressed with any start date being in the 2030-2035 time frame and the housing density reduced to 15."*

- 7.12 In response to consultation on this application, Darsham Parish Council have most recently submitted two consultation responses (received 10 October). One of those responses supports the application in principle with the reservation that development should be delayed by 5-10 years. The second, a more detailed letter, was also submitted that objects to the application primarily due to the timeline of delivery of the site, with the PC wishing to see development of the site come forward in ten years' time. The PC raise concerns over the impacts of the construction process in addition to the disruption arising from existing developments under construction. A secondary concern of the PC is that early delivery of this site will pose problems of social integration, with the village unable to properly integrate new residents in addition to other new developments in the village.
- 7.13 Darsham Parish Council's representation on the emerging policy SCLP12.49 is noteworthy in that it identifies the site as a natural 'infill' within the village. However, the Parish Council concern over timeline of delivery, reiterated in their response to the current application, makes clear that the Parish Council representation is to be treated as an unresolved objection. Paragraph 48b) of the NPPF is concerned with the extent to which there are unresolved objections to the relevant policies of the emerging Plan and dictates that the less significant the unresolved objections, the greater the weight that may be attributed to such policies. Unresolved objections made throughout the examination have been considered by both the Council and Inspector in reaching the schedule of Main Modifications which are currently being consulted on. It can be assumed therefore, that unresolved objections that have not been the subject of a Main Modification, do not warrant such a Modification as they are not relevant to the soundness of the Plan or the Plan adequately makes provision for such objections as submitted in the Final Draft Local Plan. Whilst it is still within the Inspector's gift to amend, remove or propose entirely new modifications to Policy SCLP12.49, officers are of the view that this is now quite unlikely.
- 7.14 Paragraph 48c) of the NPPF establishes that the greater the consistency of the policies in the emerging Plan to the policies in the NPPF, the greater the weight that may be given. Policy SCLP12.49 requires the provision of approximately 25 dwellings, which would include open market and affordable housing, which provides an opportunity to help meet the development needs of the area as is supported by Paragraph 11a) of the NPPF. 25 dwellings



on 1.11ha would deliver an approximate density of 23 dwellings per net hectare which is considered to be consistent with Paragraphs 122 & 123 of the NPPF in respect of making efficient use of land. The emerging Plan, as a whole, has been produced in alignment with the NPPF and thus the intention behind all policies of the emerging Plan is that they are consistent with the NPPF.

- 7.15 SCLP12.49 of The Emerging Local Plan establishes the principle of development on the application site. As a result, under The Emerging Local Plan the proposal is not subject to policies concerning housing in the countryside. The proposal provides for 26 dwellings, which accords with the requirement for development to provide approximately 25 dwellings. The representation made by Hopkins & Moore Ltd during the plan-making process is considered to be largely resolved through the SoCG and the detail provided within the current application. The representation made by Darsham Parish Council, raising concerns over delivery of the site early in the plan period, means the weight to be attributed to emerging policy SCLP12.49 is somewhat reduced, however the allocation policy SCLP12.49 is not subject of any main modifications after both the Council and examining Inspector have had the opportunity to consider any unresolved objections throughout the examination. Officers therefore consider that the emerging policy can be given considerable weight given the advanced stage of The Emerging Local Plan; that Policy SCLP12.49 is not subject of any main modifications; and because the policy is consistent with the Framework. It is also noteworthy that the site is adjacent the drawn settlement boundary in the current, adopted Development Plan - and represents a gap between the main settlement and existing housing to the west. The site is also opposite the village pub, and the new village hall constructed to the south side of The Street is only a short walk from the application site. Accordingly, the site is considered to occupy a sustainable location which weighs in favour of the proposal.
- 7.16 Considering all of this, it is acknowledged that the principle of development is contrary to the current, adopted Development Plan. However, the site is sustainably located, and considerable weight can be given to emerging policy SCLP12.49 which allocates the site for residential development in The Emerging Local Plan which is at an advanced stage. That allocation policy is consistent with the 2019 Framework. Therefore, officers consider that there are material considerations that otherwise support the principle of residential development on this site.

#### Housing Mix and Affordable Housing Provision

- 7.17 The proposed housing mix comprises:

Bedrooms	1	2	3	4+
Open Market Housing	0	7	7	4
Affordable Housing	5	3	0	0
All sectors	5	10	7	4
Percentage of Development	19%	38%	27%	15 %

- 7.18 The proposed housing mix broadly accords with the target proportions set out in Core Strategy policies SP3 and DM2. The layout incorporates a mix of detached, semi-detached and terraced dwellings. The proposal is, on the whole, considered to provide a policy

compliant mix of housing type and tenure to meet the varied needs of the local population. The provision of eight affordable homes meets the 1in3 policy requirement and is a considerable public benefit of the scheme. The proposal also provides at least 40% of the development as 1 and 2 bed properties to meet the smaller property needs identified in emerging policy SCLP5.8.

### Design and Impact on the Character and Appearance of the Area

7.19 Core Strategy policies DM21 and DM22 seek good design that is both aesthetically pleasing and functionally sound. 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:  
(a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;  
(b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;  
(c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);  
(d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;  
(e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and  
(f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”* (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).

7.20 The high quality design objectives of DM21 and DM22, in addition to the NPPF, are carried through into emerging policy SCLP11.1 (Design Quality).

7.21 The proposed development is a fairly low density of approximately 24 dwellings per hectare and includes areas of accessible public open space in addition to reasonable sized private garden areas to the dwellings. A comprehensive landscape strategy for the site is proposed that retains important TPO trees along the frontage of the site; mature trees on the western edge; and vegetation on the northern countryside edge. The layout therefore integrates well into its context and makes use of existing site features.

- 7.22 The set-back of buildings from The Street will ensure that some of the green, openness of the frontage is retained in this part of the village and the location of public open space around the road junction between The Street and Fox Lane will provide a well designed setting to this hub around the village pub.
- 7.23 The proposed buildings are not contemporary or original. However, they follow the character and form of the adjacent Millfields development which will help the proposal to integrate into the existing built environment to the east - albeit they are two separate development sites. The dwellings are of an appropriate scale, form and finish for the site context.
- 7.24 Overall, the development is considered to be well designed in accordance with the objectives of DM21 & DM22; the NPPF; and emerging policy SCLP11.1.
- 7.25 An area of concern is that vehicle access is taken from The Street and the resultant loss of roadside hedge and trees is somewhat harmful to rural landscape character. A better access arrangement would have been to utilise the existing access into the Millfields development to the east, with the estate road continuing on east-west into the development site. However, that was explored with the applicant but ultimately could not be achieved. The only access option, therefore, is from The Street and the proposal put forward meets highways safety requirements whilst ensuring that frontage TPO Oaks will be retained. The proposal is therefore considered to represent the best site access that can be achieved in terms of impact on the rural landscape character; thus, the loss of some hedgerow and trees on the frontage is not considered to weigh significantly against the proposal.

#### Residential Amenity

- 7.26 Core Strategy policy DM23 (Residential Amenity) seeks to protect the living conditions of all affected by development and sets out that the Council will have regard to the following: (a) privacy/overlooking; (b) outlook; (c) access to daylight and sunlight; (d) noise and disturbance; (e) the resulting physical relationship with other properties; (f) light spillage, air quality and other forms of pollution; and (g) safety and security. Development will only be acceptable where it would not cause an unacceptable loss of amenity to adjoining and/or future occupiers of the development. These objectives are carried through into emerging policy SCLP11.2 (Residential Amenity).
- 7.27 Much of the local objection to the proposal is regarding the disruption that could be caused from the development construction process. There are other sites that have recently been - or are currently being - developed in Darsham and the village has reportedly experienced disruption from construction traffic, along with disruption from the physical works undertaken (noise, dust etc.). Officers are sympathetic to this and understand that such disruption detracts from local living conditions, although it should be noted that these impacts are generally temporary in nature and relatively short in duration. In any event, it is necessary, should permission be granted, for a detailed construction method statement to be submitted and approved by the Council to reduce those impacts down to an acceptable level and allow for monitoring and enforcement during the construction period.
- 7.28 In terms of impacts from the development once it is complete, officers consider that the proposal would not result in material harm to the living conditions of local residents. The

low density development proposal means that built form is pulled away from the site edges and existing residential properties. For example, existing dwellings in the southwest corner of the Millfields development will be adjacent areas of public open space; in the northeast corner of the application site, the two-storey dwelling of plot 17 will be at least 18 metres from the side wall of neighbouring dwellings. In the southwest corner of the application site, plot 1 will be at least 17 metres from neighbouring dwellings to the west and has no first floor side windows. Front facing windows of plot 7 will be at least 25 metres from the rear wall of neighbour dwellings to the southwest and retained trees on the western edge will provide screening. Front facing windows of plot 17 will be at least 35 metres from the rear wall of neighbour dwellings diagonally opposite, at Millfields.

- 7.29 Officers accept that development of the site will clearly represent a significant change in site conditions, with agricultural land being developed into a residential use. That will bring, for some nearby residents, a marked change in view. However, change in itself is not necessarily harmful and the proposed development is well designed and responsive to the character and appearance of the village. It is also of note that the site is not within a protected landscape area where major development should be resisted, in principle.
- 7.30 Once complete and occupied, the development will generate some activity, noise and vehicle movements. However, it is not anticipated that 26 dwellings will result in significant adverse impacts in this regard. The site is adjacent the existing village and the proposed development will likely integrate into it with activity and vehicle movements becoming part of the normal circumstances of the village environment.
- 7.31 For the reasons given, the proposal accords with the amenity objectives of Core Strategy policy DM23 and emerging policy SCLP11.2.

#### Flood Risk and Drainage Strategy

- 7.32 Core Strategy Policy DM28 sets out that new housing development will not be permitted in high risk flood areas.
- 7.33 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:
    - (a) Within the site development is directed to the lowest risk areas;
    - (b) The development is appropriately flood resilient and resistant;
    - (c) The development incorporates sustainable drainage systems;
    - (d) Any residual risk can be safely managed; and
    - (e) Safe access and escape routes are provided. (para. 163)
  - Major developments should incorporate sustainable drainage systems (para. 165).
- 7.34 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.

- 7.35 Emerging policy SCLP9.6 (Sustainable Drainage Systems) sets out that developments of ten or more dwellings should utilise above ground sustainable drainage systems, unless demonstrated to be inappropriate. This was explored with the applicant and their consultant, in consultation with the Local Lead Flood Authority. However, above-ground SUDs are not deemed feasible on this site.
- 7.36 The existing drainage regime at present is surface water run-off naturally falling towards the ditch adjacent to the main road (The Street) which drains off to the east and eventually adjoins the River Minsmere. In line with the NPPF it is proposed to mimic this regime via the introduction of permeable paving (with a lined sub-base and perforated pipe conveying it towards the outfall with a hydro-brake to restrict the flows) for all private roof and hard standing areas. The site has been modelled in two sections to allow for a highpoint around the centre of the site and therefore the captured surface water will naturally fall away from this point being collected and stored by the permeable paving as it is conveyed through perforated pipes within the sub base to the outfall. An attenuation tank in a form of crates has been added upstream of the hydro-brake to provide additional storage of the 1 in 100 year event + 40% climate change to provide storage below ground within the drainage system.
- 7.37 The revised drainage proposals do not affect flood storage within the floodplain and the peak surface water runoff rate leaving the site will be captured via the permeable paving's lined sub-base and attenuation tank before entering the existing ditch; therefore, surface water drainage from the site will mimic the existing drainage regime. A shallow attenuation basin in the south-eastern corner of the site provides capacity for a rare storm event.
- 7.38 The discharge of future surface water runoff from the site will not be increased as a result of the proposal but will provide a betterment in peak flows discharging from site, by attenuating and slowing the rate at which it is discharged into the existing ditch. The Local Lead Flood Authority at the County Council are satisfied with the revised drainage strategy and recommend approval with conditions.
- 7.39 In terms of fluvial sources, the site is located in flood zone 1 and therefore sequentially preferable for residential development.
- 7.40 The development proposal is in accordance with the flood risk prevention objectives of policy DM28; NPPF paragraphs 155, 163 and 165; and emerging policies SCLP9.5 (Flood Risk) and SCLP9.6 (Sustainable Drainage Systems).

#### Highways Safety and Traffic Implications

- 7.41 Core Strategy Policy DM22 promotes design that is functionally successful and Chapter 9 of the National Planning Policy Framework (NPPF) provides clear guidance on considering development proposals:
- 7.42 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."*

- 7.43 The proposal has been developed in consultation with Suffolk County Highways Authority in their role as statutory consultee. Following revisions and additional information, the County has no objections to the proposal and recommends conditions and obligations be attached to any grant of planning permission.
- 7.44 The Emerging Local Plan policy SCLP12.49 requires safe and suitable access to the site either through the existing Millfields development to the east, or via The Street, to the south. Officers pushed for access to be through the Millfields development to better integrate the proposal into the existing residential development. However, as that land has been transferred and is no longer in the control of Hopkins & Moore Ltd, that connectivity is not possible. The proposal therefore seeks to achieve vehicle access from The Street. The proposed access is considered safe in highways terms with appropriate visibility splays provided that can be maintained long term. It is unfortunate that achieving visibility requires the loss of some hedgerow and trees, although the frontage Oaks protected by TPO will be retained. It is considered that the access proposals are the best available option from The Street frontage and therefore acceptable to officers in accordance with SCLP12.49. The proposal provides adequate parking for each of the dwellings with all 2+ bedroom dwellings benefitting from at least two parking spaces; there would be an additional three visitor parking spaces within the site area. As such, it is not considered that the proposal will lead to vehicle parking on The Street.
- 7.45 The emerging allocation policy also seeks enhancements of the existing footway along part of the southern boundary linking into the site. The proposal has been amended to provide a 1.8 metre width footway along the site frontage, providing public pedestrian connectivity through the site along this part of The Street. That pedestrian link does not currently exist – and residents of existing development to the west of the site are forced to walk within the road to access the centre of the village. The provision of a public pedestrian link on the north side of The Street is, therefore, considered to be a public benefit of the proposal.
- 7.46 Under planning ref. DC/19/2933/OUT – for the residential development and village hall on land to the south side of The Street (The Cheyney Green Development) – a per-dwelling financial contribution was sought to partially fund a safer pedestrian route to Darsham Railway Station and the amenities, services and footway network beyond. The applicant has agreed to make a similar per-dwelling contribution to partially fund this pedestrian route, and this would need to be secured by S106 planning obligation. It is considered though that funding toward better pedestrian connectivity with the Station is of benefit - not just to the development itself but also the wider community in Darsham.
- 7.47 The NPPF sets out clear guidance on when development should be refused on highways grounds and, in this particular instance, officers consider that there are no highways safety concerns or residual impacts arising. The proposal accords with the sustainable transport objectives of the NPPF; core strategy policy DM22; and emerging policy SCLP7.1 (Sustainable Transport).

## Ecology and Habitat Mitigation

- 7.48 The submitted Preliminary Ecological Appraisal (Southern Ecology Solutions, March 2019) identified that further surveys for bats (aerial inspection of tree(s) proposed for removal), great crested newts and reptiles were required to inform the assessment of the likely impact of this development on biodiversity. Those surveys have been undertaken and reviewed by officers, including the Council's own Ecologist.
- 7.49 The Ecological Impact Assessment (EclA) (Southern Ecological Solutions, July 2019 identifies that the application site contains habitats likely to support a range of protected and/or UK Priority species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)), including great crested newts; reptiles; foraging and commuting bats and breeding birds.
- 7.50 Whilst the loss of some hedgerow and trees on the southern boundary is unfortunate, it is necessary to facilitate safe and suitable access to the development site and it is the only viable access arrangement that retains existing TPO trees. It is also considered that the recommendations detailed in the EclA are adequate to mitigate the majority of impacts on such species and those recommendations will need to be secured by conditions should planning permission be granted, covering: a Construction Environmental Management Plan; Landscape and Ecological Management Plan; Ecological Enhancement Plan; and detailed lighting strategy. With these conditions the direct ecological impacts of the development can be mitigated, and the proposal is in accordance with policy DM27 (Biodiversity and Geodiversity).
- 7.51 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 application site is located within 13km of four designated European sites:

- Minsmere to Walberswick SPA, SAC and Ramsar Site;
- Alde-Ore Estuary SPA and Ramsar Site;
- Benacre to Easton Bavents SPA; and
- The Sandlings SPA.

- 7.52 The proposed development is 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 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 is sought to offset such recreational impacts.
- 7.53 Officers have carried out an Appropriate Assessment and conclude that, at this scale of development (less than 50 dwellings) and over 200 metres from any of the aforementioned

sites, the recreational impacts of the proposed development could be properly mitigated by a per-dwelling financial contribution to the Suffolk RAMS and, with this mitigation secured, the proposal would not likely have significant effects. The applicant has agreed to this mitigation which would need to be secured through a S106 planning obligation.

- 7.54 For the reasons given, the proposal accords with the objectives of Core Strategy policies SP14 and DM27 (Biodiversity and Geodiversity); the objectives of SAASP policy SSP32 (Visitor Management - European Sites); and emerging policies SCLP10.1 (Biodiversity and Geodiversity) & SCLP10.2 (Visitor Management of European Sites).

#### Other Matters

- 7.55 The site is not located within a conservation area and does not form part of the setting of any designated heritage assets. There are no non-designated heritage assets on or adjacent the site.
- 7.56 The site is not located within a locally designated special landscape area, nor the Suffolk Coast and Heaths Area of Outstanding Natural Beauty.
- 7.57 The County Council Archaeological Service (SCCAS) has been consulted on the application. SCCAS identify that the site lies within an area where there is high potential for the discovery of below-ground heritage assets of archaeological importance. There are no grounds to refuse planning permission on archaeological conservation but planning conditions would need to be applied to any permission securing an appropriate programme of investigation and recording in accordance with the NPPF.
- 7.58 A Phase 1 and Phase 2 contaminated land report has been submitted in support of this application and concludes that contamination is unlikely at this site. The only condition necessary is a standard one to require action in the event unexpected contamination is discovered on site.

## **8. Conclusion**

- 8.1 Although the site is not allocated for residential development under the current, adopted Development Plan for the Suffolk Coastal area of East Suffolk, the application site is an allocation in The Emerging Local Plan. The plan is at an advanced stage in the process and this specific allocation policy is deemed to be consistent with the NPPF (2019). The policy is not subject of any main modifications (currently being consulted on) after the Council and examining Inspector have had the opportunity to consider any unresolved objections to it. The site is also sustainably located and would represent infilling of a gap between existing residential development. Thus, whilst the proposal represents a departure from the adopted Development Plan, considerable weight can be given to policy SCLP12.49 as a site allocation for residential development. In any case, the sustainable location of the site also weighs significantly in favour of the proposal.
- 8.2 Officers consider that the proposal is well-designed and suitably related to the existing character of the village, including the local residential environment. Safe and suitable access can be achieved whilst retaining the frontage trees protected by Tree Preservation Order.



Local concern related to disruption in the construction phase could be properly controlled through a conditional construction method statement.

- 8.3 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; where issues have been identified, planning conditions and obligations can be secured to deal with those issues and make the development acceptable. The proposal would also give rise to significant public benefits including (but not limited to): a 26-dwelling contribution to housing supply; eight affordable homes; short term construction job creation; longer term spend in the local economy by future residents; and provision of a public pedestrian footway along the site frontage.
- 8.4 On balance, therefore, the proposal is considered to represent a sustainable form of development and officers recommend that planning permission be granted.

## **9. Recommendation**

Authority to approve with conditions, subject to completion of a S106 agreement securing:

- Affordable housing provision;
- Open space provision and long term site management;
- Per-dwelling contribution to Suffolk RAMS to mitigate recreational impacts on designated European sites; and
- A financial contribution to partially fund a safer pedestrian route to Darsham Station and the amenities, services and footway network beyond.

## **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 carried out in accordance with the following plans and documents:

Drawing Nos. DAR3-003 rev B and DAR3-002 rev B, received 26 November 2019;

Flood Risk Assessment and Drainage Strategy (Rev D) (ref. 1810-224 Darsham), received 25 November 2019;

Ecological Impact Assessment (EclA) (Southern Ecological Solutions, July 2019), received 29 October 2019;

Drawing Nos. DAR3-004 rev A, DAR3-005 rev A, DAR3-006 rev ADAR3-010 rev A, DAR3-011 rev A, DAR3-012 rev A, DAR3-013 rev A, DAR3-014 rev A, DAR3-016 rev A, DAR3-017 rev A, DAR3-018 rev A, DAR3-019 rev A, DAR3-020 rev A, DAR3-021 rev A, DAR3-022 rev A, DAR3-

023 rev A, DAR3-024, DAR3-025, DAR3-026 rev A, DAR3-027 rev A, DAR3-028 rev A, DAR3-029 rev A, DAR3-030 rev A, DAR3-031 rev A, DAR3-032 rev A, DAR3-033 rev A, DAR3-301 rev A, DAR3-302 rev A, DAR3-303 rev A, DAR3-304, DAR3-400, HOPK 428/28-002 rev B, HOPK 428/28-001 rev B, received 12 September 2019; and Drawing No. DAR3-001, received 05 April 2019.

Reason: To secure a properly planned development and for the avoidance of doubt as to what has been considered and approved.

3. Before the development is commenced, details of the access and associated works (including layout, levels, gradients, surfacing and means of surface water drainage), shown indicatively on External Works Layout Drawing DAR-03-B, shall be submitted to and approved in writing by the Local Planning Authority.

The approved access shall be laid out and constructed in its entirety prior to any other part of the development taking place. Thereafter the access shall be retained in its approved form.

Reason: To ensure that access on to the 'highway maintainable at public expense' is designed and constructed to an acceptable standard and made available for use at an appropriate time in the interests of highway safety.

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

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

5. Before the access is first used, visibility splays shall be provided as shown on Drawing No. DAR-03-B and thereafter retained in the specified form. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the access would have sufficient visibility to enter the public highway safely.

6. Before the development is commenced, details of the 1.8m width footpath means of public pedestrian connectivity through the site (including layout, levels, gradients, surfacing and means of surface water drainage), shown indicatively on External Works Layout Drawing DAR-03-B, shall be submitted to and approved in writing by the Local Planning Authority.

The approved public connectivity footpath shall be laid out and constructed in its entirety prior to occupation of the 10th dwelling. Thereafter the public connectivity footpath through the site shall be retained in its approved form.

Reason: To ensure the provision, within the site, of a footway link that is segregated from conflict with the vehicular traffic on the relatively narrow section of The Street's carriageway fronting the site and that will allow the public to traverse east-west through the site. This footway link will form part of any future safer pedestrian route to Darsham Railway Station, amenities/facilities and the footway network beyond.

7. 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.

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

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

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

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development.

9. 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 8 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development,

10. The strategy for the disposal of surface water and the Flood Risk Assessment (FRA) (dated 25/11/2019, ref: 1810-224) 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

11. 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.

12. 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.

13. Prior to the commencement of development, a detailed Arboricultural Method Statement and Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In accordance with the recommendations made within the approved Arboricultural Impact Assessment, to ensure that retained trees are not damaged during the construction process.

14. All hard and soft landscape works shall be carried out in accordance with the approved drawing nos. HOPK 428/28-002 rev C & HOPK 428/28-003 rev B, and shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow). Thereafter it shall be retained and maintained for a period of 5 years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

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

15. None of the trees or hedges shown to be retained on the approved plan No. 7685-D-AIA rev A (received 16 December 2019) shall be lopped, topped, pruned, uprooted, felled, wilfully damaged or in any other way destroyed or removed without the prior written approval of the local planning authority. Any trees or hedges removed, dying, being severely damaged or becoming seriously diseased within five years of the completion of the development shall be replaced during the first available planting season, with trees or hedges of a size and species, which shall previously have been approved in writing by the local planning authority.

Reason: To safeguard the contribution to the character of the locality provided by the frontage TPO trees and other valuable specimens on and adjacent the site.

16. 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:

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

17. Prior to the commencement of development, the following Ecological documents/plans shall be submitted to and approved in writing by the Local Planning Authority:

- Construction Environmental Management Plan (CEMP) (including details of ecological mitigation measures identified in the EclA); and
- an Ecological Enhancement Plan (EEP).

The EEP shall detail ecological enhancement measures to be provided (in accordance with the recommendations made in the approved Ecological Impact Assessment EclA) including, but not limited to, the measures identified in the EclA and the provision of integrated swift nest boxes at a ratio equivalent to one per property.

Development shall be carried out in accordance with the approved details.

Reason: to mitigate the ecological impacts of development and secure biodiversity net gain, in accordance with the objectives of Development Plan policies SP14 and DM27.

18. Prior to the occupation of any part of the development, details of an external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interest of protection of the local ecological environment.

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 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.

#### **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.

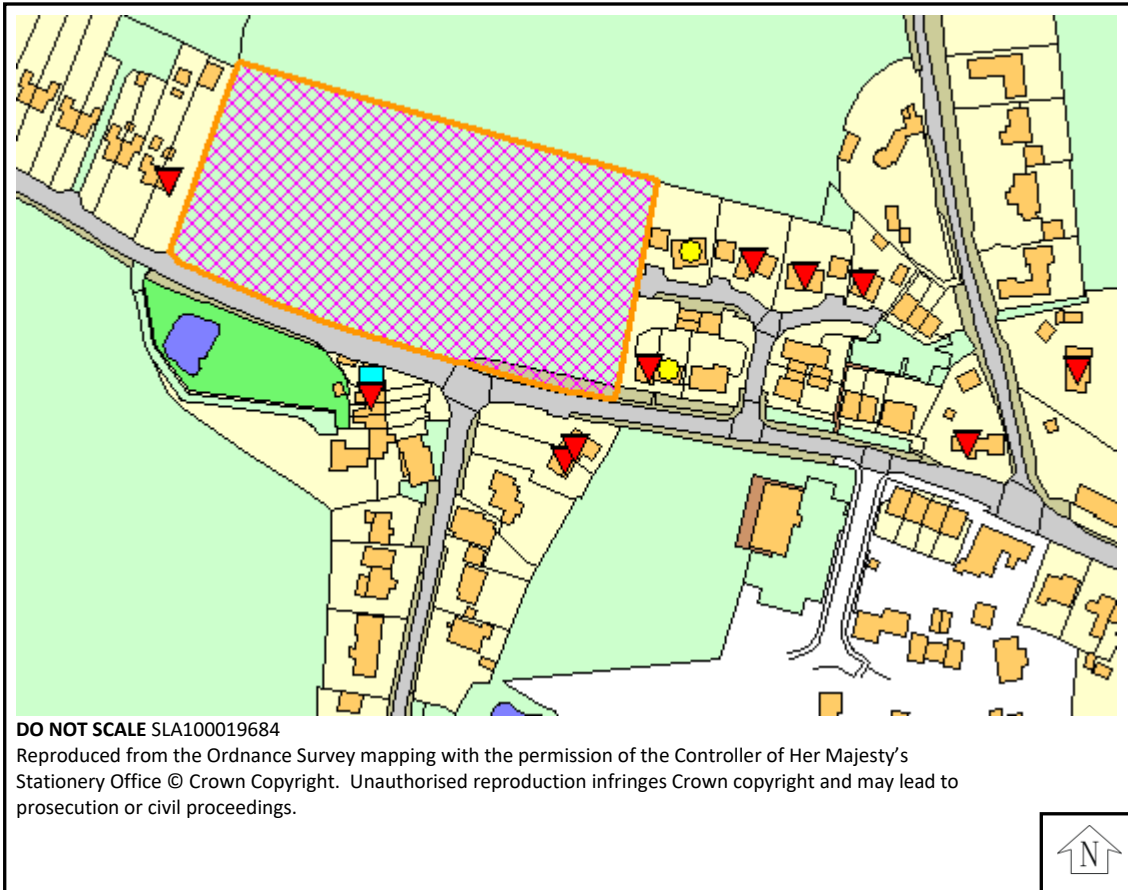
CIL forms can be downloaded direct from the planning portal:

[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)





## **Background Papers**

See application reference DC/19/1462/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PPHTH8QXJ8T00>

## Map



## Key

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