



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

Planning Committee North

Members:

Councillor Paul Ashdown (Chairman)
Councillor Jenny Ceresa (Vice-Chairman)
Councillor Norman Brooks
Councillor Tony Cooper
Councillor Linda Coulam
Councillor Andree Gee
Councillor Malcolm Pitchers
Councillor Sarah Plummer
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 October 2022 at 2.00 pm**

This meeting will be broadcast to the public via the East Suffolk YouTube
Channel at <https://www.youtube.com/watch?v=HJIOqYPcLEE>

An Agenda is set out below.

Part One – Open to the Public

Pages

1 Apologies for Absence and Substitutions

2 Declarations of Interest

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

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|----------|---|----------------|
| 3 | Declarations of Lobbying and Responses to Lobbying
To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying. | |
| 4 | Minutes
To approve as a correct record the Minutes of the Meeting held on 13 September 2022. | 1 - 8 |
| 5 | East Suffolk Enforcement Action - Case Update ES/1308
Report of the Head of Planning and Coastal Management | 9 - 26 |
| 6 | DC/22/0462/ARM - Land South Of Halesworth Road, Reydon ES/1309
Report of the Head of Planning and Coastal Management | 27 - 66 |

Part Two – Exempt/Confidential

No Exempt/Confidential

There are no Exempt or Confidential items for this Agenda.

Close



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/speaking-at-planning-committee> to complete the online registration form. Please contact the Customer Services Team on 03330 162 000 if you have any queries regarding the completion of the form.

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

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

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

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

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Unconfirmed



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, on **Tuesday, 13 September 2022 at 2.00 pm**

Members of the Committee present:

Councillor Paul Ashdown, Councillor Norman Brooks, Councillor Jenny Ceresa, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Andree Gee, Councillor Malcolm Pitchers

Other Members present:

Councillor David Beavan, Councillor Judy Cloke, Councillor Tony Goldson

Officers present: Jamie Behling (Trainee Planner), Ben Bix (Democratic Services Officer), Joe Blackmore (Principal Planner), Mia Glass (Assistant Enforcement Officer), Philip Ridley (Head of Planning and Coastal Management), Iain Robertson (Senior Planner), Ben Woolnough (Planning Manager - Development Management), Nicola Wotton (Deputy Democratic Services Manager)

1 Apologies for Absence and Substitutions

Apologies for absence were received from Councillors Plummer and Rivett. Councillor Beavan was in attendance as substitute for Councillor Plummer; and Councillor Goldson was in attendance as substitute for Councillor Rivett.

2 Declarations of Interest

There were no Declarations of Interest.

3 Declarations of Lobbying and Responses to Lobbying

Councillors Ashdown, Beavan, Brooks, Ceresa, Cooper, Coulam, Gee and Pitchers declared that they had been lobbied by email on agenda item 6 - DC/22/1891/FUL - G Engineering Ltd, Malt Office Lane, Rumburgh, and had not responded. Councillor Beavan declared that he had been lobbied on agenda item 7 - DC/22/0479/FUL - 23 Ferry Road, Southwold, and had not responded.

4 Minutes

On the proposition of Councillor Cooper, seconded by Councillor Pitchers it was by a unanimous vote

RESOLVED

That the minutes of the meeting held on 9 August 2022 be agreed as a correct record and signed by the Chairman.

5 East Suffolk Enforcement Action - Case Update

The Committee received report **ES/1277** of the Head of Planning and Coastal Management, which provided a summary of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 25 August 2022. At that time there were 15 such cases.

The Assistant Enforcement Officer explained that a site visit had been undertaken at Land West of Guildhall Lane, Wrentham and reported that the notice had not been complied with. A further update would be provided to Members at the next meeting. Councillor Cooper queried whether any progress had been made regarding Pine Lodge Caravan Park since the last meeting, and the Assistant Enforcement Officer advised that the case was still with the Council's legal department.

There being no further questions the Chairman sought a proposer and seconder for the recommendation set out in the report. On the proposition of Councillor Coulam, seconded by Councillor Gee it was by a unanimous vote

RESOLVED

That the outstanding enforcement matters up to 25 August 2022 be noted.

6 DC/22/1891/FUL - G Engineering Ltd, Malt Office Lane, Rumburgh, IP19 0JD

The Committee considered report **ES/1278** which related to planning application DC/22/1891/FUL. The application sought planning permission for the construction of a two-storey detached residential dwelling for the applicant and his family, as well as workers and business associates, as and when required. The site was proposed to be occupied in association with G Engineering Ltd who had relocated to the site following the grant of planning permission DC/18/5021/FUL for the construction of a replacement workshop building. The need for a residential property had been proposed on the grounds of security of machinery on the site and the need to be close to the site to promptly attend to call outs. The application had been referred by the Referral Panel for further discussion to take place in relation to the key policy consideration, WLP8.8 – *Rural Workers Dwellings in the Countryside*.

The Committee received a presentation from the Senior Planner, who was the case officer for the application. The Committee considered the location plan and aerial view, the proposed block and floor plans, proposed elevations and viewed photographs of the site. Illustrations were shown of the view of the site from footpath 3 and an approved planting scheme. The recommendation to refuse the application as set out in the report was outlined to the Committee, and the Senior Planner explained the material planning considerations and key issues consequential to WLP8.8 and

Paragraph 80 (a) of the NPPF which were:

- Whether a clearly established *functional need* to satisfy WLP8.8 had been demonstrated, advising that security of equipment and convenience of living on site did not demonstrate an essential need
- Whether satisfying the *essential need* requirement of Paragraph 80 (a) could be fulfilled by other existing accommodation in the area.
- Whether there was any evidence to suggest that a dwelling on this site would be essential for the continued viability of the business; and
- Landscape Impact.

At the invitation of the Chairman, Member's questions to Officers sought clarification of:

- The type of alternative accommodation that was available, and its location, noting that the applicant had stated that no suitable alternative accommodation was available within the applicant's budget
- The relevance or otherwise of the applicant's financial circumstances
- Whether approval would set a precedent.

Officers responded to Members' questions accordingly:

- Alternative accommodation in the form of housing for sale or rent was available within a reasonable driving distance in the local area. Contextually, alternative accommodation did not mean short term hotel or tourist accommodation
- There was a financial test set out in WLP8.8 which stated that the unit and the rural activity concerned had to have been established for at least three years, had been profitable for at least one of them and was financially sound with a clear prospect of remaining so; and
- Each application would be considered on its merits.

At the invitation of the Chairman, the applicant's agent Mr Rankin addressed the Committee. Mr Rankin gave an overview of the applicant's thriving agricultural machinery repair business which had been founded in 2013 and now had over 400 clients. The business offered a 24/7 service to its customers, and machinery to the value of £10m could be onsite at any one time. During the Covid-19 Pandemic, the five employees were defined as Key Workers, which Mr Rankin contended was grounds to define them as essential workers for planning policy purposes. The owner, Mr Gowing, lived in rented accommodation adjacent to the site, which would no longer be available, and wanted to continue to offer his employees overnight accommodation to meet business need.

Mr Gowing was invited by the Chairman to respond to questions from Members. Mr Gowing advised that he had recently prevented two potential thefts due to him living adjacent to the site and having been able to monitor and respond to incidents. The public footpath alongside the site effectively allowed the public to pass and repass the site and posed a significant risk. In response to questions from Councillors Goldson and Gee, Mr Gowing advised that in the event of a theft, the lead time for replacement machinery was in excess of two years. Thieves would also target GPS appliances, which alone would cost £20,000 to replace.

Councillors Coulam and Brooks noted that since the applicant had always lived on site, he hadn't been able to find a plausible alternative that would provide sufficient accommodation for workers and be close enough to act as a preventative security measure. Councillor Ashdown asked where the workers came from, and how frequently they would stay on site. Mr Gowing explained that some travelled from Devon, due to the specialised nature of the work, and workers would stay on site according to business need.

There being no further questions to the applicant, the Chairman called upon the Ward Member, Councillor Cloke to speak.

Councillor Cloke spoke in favour of the application satisfying the tests for the rural workers exemption. Councillor Cloke echoed the statements made by the applicant regarding the security benefits that proximity to the site would provide, that the workers should be regarded as essential workers, and that a thriving business in a rural setting should be supported. The applicant was reliable, worked long hours and his business had benefitted from his proximity to the site to access tools and equipment for call-outs. The Council had previously granted permission for the workshop building outside the village settlement, and the applicant currently rented a house outside the village settlement. Therefore, due to the tenure of the rented accommodation coming to an end, it seemed reasonable that the applicant would want to continue to live outside the village settlement, and close to his business. Councillor Cloke urged the Committee to acknowledge that whilst Paragraph 80(a) of the National Planning Policy Framework stated that planning decisions should avoid the development of isolated rural dwellings unless there was essential need for a rural worker, it was clear that Mr Gowing's application had demonstrated that there was an essential need for a rural worker.

Members debated the proposal. Councillor Brooks surmised that the applicant had put forward a compelling case. Assurance relating to the future use of the dwelling could be conditioned to ensure that the occupier of the residential accommodation must own the business or be employed by the business, and that any future sale of the business would be inclusive of the residential accommodation, so they were always tied together. Councillors Beavan and Gee stated that the application was genuine and persuasive on its merits. Councillors Goldson, Cooper and Pitchers were concerned about rural crime, and recognised that the application provided a mitigation for the site. Councillor Pitchers noted however that emergency services workers were not obliged to live on the premises of their workplace, despite also having to be available for 24/7 call outs.

The Planning Manager cautioned that Officers had applied well-established policy criteria in preparing the report and making the recommendation for refusal. Members were urged to firstly have regard to the village settlement and whilst the proposed development was not within the settlement, it was relatively close to the village services and amenities. Secondly, the value of the machinery on site at any one time was not a policy consideration, and thirdly that the *functional need* test was critical and the assessment by Officers was that the test had not been met.

Councillor Brooks proposed that the application be approved subject to condition, Councillor Gee seconded the proposal, the Chairman moved to the vote and it was by a majority

RESOLVED

That the application be **APPROVED** subject to a condition.

Condition:

That the occupation of the dwelling be limited to the owner and any resident dependents of the business, and any person or persons solely or mainly employed by that business serving agricultural needs in the locality. The property not to be let independently or sold off from the business unit.

7 DC/22/0479/FUL - 23 Ferry Road, Southwold, IP18 6HQ

The Committee considered report **ES/1279** which related to planning application DC/22/0479/FUL. The application sought planning permission for a revision to an approved scheme to include the demolition of a single-storey side addition which would be replaced by a new single-storey side entrance, a two-storey rear extension, and internal alterations. A detached beach room to the side would be constructed and the boundary fence would be upgraded. The application was referred to Committee by the Referral Panel for further consideration of the application, primarily in relation to the use of the building and the design of the proposed parking area to the front of the building. The Planner clarified that the site was in a Conservation Area, and that contrary to the report, the proposed parking provision could not be achieved within permitted development rights due to the article 4 restriction covering the site. An update sheet had been published and circulated on Monday 12 September 2022 which included an additional condition relating to parking and further comments from Southwold Town Council.

The Committee received a presentation from the Planner, who was the case officer for the application. The site location was outlined, and a contrast was made between the previously approved scheme and the revised proposal, including illustrations of the potential impact on the street scene. The Committee also viewed the existing and proposed elevations, layout and floorplans, along with a photograph of the grass block paving that would provide the hardstanding for the parking.

The recommendation to approve the application, as set out in the report, was outlined to the Committee and the Planner explained that the material planning considerations and key issues were: use, design, parking, natural environment, and loss of private garden space. The Planner surmised that the proposed beach room was a comparable ancillary outbuilding to what had previously been approved, would not be rentable separately from the main building, and that overall the development would not cause significant harm to the area.

In response to questions from Members about the future use of the site, Officers emphasised that whilst the whole house, including the beach house could be rented in the future, proposed Condition 4 provided a constraint that the beach house could not be occupied at any time other than for purposes ancillary to the residential use of 23 Ferry Road. The applicant's intention was to use the house as a home and Officers were content that the proposed parking layout was not contrary to Suffolk County Council's Technical Guidance for Parking. The Planning Manager urged Members that the Committee could only consider the application before it and could not speculate about any future application.

In response to two questions from Councillor Ceresa, the Planner firstly clarified that the site was in flood risk zones 2 and 3 and that a flood risk assessment had been provided with the application. Secondly, if the application was not approved, it would be possible to convert the existing garage into a room.

At the invitation of the Chairman, Southwold Town Councillor Jessica Jeans spoke on behalf of the Town Council in objection to the application. Town Councillor Jeans explained that the Town Council perceived that the report before Members had not demonstrated the correct application of policies SWD6, SWD7 and SWD12 of the Southwold Neighbourhood Plan, and would effectively neuter the future application of the plan. It was perceived that in the future the proposed beach room could be converted into standalone holiday accommodation, and the Town Council were concerned about the overall harmful impact that holiday letting was having on the town. The Town Council was of the view that the proposal did not satisfy the specific tests relating to parking set out in SWD7 (B) and that the proposal would:

- Result in a car dominated street scape, as the parking capacity of the site would increase from 2 to 3 cars
- Not preserve or enhance biodiversity, as part of the garden would be lost
- Not preserve the amenity space, as the existing patio would be lost

At the invitation of the Chairman, Town Councillor Jeans responded to Members questions as follows:

- The cumulative impact of the approved scheme and the proposed scheme on the rear and side of the site was, in the view of the Town Council, contrary to Neighbourhood Plan policies and approval would neuter the Neighbourhood Plan.
- Approval could set a negative precedent where the same Neighbourhood Plan tests would be applied to future applications
- The extant parking provision was for 2 cars, which would increase to 3, and the garage would be lost. Town Councillor Jeans referred to a colloquial term for large expensive cars dominating the frontage
- The approved consent would create a 3-bedroom property, and it was probable that the revised proposal for a beach house, would in effect, create room for a fourth bedroom at a future point.

The Chairman cautioned that the Committee could only consider the matter before it, and could not revisit the consent previously approved, nor speculate about any future application.

The Chairman invited the applicant, Mr Thompson to address the Committee. Mr Thompson clarified that the property was intended to be a family home, with the beach room being in daily use as part of that. The additional parking space that would be provided once developed, was for family and personal use, with modest vehicles and once complete, would improve the appearance of the property from the road, as well as making use of the redundant patio area. The proposed beach room corresponded to an outbuilding that had previously been located on the site in the 1950's and was less wide than the garage. Mr Thompson had improved the property and had replaced the unsightly uPVC windows and introducing tiled roofing. With reference to the comments on the colloquial term for large expensive cars dominating the frontage, Mr Thompson said that he doesn't own such vehicles and that would not be the case.

In response to a question from Councillor Goldson, Mr Thompson confirmed that the whole parking hardstanding area would be surfaced with grass blocks.

At the invitation of the Chairman, the Planning Manager sought to clarify matters for Members. It was emphasised that the application was a homeowner application and should be treated fairly as such. The Town Council had demonstrably made assumptions in their consideration of the application and had used emotive language during the meeting which was unhelpful. The Planning Manager countered that the Neighbourhood Plan policies had been competently applied by Officers in making their recommendation, and no precedent would be set in approving the application. The Neighbourhood Plan was robust and well prepared, and its policies sat side by side with Local Plan policies. The Planning Manager confirmed that the recommendation certainly would not neuter the Neighbourhood Plan policies and that ESC Planners applauded the efforts of Southwold for its ambitious policies, including recent defence of them and similar neighbouring Reydon Neighbourhood Plan policies at appeal. There was no policy conflict, the application was relatively modest, the retained garden space would be consistent with other properties on the road, and the parking concerns had been addressed in the report, including a condition that the parking provision be completed prior to first use.

The Chairman invited the Committee to debate the application. Councillor Goldson noted that the amount of garden space that would be lost was small, and along with Councillor Pitchers observed that the one additional car parking space would not be visible from the road. Councillor Beavan concurred and noted that the grass block paving would mitigate drainage and biodiversity concerns. Councillor Cooper saw no evidence to support the assertion that the beach room would be used as a fourth bedroom; and Councillor Brooks was satisfied that the applicant had made clear the purpose for which the property was intended to be used.

Councillor Beavan moved that the application be approved, Councillor Pitchers seconded, the Chairman moved to the vote and it was by a majority unanimously

RESOLVED

That the application be **APPROVED** subject to conditions.

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 05M and 06G received 18/05/2022, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

4. The annex hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of 23 Ferry Road.

Reason: The proposal is inappropriate for use as a separate/independent dwelling.

The meeting concluded at 3.56pm

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Chairman

PLANNING COMMITTEE NORTH

Title of Report:

East Suffolk Enforcement Action– Case Update

Meeting Date

11 October 2022

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 26 September 2022. At present there are 15 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 outstanding enforcement matters up to 26 September 2022 be noted.

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"> • 15/10/2010 - EN served • 08/02/2010 - Appeal received • 10/11/2010 - Appeal dismissed • 25/06/2013 - Three Planning applications received • 06/11/2013 – The three applications refused at Planning Committee. • 13/12/2013 - Appeal Lodged • 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 • 31/01/2015 – New planning appeal received for refusal of Application DC/13/3708 • 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. • 10/11/2015 – Informal hearing held 	30/10/2022

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"> • 01/03/2016 – Planning Appeal dismissed • 04/08/2016 – Site re-visited three of four Notices have not been complied with. • Trial date set for 21/04/2017 • Two charges relating to the mobile home, steps and hardstanding, the owner pleaded guilty to these to charges and was fined £1000 for failing to comply with the Enforcement Notice plus £600 in costs. • The Council has requested that the mobile home along with steps, hardstanding and access be removed by 16/06/2017. • 19/06/2017 – Site re-visited, no compliance with the Enforcement Notice. • 14/11/2017 – Full Injunction granted for the removal of the mobile home and steps. • 21/11/2017 – Mobile home and steps removed from site. 	

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"> Review site regarding day block and access after decision notice released for enforcement notice served in connection with unauthorised occupancy /use of barn. 27/06/2018 – Compliance visit conducted to check on whether the 2010. 06/07/2018 – Legal advice being sought. 10/09/2018 – Site revisited to check for compliance with Notices. 11/09/2018 – Case referred back to Legal Department for further action to be considered. 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). 01/11/2018 – Court Hearing at the High Court in relation to the 2010 Enforcement Notice. Injunctive 	

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"> • Injunction granted. Three months given for compliance with Enforcement Notices served in 2010. • 13/12/2018 – Site visit undertaken in regards to Injunction served for 2014 Notice. No compliance. Passed back to Legal for further action. • 04/02/2019 –Site visit undertaken to check on compliance with Injunction served on 01/11/2018 • 26/02/2019 – case passed to Legal for further action to be considered. Update to be given at Planning Committee • High Court hearing 27/03/2019, the case was adjourned until the 03/04/2019 • 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- 	

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"> • 11/04/2019 – Officers returned to the High Court, the case was adjourned until 7 May 2019. • 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. • 05/09/2019 – Site visit undertaken; file passed to Legal Department for further action. • Court date arranged for 28/11/2019. • 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 • Site visited. Case currently with the Council's Legal Team for assessment. 	

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"> Charging orders have been placed on the land to recover costs. 	
EN/09/0305	18/07/2013	South	Park Farm, Chapel Road, Bucklesham	Storage of caravans	<ul style="list-style-type: none"> Authorisation granted to serve Enforcement Notice. 13/09/2013 -Enforcement Notice served. 11/03/2014 – Appeal determined – EN upheld Compliance period extended to 4 months 11/07/2014 – Final compliance date 05/09/2014 – Planning application for change of use received 21/07/2015 – Application to be reported to Planning Committee for determination 14/09/2015 – site visited, caravans still in situ, letter sent to owner requesting their removal by 30/10/2015 11/02/2016 – Site visited, caravans still in situ. Legal advice sought as to further action. 09/08/2016 – Site re-visited, some caravans re-moved but 20 still in situ. Advice to be sought. 	July 2023

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"> • Further enforcement action to be put on hold and site to be monitored • Review in January 2019 • 29/01/2019 – Legal advice sought; letter sent to site owner. • 18/02/2019 – contact received from site owner. • 04/04/2019 – Further enforcement action to be placed on hold and monitored. • Review in April 2021. • 13/04/2021 – Letter sent to owner to establish current situation • Given until the end of June to either comply or supply the Council with any other information • Case being reviewed. • 22/05/2021 – contact received from site owner. Case reviewed • Due to the receipt of confidential information formal action has been placed on hold. • 06/07/2021 – Further enforcement action to be placed on hold and monitored, not expedient at 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					present to pursue. Review in two years.	
ENF/2016/0292	11/08/2016	South	Houseboat Friendship, New Quay Lane, Melton	Change of use of land	<ul style="list-style-type: none"> 11/08/2016 – Authorisation granted to serve Enforcement Notice with an 8 year compliance period. Enforcement Notice to be drafted Enforcement Notice served on 20/10/2016, Notice effective on 24/11/ 2016 – 8 year compliance period (expires 24/11/2024). 	24/11/2024
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"> 16/11/2017 – Authorisation given to serve EN. 22/02/2018 – EN issued. Notice comes into effect on 30/03/2018 and has a 4 month compliance period Appeal submitted. Awaiting Start date Appeal started, final comments due by 08/02/2019. 	31/10/2022

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"> • Waiting for decision from Planning Inspectorate. • 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. • 13/11/2019 – EN served in relation to the residential use of the site. Compliance by 13/04/2020 • Site visited. Case conference to be held • Appeal received in relation to the EN for the residential use • Appeal started. Statement submitted for 16th June 2020 • Awaiting Planning Inspectorate Decision • Appeal dismissed with some amendments. Compliance by 11/12/2020 • Site visit to be undertaken after 11/12/20 	

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"> Site visited, no compliance with Enforcement Notices, case passed to Legal Department for further action. Further visit to be done on 25/03/2021. Site visit completed, Notices not complied with, file passed to Legal services for further action. Application for an Injunction has been made to the High Court. Hearing scheduled for the 06/10/2022 	
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"> Initial complaint logged by parish on 22/09/2015 Case was reopened following further information on the 08/12/2016/ Retrospective app received 01/03/2017. Following delays in information requested, on 20/06/2018, Cate Buck, Senior Planning and Enforcement Officer, took 	31/12/2022

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>over the case, she communicated and met with the owner on several occasions.</p> <ul style="list-style-type: none"> • Notice served by recorded delivery 05/09/2018. • Appeal has been submitted. Awaiting Start date. • Start letter received from the Planning Inspectorate. Statement due by 30/07/19. • Awaiting Planning Inspectorate Decision • Appeal dismissed. Compliance with both Notices by 05/08/2020 • Further legal advice being sought in relation to the buildings and fencing. Extension of time given until 30/04/21 for removal of the lake and reverting the land back to agricultural use due to Licence being required for removal of protected species. 	

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"> • Court hearing in relation to structures and fencing/gates 03/03/2021 • Case adjourned until 05/07/2021 for trial. Further visit due after 30/04/21 to check for compliance with steps relating to lake removal. • Further visit conducted on 04/05/2021 to check for compliance on Notice relating to the lake. No compliance. Case being reviewed. • 05/07/2021 – Court hearing, owner was found guilty of two charges and had already pleaded guilty to one offence. Fined £550 and £700 costs • 12/07/2021 – Letter sent to owner giving until the 10th August 2021 for the structures to be removed • Site visited on 13/08/21 all structures removed from the site. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
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"> • Temporary Stop Notice Served 02/05/2019 and ceases 30/05/2019 • Enforcement Notice served 24/05/2019, comes into effect on 28/06/2019 • Stop Notice Served 25/05/2019 comes into effect 28/05/2019. • Appeal has been submitted. Awaiting Start date. • Appeal to be dealt with as a Hearing. Deadline for Statements 03/08/2020 • Awaiting date of hearing from Planning Inspectorate. • Hearing date set for 02/02/2021. • Hearing adjourned until 09/03/2021 • Hearing adjourned again until 21/04/2021 as was not completed on 09/03/2021. • Awaiting Decision • Appeal dismissed and partial costs to the Council 	30/10/2022

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"> • Compliance with Notice by 18/08/2021 • Extension of time granted for compliance until 31/10/21. • Further extension granted until 15/11/2021. • Site visited on 18/11/21 – no works undertaken, case to be referred to legal department for further action to be considered. • Certificate of Lawful Use (Proposed) application submitted. • Certificate of Lawful Use (proposed) refused. • Appeal submitted in relation to LDC refusal. Statements by 08/07/2022 	
ENF/2019/0307/CON D	21/10/2021	North	The Southwold Flower Company, Land at Wangford Rd/Reydon Lane, Reydon	Breach of conditions, 2, 4 and 8 of Planning Permission DC/18/0335/FUL	<ul style="list-style-type: none"> • 21/10/2021 – Enforcement Notice served. Date effective 25/11/2021. 3/5 months for compliance, requiring the building to be converted to be in full compliance with the permission within 5 months. To cease all retail 	25/02/2022 and 25/04/2022

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>sales from the site and to submit a scheme of landscaping within 3 months.</p> <ul style="list-style-type: none"> • Appeal submitted. Waiting for start date from the Planning Inspectorate. • Appeal notice received. Statement due to Planning Inspectorate by 21/01/2022. • Awaiting Planning Inspectorate Decision 	
ENF/21/0441/SEC215	03/02/2022	North	28 Brick Kiln Avenue, Beccles	Untidy site	<ul style="list-style-type: none"> • S215 (Land adversely affecting amenity of Neighbourhood) Notice served 07/02/2022- compliance due by 11/06/2022 • Site visit undertaken on 17th June 2022 to check compliance. Site remains untidy. Internal discussion to be held regarding further action. • File passed to Legal Department for further action. 	11/11/2022
ENF/21/0051/USE	10/03/2022	North	Land West Of Guildhall Lane, Wrentham	Change of use and unauthorised operational development (mixed use including storage of materials, vehicles and	<ul style="list-style-type: none"> • 10/03/2022 - Enforcement Notices served and takes effect on 11/04/2022. 4 months for compliance. 	30/11/2022

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
				caravans and residential use /erection of structures and laying of hardstanding)	<ul style="list-style-type: none"> Site visit to check for compliance with Notices due on 25/08/2022. Site visit completed; file has been passed to the Legal Dept for further action. 	
ENF/20/0131/LISTL	17/03/2022	North	6 Upper Olland Street, Bungay	Unauthorised works to a Listed Building (Installation of roller shutter and advertisements)	<ul style="list-style-type: none"> 17/03/2022 - Listed Building Enforcement Notice served and takes effect on 18/04/2022. 3 months for compliance. Appeal submitted. Waiting for start date from the Planning Inspectorate. Appeal started. Statements due by 07/06/2022 Awaiting Planning Inspectorate Decision 	18/08/2022
ENF/21/0003/DEV	07/04/2022	North	26 Highland Drive, Worlingham	High fence adjacent to highway.	<ul style="list-style-type: none"> 07/04/2022- Enforcement notice served and takes effect on 09/05/2022. 2 months for compliance. Appeal submitted. Awaiting start date. Appeal started. Statements by 30/06/2022 Awaiting Planning Inspectorate Decision 	30/09/2022

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/21/0027/USE	16/06/2022	North	18 The Esplanade, Lowestoft	Mobile homes for residential use	<ul style="list-style-type: none"> 16/06/2022 – Enforcement Notice served. Take effect on 18/07/2022. 4 months for compliance 	18/11/2022
ENF/21/0359/CONL	16/06/2022	North	40 Victoria Street, Southwold	Insertion of a rooflight on principal elevation	<ul style="list-style-type: none"> 16/06/2022 – Enforcement Notice served. Take effect on 25/07/2022. 3 months for compliance Skylight has been removed. Enforcement notice has been complied with. Case will be closed. 	25/10/2022
ENF/21/0411/COND	16/06/2022	North	Paddock 2, The Street, Lound	Change of use of land for residential use and stationing of mobile home	<ul style="list-style-type: none"> 16/06/2022 – Enforcement Notice served. Take effect on 18/07/2022. 4 months for compliance Appeal received. Statement due by 07/10/2022 	18/11/2022
ENF/21/0074/SIGN	25/08/2022	South	297 High Street, Walton	Partial change of use of shop to residential accommodation	<ul style="list-style-type: none"> 25/08/2022 – Enforcement Notice served. Comes into effect on the 26/09/2022. 3 months for compliance 	26/12/2022

Committee Report

Planning Committee North – 11 October 2022

Application no DC/22/0462/ARM

Location

Land South Of
Halesworth Road
Reydon

Expiry date 5 May 2022

Application type Approval of Reserved Matters

Applicant Hill Residential Ltd

Parish Reydon

Proposal Approval of Reserved Matters of DC/15/3288/OUT - Outline application to enable improvements to Saint Felix School to include residential development, public open space and associated infrastructure on the former playing field at Saint Felix School. Appearance, landscaping, layout and scale, pursuant to outline permission DC/15/3288/OUT for the development of 55 dwellings.

Case Officer Joe Blackmore
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1. Summary

- 1.1 This application seeks the approval of Reserved Matters of outline planning permission ref. DC/15/3288/OUT. The application has been referred direct to the Planning Committee (North) by the Head of Planning and Coastal Management because of its significant public interest.
- 1.2 Following officer feedback, and a positive response from the applicant, the proposals are well-designed and will ensure this residential development is of a high quality and appropriate for the AONB location on the edge of the village. The detailed reserved matters are in accordance with the Development Plan and the application is recommended for approval.

2. Site Description and Planning History

- 2.1 St Felix School ("the School") is located to the west of Reydon on the A1095 Halesworth Road which connects the A12 to Reydon and Southwold.
- 2.2 The School site comprises approximately 28 hectares and is divided into two almost equally sized parts by Shepherd's Lane, which runs south to north. All the School buildings and many of its playing fields are located to the west of Shepherd's Lane. The land to the east comprises additional playing fields and open space. The application site is located on the eastern side of Shepherd's Lane and comprises grassland that has in the past been used as rugby and hockey pitches. The site is rectangular in shape and slopes in a south easterly direction.
- 2.3 Halesworth Road forms the northern boundary to the site, albeit it is visually and physically separated from the site by a well-established tree belt that is protected by a series of Tree Preservation Order ('TPO') Groups.
- 2.4 To the west of the site is a development of twenty residential properties known as St Georges Square, built as enabling development in the early 2000s. To the east of the site is a late 20th Century housing development and to the south is open greenspace, currently used by the School on an infrequent basis.
- 2.5 The site is located outside the defined settlement boundaries of the Main Town of Southwold and Reydon and is within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty ('the AONB') and within an area of Heritage Coast.
- 2.6 The St Felix School Grounds (Waveney 74) County Wildlife Site (CWS) lies to the immediate south of the application site boundary, albeit within the School's ownership. Several European Designated Sites, including the Minsmere-Walberswick Special Protection Area (SPA) and Minsmere-Walberswick Heath and Marshes Site of Special Scientific Interest (SSSI) are located within 1 km of the Site.
- 2.7 The School, whilst not statutorily or locally listed, is of architectural and historic merit and may be considered as a non-designated heritage asset (NDHA).
- 2.8 On 05 February 2019, outline planning permission was granted under ref. DC/15/3288/OUT ("the outline permission") for the following development:

"Outline Application to enable improvements to Saint Felix School to include residential development, public open space and associated infrastructure on the former playing field at Saint Felix School."
- 2.9 That outline permission reserved all matters for future determination, save for the point of access into the site from Halesworth Road. The outline permission approved the development of up to 69 residential dwellings together with areas of public open space and associated infrastructure.
- 2.10 Linked to the outline planning permission is a comprehensive Section 106 Agreement ("the S106") that provides for the following obligations (summarised):

Affordable Housing

- Affordable housing provision on site at 35% of the total housing units. The tenure split to be detailed at the reserved matters application stage.

Landscaping and Management Strategy

- A landscaping plan and management strategy are required for the new areas of onsite open space. The detailed landscaping of these areas will be agreed at the reserved matters submission.

Highways and Public Transport Contribution

- A sum of £22,000 to be paid to Suffolk County Council, prior to the occupation of the first dwelling, to be used to improve existing bus stops on Halesworth Road by raising kerbs for easier boarding/alighting and the provision of real time screens to show live bus arrival times.

Sports and Recreation Facilities

- The provision and implementation of replacement playing pitches of at least equivalent quality and quantity to the existing; the provision of new sports changing facilities, and a Community Use Agreement be entered into to ensure community access to the new facilities.

Access to Green Spaces

- A series of measures to provide appropriate mitigation for the in-combination effects of the development on European wildlife sites as informed by a Habitats Regulations Assessment (HRA).
- The improvement to the network of paths and greenspaces close to the site to reduce the demand for visits to European Sites.
- Two new Accessible Natural Green Spaces are to be provided prior to the occupation of the first dwelling.
- A network of new footpaths and entrance points linking the development site to existing footpaths in the area creating the potential for circular walks for the residents of the new development.
- A scheme of signposting for the Development Land and an information pack for future residents showing options for walks around the Retained Land, to be approved by the Council.
- A strategy for maintaining path margins and gorse areas in perpetuity.
- A Suffolk Coast RAMS contribution.

School Refurbishment and Modernisation

- Section 6 of Schedule 3 to the S106 seeks to ensure the capital receipts from the sale of the site are paid into a ring-fenced bank account in the name of the school, to be reinvested back into school refurbishment and modernisation.

2.11 Linked to the S106, a planning application was submitted in June 2020 seeking planning permission for the '*Creation of two sports pitches*'. This application was approved on 05 January 2021, and planning permission granted ("the pitches permission"). This decision was subject of an application for Judicial Review. Mrs Justice Lang ordered (09 December 2021) that the application for Judicial Review be refused. Therefore, the pitches permission is lawful and remains extant. The pitches permission established the location, quantum, and

design of the replacement sports pitches, as required by the S106, to mitigate the effects of re-developing the existing sports pitches (the application site) for the housing approved under the outline permission.

- 2.12 The outline permission included eighteen planning conditions. Condition one required the submission of a reserved matters application(s) for the details of layout scale, appearance, and landscaping. This application under consideration meets that condition, providing for all those detailed reserved matters. Condition two of the outline permission required the timely submission of the reserved matters application; this has been complied with.
- 2.13 The remaining conditions are either compliance conditions, or conditions that require the submission to the Council - and approval - of specific details. There is some crossover between the requirements of those conditions, and the detail set out within this reserved matters application.
- 2.14 Submitted in tandem, alongside this reserved matters application, are three applications seeking to agree details reserved by condition on the outline permission:

DC/22/0463/DRC | Discharge of Conditions for Condition 9 & 10 of DC/15/3288/OUT

- Condition 9 provides for details of: a new uncontrolled pedestrian crossing point located approximately 53m West of The Drive over Halesworth Road; and the improvement of the existing footpath which runs along the frontage of the development between the proposed access point and the proposed pedestrian crossing
- Condition 10 provides for the full specification/construction details of the vehicle access approved under the outline permission.

DC/22/0464/DRC | Discharge of Condition No 11 of DC/15/3288/OUT

- Condition 11 provides for the submission of a reptile survey and any required mitigation works.

DC/22/0465/DRC | Discharge of Condition nos. 5 and 6 of DC/15/3288/OUT

- Conditions 5 and 6 provide for the submission and implementation of a surface water drainage strategy.
- 2.15 The detail submitted (as amended) within these discharge of condition applications is mostly included within the reserved matters application before the Committee. For example, the detailed access design and surface water drainage strategy are key components of the detailed layout under consideration.
- 2.16 The applications have been considered collectively by officers. Whilst the discharge of condition applications will not be presented to this Committee for a decision, they have been progressed in parallel with the reserved matters application and are ready to be concluded subject to a positive resolution on this reserved matters application before the Committee.

- 2.17 In terms of the S106 requirements for proceeds from the sale of the site to be properly reinvested back into school refurbishment and modernisation, this process has already begun with planning permission granted under ref. DC/20/1450/FUL for the extension of the Sports Hall to create new changing rooms, along with associated revisions to car parking arrangement. A planning application has also recently been received (ref. DC/22/2829/FUL) seeking permission for development comprising: *“New Artificial Grass Pitch (AGP) for Football Usage with PE level Hockey usage, including the provision of 6 No Floodlight Columns and installation of a dome over an existing block of tennis / netball courts”*. These are the kind of works/enhancements required by the S106, but the latter application mentioned has only just been received and will need to be considered on its own merit in due course.
- 2.18 Regarding obligations securing access to new green spaces, this is a matter subject of ongoing work with the applicant to meet the S106 requirements and is not part of this Reserved Matters application. There is also linked requirement through condition 7 of the pitches permission, which requires a landscape and ecological management plan (LEMP) for the St Felix School Grounds County Wildlife Site to be approved prior to first use of the replacement pitches. Officers have had constructive discussions with the applicant team, and Reydon Parish Council on these matters, and post-reserved matters decision will be continuing that dialogue to ensure a revised LEMP is provided to satisfy that condition; in tandem with that, the S106 obligations regarding access to green spaces will also be concluded to ensure the obligations are fulfilled.

3. Proposed Development

- 3.1 This application provides for all the matters reserved on the outline permission: the detailed layout, internal road layout, site landscaping, and appearance/scale of all buildings.
- 3.2 The outline permission consented the development of up to 69 dwellings. The proposed layout comprises 55 dwellings. Whilst that quantum of development is significantly lower than the limit set at outline permission stage, it is entirely valid to provide a reserved matters layout of fewer dwellings. It would only be in the event where additional dwellings beyond the ‘up to 69’ figure was proposed that a fresh application would be required.
- 3.3 The proposal has been subject of significant design amendments during the process, following a series of meetings between officers and the applicant team. There has been considerable input from the Council’s Principal Design and Conservation Officer, Strategic Landscape Advisor, and Senior Ecologist to support that work. The evolution of the scheme will be shown in the presentation to the Committee, but a summary of the final proposals before Members is set out below.
- 3.4 Two key parts of the site layout were fixed in the outline permission: the position of the vehicle access in the northwest corner of the site; and the retention of a large triangular shaped swathe of woodland to the south side of Halesworth Road. The proposed layout is organised around those two elements. The main spine road runs broadly on a north-south alignment before turning through ninety degrees to run east. This route is shown to be tree lined, with many of the dwellings accessed directly from that route, but also a good proportion via driveways that project off that main route.

- 3.5 There are a series of pedestrian connections through the woodland area, providing multiple route linkages between the site and the footway on the southern side of Halesworth Road. A pedestrian link connects the site to the existing public right of way that borders the eastern edge of the site.
- 3.6 Within the woodland belt is a small Local Area for Play (LAP), with the larger Local Equipped Area for Play (LEAP) in the southwestern corner of the site, to the west of St Georges Lane.
- 3.7 The area of the scheme subject of considerable design input from officers has been regarding the appearance of the proposed house types. The design of all buildings is traditional in form, with a mixture of materials aiming to create a bespoke development for this site - which is quite well-contained and does not necessarily need to replicate the design/appearance of local development. Through this design work, the architect has established character areas and identified key buildings within the site which have been treated differently, externally, incorporating detailed flint accents.
- 3.8 In terms of the composition of the development, 19 of the dwellings will be affordable homes, which meets the 35% obligation set out in the outline permission. 13 dwellings to be affordable rent, and 6 as shared ownership.
- 3.9 The mix of house types is as follows:
- 1-bedroom: four (4no.) dwellings;
 - 2-bedroom: fourteen (14no.) dwellings;
 - 3-bedroom: twenty-two (22no.) dwellings;
 - 4-bedroom: thirteen (13no.) dwellings; and
 - 5-bedroom: two (2no.) dwellings.

4. Third Party Representations

- 4.1 In response to public consultation, 21 representations of objection have been received.
- 4.2 In addition to that, the tandem discharge of condition application DC/22/0463/DRC has received a total of seventeen letters of objection. Whilst these comments are technically on a separate DRC application, the matters of concern very clearly relate to this reserved matters application, too, so Members will need to have proper regard to those material planning considerations raised when deciding the application.
- 4.3 Reydon Action Group for the Environment (RAGE) have also objected to this application, along with the tandem DRC application.
- 4.4 A summary of the key considerations raised are set out below:
- The access was not properly approved at outline stage. Point of access was not approved and remains unclear.
 - The access proposed will harm TPO trees north of the site.
 - The access is unsafe due to its position relative to Keen's Lane and existing bends/dips on the A1095.
 - The outline permission is not capable of implementation.

- Inadequate cycling and walking connections.
- No details of the pedestrian crossing on the A1095.
- Development will harm the AONB.
- Development will harm habitats for wildlife.
- Dwellings will not be affordable for local people.
- Dwellings will be second homes and holiday lets.
- Sub-station and play area on land to the south of St Georges Square will harm amenity and does not accord with the S106.
- strongly to the removal on any trees on the east side of the development. Lakeside Park Drive properties and others lay some 12 feet below the level of the playing field and the trees provide stability and dispersal of surface water for the embankment.
- Site lighting needs to be controlled.
- The latest plans show that the new development will have direct access to St Georges Square via St Georges Lane. This is totally unacceptable, as all the roads around & through St Georges square are privately owned & maintained by the Reydon (St Georges Square) Management Company on behalf of the residents of the square.
- The original commitment to seal off the vehicle link & provide an alternative access route for Healthlands residents and construction traffic should be upheld to ensure the continued privacy of St Georges Square.
- Residents of St Georges Square previously campaigned for the existing link between St Georges Square and the proposed development site (via St Georges Lane) to be sealed off. The outline planning permission was predicated, in its entirety and from the outset, upon St George's Square being sealed off from St George's Lane with vehicular traffic from the proposed new development precluded. Pedestrian access would still be possible and permitted.
- The residents of the proposed new homes (and others) will have an unhindered alternative access route to / from the Halesworth Road, directly through St Georges Square.

4.5 The Ward Member, Cllr David Beavan, has also commented on the application, as follows:

"I agree with

1. RAGE that the access issues still need to be determined.

2. St George's residents that their small estate is an inappropriate access.

3. Everybody that a mini roundabout is the only way to safely accommodate all the traffic joining Halesworth Road."

5. Consultee Responses to Initial Round of Public Consultation

Consultee	Date consulted	Date reply received
Reydon Parish Council	3 March 2022	23 March 2022
<p><i>"1 General We recognise that that this is a Reserve matters application as set out above. However, it is six years since outline consent was granted and much has changed since, including the making of the current Waveney Local Plan and of the Reydon Neighbourhood Plan. There are now significant differences in the proposals between those submitted in 2015 and those now presented in this application, notably the reduction in the number of dwellings proposed and the removal of</i></p>		

the eastern tree belt. With all these changes we think that this should be considered as a new application and that the provisions of the Waveney Local Plan and the Reydon Neighbourhood Plan should apply. That said, we think there is much to commend in this application. Its scale and layout, its housing mix and its tenure blindness are all to be welcomed. Our Reydon Neighbourhood Plan sets out Design Principles (Policy RNP 10) which include provision for energy efficiency and preservation of habitats etc. We welcome the ways in which proposals meet these principles as stated in the Design and Access Statement. Nonetheless, the Parish Council has a number of concerns, which we set out below.

2 Access a) We acknowledge that the main access from the development onto the Halesworth Road has already been determined in the Outline Approval decision from the Planning Authority. However, serious safety concerns remain. As this road is a notorious speeding site and includes a blind corner at Keens Lane there is a need for a traffic calming measure at the point of entry to Halesworth Road, and the PC has argued for a roundabout. We would like this matter to be considered again, in consultation with the Highways Authority.

b) Although not part of this application, we must point out that the access arrangements for the new playing fields and other community facilities are unsatisfactory. A far more comprehensive plan is now necessary to ensure safe access to the housing, the school, the community use facilities and the existing housing developments. We request that the LPA considers this and undertakes discussions with the applicant and the school, and propose a safe access scheme to the Halesworth Road for these facilities in line with Reydon Neighbourhood Plan Policy RNP 7 c) In addition, our Neighbourhood Plan requires provision from new developments for Safe Walking and Cycling (Policy RNP9). We ask that the LPA requires a contribution from the application for provision such as the establishment of a cycle route along Halesworth Road.

3 Affordable Housing a) We note that the proposal is to include 35% affordable housing as required by the Outline Consent. We consider that the 40% requirement of the current Waveney Local Plan should apply and that there should be 22 affordable dwellings in the scheme. b) Under our Neighbourhood Plan, the tenure mix of affordable housing is for shared ownership and affordable rented housing only (Policy RNP1). We understand that this is what the applicant intends to provide. However the Parish Council remains concerned about the proposed location of the affordable housing in one are of the development. This is, in part due to the requirement of the S106 agreement that the affordable housing is delivered early in the implementation of the scheme. We ask the LPA to agree a phasing of the affordable housing that allows for it to be distributed across the whole development.

4 Principal Residence Policy Reydon Neighbourhood Plan requires all new housing to be occupied as Principal Residences (Policy RNP 4) This reflects the issues threatening our community by the high percentage of dwelling occupied as second homes or used as holiday lets (now around 35%) We ask the Local Planning Authority to apply this policy as a key way of ensuring that the development offers real community benefit.

5 Tree Belt and County Wild Life site a) We note that there appears to be intentions to retain many existing trees and plant new ones and to leave much of the gorse areas around the site, which are an important part of the County Wildlife Site. We are concerned that the proposals now includes the removal of the eastern tree belt (which is outside the CWS). If the LPA is minded to agree to this, we ask that it sets clear and enforceable conditions about the quality of the proposed new hedgerow and the quality and quantity of the proposed replacement trees. b) The related Playing Fields proposals (which we acknowledge are not part of this application but are linked to the S106 agreement) contain changes and management plans for the CWS which will damage much of its

importance as habitat for birds and other wildlife. The Outline Consent included provision for engagement of local stakeholders in developing plans for management of the CWS and mitigation of the detrimental effects of the developments. This has not happened. We are glad to have been told that the school will now consider stakeholder engagement and ask that the Local Planning Authority takes steps to ensure that this condition is fulfilled.

Our main concern about the plans for the CWS are 1 The Landscape and Ecology Management Plan is inadequate in terms of its stated aim to enhance biodiversity for the following reasons: a - The proposed new Accessible Green Space, to the south of the junction of St Georges Lane and Shepherds Lane, is currently one of the most biodiverse locations in the CWS. The scattered trees and scrub presently provide ideal habitat for a plethora of birds (including nesting nightingales, a red-listed bird), reptiles, mammals (including bats) and invertebrates. The works that would transform this area to make an ANG would devastate the current habitat, diminishing rather than enhancing biodiversity. b - The proposed ANG would also be accessible for limited periods only as a significant proportion of the ground is below the level of Shepherds Lane. It floods frequently. The rationale given in the 'Strategy for avoidance of increased recreational pressure' is that the ANG would provide an area to walk when other footpaths are muddy and difficult to use. This would not be the case. c - There is a proposal to broaden the footpaths at the south-eastern corner of the CWS (adjacent to the fishing ponds). This second key habitat for biodiversity part of which is known historically as Nightingale Heath and has, for the last few years, been the nesting site for at least two pairs of nightingales (either side of the footpath) and is again in one of the most biodiverse parts of the site. This is another area in need of careful protection rather than clearance. The footpath itself suffers from flooding from water running off the adjacent higher ground, so rather than broadening it, what is needed is lifting of the surface, possibly installing drainage beneath it, and reinforcing the current path. d - Finally, in any work to revise these plans, we ask that the earlier consultation comments received from the Suffolk Wildlife Trust are taken into account.

This development will result in a loss of habitat and reduction in size of this County Wildlife Site. In addition, we believe that despite the mitigation measure proposed, this would alter the site's habitats and therefore its functionality. We note the Ecological Assessments states; More precise assessments for net gain as measured by "Biodiversity metric" may be required based on a detailed management plan. 'This provides further uncertainty whether this scheme would deliver Biodiversity Net Gain. d The Parish Council has now had constructive discussions with the school and the applicant about these issues. Taking these concerns, into account, and also the fact that a new network of local paths has been created by and adjacent landowner (the Old Hall Farm Walks) which link the farm to the estuary and to the paths around St Felix we believe that there is no need at all for the southern ANG nor the widening of the footpaths in the south-eastern corner of the CWS. The developer and the school are willing to engage further with the Parish and the LPA to discuss these points, including understanding if the wording of the existing S106 agreement allows for the wishes of the Parish to be met. e We would point out that our aim is to have less done to the CWS rather than more and that this would reduce both capital and subsequent maintenance costs for the school and landowner.. It would also go a long way to meeting one of the key concerns of the community about the planned development and its consequences. It seems to us as a Parish Council that everyone would gain from such partnership working."

Consultee	Date consulted	Date reply received
East Suffolk Ecology	3 March 2022	No response
<p>Summary of comments:</p> <p>No written comments at this stage. Significant verbal advice provided at multiple meetings with the applicant/agent and their architect and consultants.</p>		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	3 March 2022	14 March 2022
<p>Summary of comments:</p> <p>No comments other than we still have yet to see the information required by the contaminated land conditions. 12 -15 in DC/15/3288/OUT</p>		

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	3 March 2022	31 March 2022
<p>Summary of comments:</p> <p>This mix is acceptable and will meet local housing need. The clustering of the homes does not meet policy, however, the location of the affordable homes is adjacent to the wooded area and will provide residents with access to green, amenity space and is therefore acceptable. I also note the location of the LEAP is fairly close.</p>		

Consultee	Date consulted	Date reply received
Natural England	3 March 2022	15 March 2022
<p>Summary of comments:</p> <p>NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED</p> <p>We consider that without appropriate mitigation the application would have an adverse effect on the integrity of the following designated sites:</p> <ul style="list-style-type: none"> • Benacre to Easton Bavents Special Protection Area (SPA) • Minsmere-Walberswick SPA • Minsmere to Walberswick Heaths and Marshes Special Area of Conservation (SAC) • Minsmere-Walbesrwick Ramsar <p>We consider that without appropriate mitigation the application would also damage or destroy the interest features for which the underpinning Sites of Special Scientific Interest (SSSIs) of the above European sites have been notified.</p> <p>In order to mitigate these adverse effects and make the development acceptable, we agree that the mitigation measures summarised in section 4 of the Habitats Regulations Assessment (HRA) produced at outline planning stage (Footprint Ecology, July 2018) must be secured.</p> <p>Additionally, we advise that as the development results in an increase of over 50 dwellings, onsite mitigation should be secured. Natural England recognises and commends the inclusion in the plans of 10,211m² of open space. Further advice is outlined below.</p>		

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures. Natural England's further advice on designated sites/landscapes and advice on other issues is set out below.

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	3 March 2022	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
SCC Coasts And Heaths Project	3 March 2022	24 March 2022

Summary of comments:

The Landscape Masterplan ref GUA-DR-L-SK01 (P03) shows the hard and soft landscape proposals for the site. The AONB team welcome that the woodland belt to the north of the site is to be retained. This will ensure that the development is partially screened from Halesworth Road whilst also help to conserve local landscape character and features that contribute to the natural beauty of the Suffolk Coast & Heaths AONB. We also welcome that the tree belt running along the southern boundary of the site will also be retained.

The Landscape Masterplan included in the Design and Access Statement refers to a new planting buffer to the west of the new site access and between the gardens of St Georges Square. Since the proposed boundary buffer planting along the western boundary will also border private gardens, a long-term protection agreement should be set up to protect and manage this planting long term. The Landscape Masterplan includes an example planting palette, but it does not provide sufficient or specific detail on which trees are to be planted where. This information should be provided to satisfy Condition 18.

The provision of trees within the main part of the development is poor. The scheme would benefit from the inclusion of street trees planted along the spine roads to improve the streetscape and soften the built form.

While the woodland will provide publicly accessible open space, the small open space in the centre of the development raises concerns about its usability and functionality. This should be reviewed to see if there are opportunities to make it larger. The location of the proposed LAP and LEAP are not well located relative to the main development. Both are being proposed in locations that are not overlooked and where surveillance is poor. This should be reviewed.

It is not clear which boundary treatments are being proposed for this site. If close boarded fencing is to be erected on the site and particularly between private gardens, then wildlife friendly kickboards should be used to enable the passage of small mammals and hedgehogs between residential gardens.

It is not clear if external lighting is being proposed at this site? Given the sensitivity of the area, if lighting is being proposed, a lighting plan should be prepared and agreed in writing with your authority prior to there installation of any site lighting.

This is necessary to conserve the limit light pollution, conserve dark skies and to protect nocturnal wildlife at this site.

Consultee	Date consulted	Date reply received
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SCC Highways Department	3 March 2022	25 April 2022
<p>Summary of comments:</p> <p>HOLDING OBJECTION to be addressed:</p> <p>The access details need to be amended for width and pedestrian provision.</p> <p>Sustainable links in accordance with NPPF 112 to be provided.</p> <p>These need to be adequately addressed and agreed before the objection can be lifted.</p> <p>Other information and changes required in order for the application site to meet SCC adoptable standards.</p> <p>SCC Public Rights of Way have replied under a separate cover.</p>		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	3 March 2022	22 March 2022
<p>Summary of comments:</p> <p>We have reviewed the submitted documents and we refer to our response for DC/22/0465/DRC which recommends a partial discharge of conditions.</p> <p>Until all aspects of DC/22/0465/DRC have been addressed, SCC LLFA cannot recommend approval of DC/22/0462/ARM. Therefore, we recommend a holding objection.</p>		

Consultee	Date consulted	Date reply received
SCC Rights Of Way	3 March 2022	24 March 2022
<p>Summary of comments:</p> <p>No objections. Standard informatives/advice provided.</p>		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	3 March 2022	No response
<p>Summary of comments:</p> <p>No comments received.</p>		

Consultee	Date consulted	Date reply received
Suffolk Police Design Out Crime Officer	3 March 2022	No response
<p>Summary of comments:</p> <p>No comments received.</p>		

Consultee	Date consulted	Date reply received
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Southwold And Reydon Society	3 March 2022	23 March 2022
<p>Summary of comments:</p> <p>The proposed development is very different to the one granted outline permission some six years ago. The number of houses has changed, it is proposed the belt of trees on the eastern side of the current playing field are to be felled and both the Waveney Local Plan and the Reydon Neighbourhood plan have been made. For these reasons we feel there should be a new planning application.</p> <p>We see from the application that it is proposed to include 35% affordable housing, the Committee feel that this should be raised to 40% as required in the current Waveney Local Plan.</p> <p>We think that the proposed access be considered further by SCC Highways. We are extremely concerned about safety as it is very near a blind corner, virtually opposite Keens Lane and near the entrance of St George's Square. As there are increasing problems with speeding along this stretch of the Halesworth Road, we think that SCC Highways should consider a roundabout as a measure to slow traffic.</p> <p>The Committee's other major concern is the two ANGS that are proposed in the CWS. Both the suggested areas are scrub and therefore important habitats for a range of wildlife and in previous years both have had nesting nightingales, which are on the Red List. The area to the south of the junction of St Georges Lane and Shepherds Lane is prone to flooding in winter and the path on the south-eastern corner of the CWS, also low-lying, gets water-logged in winter and after heavy rain at other times of the year. For these reasons both areas are unsuitable for use all through the year which appears to be one of the reasons for creating them. In any case, there are enough green spaces in the area without destroying habitats to create more.</p> <p>We are, of course, aware of the response of Reydon Parish Council to this application and fully support the detailed comments they have made. The damage to the CWS needs to be reduced as much as possible and more thought given to safety on the Halesworth Road.</p>		

Consultee	Date consulted	Date reply received
Anglian Water	3 March 2022	No response
<p>Summary of comments:</p> <p>No comments received.</p>		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	3 March 2022	No response
<p>Summary of comments:</p> <p>No comments received.</p>		

Consultee	Date consulted	Date reply received
Sport England	3 March 2022	24 March 2022

Summary of comments:

With regard to the submitted reserved matters, Sport England does not wish to raise any further comment, the details submitted relate to the housing development not the mitigation required for the loss of playing field area.

Recommendation:

Sport England considers the details submitted to be satisfactory and raise no objection to this application.

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	3 March 2022	No response
Summary of comments: No written comments at this stage. Significant verbal advice provided at multiple meetings with the applicant/agent and their architect and consultants.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	3 March 2022	No response
Summary of comments: No written comments at this stage. Significant verbal advice provided at multiple meetings with the applicant/agent and their architect and consultants.		

5.1 Consultee Responses – Following re-consultation period (initiated 15 July 2022)

Consultee	Date consulted	Date reply received
Anglian Water	15 July 2022	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	15 July 2022	
Summary of comments: Endorses the final design following a positive response to officer feedback on design.		

Consultee	Date consulted	Date reply received
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Essex And Suffolk Water PLC	15 July 2022	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	15 July 2022	23 August 2022
Summary of comments: No objections, subject to recommended conditions and completion of the Appropriate Assessment under the Habitats Regulations (in consultation with Natural England).		

Consultee	Date consulted	Date reply received
Natural England	15 July 2022	12 August 2022
Summary of comments: Natural England has previously commented on this proposal and made comments to the authority in our letter dated 15 March 2022 Reference number 385599 The advice provided in our previous response applies equally to this amendment. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	15 July 2022	26 July 2022
Summary of comments: No further comments on the reserved matters proposal. The information submitted in the Ground Investigation Report is sufficient to discharge of the contaminated land conditions 12,13 and 14 of DC/15/3288/OUT.		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	15 July 2022	15 July 2022
Summary of comments: There are no Conditions that relate to Water for Firefighting, so we do not need to comment.		

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	15 July 2022	15 July 2022

Summary of comments:

This mix is acceptable and will meet local housing need. The clustering of the homes does not meet policy, however, the location of the affordable homes is adjacent to the wooded area and will provide residents with access to green, amenity space and is therefore acceptable. I also note the location of the LEAP is fairly close.

I thank you in advance and welcome further opportunities to discuss this scheme.

ESC Housing Strategy and Enabling Manager

Consultee	Date consulted	Date reply received
Reydon Parish Council	15 July 2022	
Summary of comments: See previous comments dated 23 March 2022.		

Consultee	Date consulted	Date reply received
Southwold And Reydon Society	15 July 2022	
Summary of comments: See previous comments dated 23 March 2022.		

Consultee	Date consulted	Date reply received
SCC Coasts And Heaths Project	15 July 2022	4 August 2022
<p>Summary of comments:</p> <p>The AONB team commented on this application in March 2022. In this response we raised concerns about the inadequate amount of open space in the main part of the residential development, the poor siting of the LEAP, the lack of street trees along the spine roads. We also asked for clarification about boundary treatments within the scheme and lighting plans for the scheme.</p> <p>The Design and Access Scheme Addendum (July 2022) usefully set out the changes being proposed to the scheme.</p> <p>Street trees are to be planted along the main spine road of the proposed development. This is a change we sought in our previous response dated (24 March 2022) to break up the built form and to improve the streetscape across the development. This change is supported.</p> <p>Whilst the AONB team still consider that the LEAP particularly is poorly located, surveillance has been slightly improved by the proposed change to the house type adjacent to the LEAP.</p> <p>In Character Area 2, pastel coloured cladding is being proposed as part of the material palette. The site is located within the nationally designated Suffolk Coast & Heaths AONB. The design quality should be of a high standard. The AONB team recommend that a suitable colour for the cladding is selected from the Selection and Use of Colour in development Guide for the Suffolk Coast & Heaths AONB. The site is located in the Estate Sandlands, Wood and Heath Landscape Character</p>		

Type (LCT). Consideration should be given to selecting a suitable colour for the cladding from the developed colour palette for this LCT.

Clarification has been provided that close boarded fencing will be installed along the southern boundary of the development site. As stated in our March 2022 response wildlife friendly gravel boards should be used to enable the passage of small mammals and hedgehogs between new residential gardens and the wider AONB and surrounding countryside.

Consultee	Date consulted	Date reply received
SCC Flooding Authority	15 July 2022	19 July 2022
<p>Summary of comments:</p> <p>Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/22/0462/ARM.</p> <p>We have reviewed the following submitted document and we recommend approval of this application.</p> <p>1. Walker Associates Consulting, Drainage Strategy & SuDS Report (including appendices), Ref 7407, 30/06/2022</p>		

Consultee	Date consulted	Date reply received
SCC Highways Department	15 July 2022	05 September 2022
<p>Summary of comments:</p> <p>Previous concerns addressed through amended plans. No objections; conditions recommended.</p>		

Consultee	Date consulted	Date reply received
SCC Rights Of Way	15 July 2022	No response
<p>Summary of comments:</p> <p>No comments received.</p>		

Consultee	Date consulted	Date reply received
Sport England	15 July 2022	2 August 2022
<p>Summary of comments:</p> <p>Thank you for re-consulting Sport England following the submission of amended plans and documents. The amended plans and documents do not result in a need to amend or revise the Sport England initial response dated 24th March 2022.</p>		

Consultee	Date consulted	Date reply received
Suffolk Police Design Out Crime Officer	15 July 2022	No response

Summary of comments:		
Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	15 July 2022	No response
Summary of comments:		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	15 July 2022	23 August 2022
<p>Summary of comments:</p> <p>Overall, I consider the proposal now represents a positive design approach and I believe will achieve the quality of development required for this site to be acceptable, subject to a number of details and conditions which would need to apply to any approval given.</p> <p>ESC Strategic Landscape Advisor</p>		

6. Publicity

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

Category	Published	Expiry	Publication
Major Application	11 March 2022	1 April 2022	Lowestoft Journal
Category	Published	Expiry	Publication
Major Application	11 March 2022	1 April 2022	Beccles and Bungay Journal

7. Site notices

General Site Notice	Reason for site notice: Major Application; Tree Preservation Order; In the Vicinity of Public Right of Way Date posted: 16 March 2022 Expiry date: 6 April 2022
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8. Planning policy

National Planning Policy Framework 2021 (NPPF)

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

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

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

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

WLP8.28 - Sustainable Construction (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

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

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

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

WLP8.32 - Housing Density and Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

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

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

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

RNP1: Tenure Mix of Affordable Housing (Reydon Neighbourhood Plan, 'Made' May 2021)

RNP4: Principal Residence Requirement (Reydon Neighbourhood Plan, 'Made' May 2021)

RNP5: Maintaining Protection of the Countryside round the Village (Reydon Neighbourhood Plan, 'Made' May 2021)

RNP6: Improving Public Rights of Way and access to the Countryside from new Developments (Reydon Neighbourhood Plan, 'Made' May 2021)

RNP8: Safe Access To and From New Developments (Reydon Neighbourhood Plan, 'Made' May 2021)

RNP9: Safe Walking and Cycling Routes (Reydon Neighbourhood Plan, 'Made' May 2021)

RNP10: Reydon Neighbourhood Design Principles (Reydon Neighbourhood Plan, 'Made' May 2021)

9. Planning Considerations

Planning Policy Background

- 9.1 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 policies are set out in the planning policy

section of this report, above. The Development Plan comprises the East Suffolk (Waveney) Local Plan 2019 ("The Local Plan"), and the Reydon Neighbourhood Plan (RNP) which was made in May 2021 following referendum.

Principle of Development

- 9.2 The outline permission approved the principle of residential development of the site (up to 69 dwellings), along with the location of the vehicle access from Halesworth Road. Therefore, these matters are not for consideration in this application. The principle of development is approved and established, with this application seeking approval of the detailed reserved matters.

Highways Safety and Sustainable Transport

- 9.3 Policy WLP8.21 promotes sustainable transport, which also includes development that is safe in highways terms. The NPPF sets out (inter alia) that:
- 9.4 Paragraph 110 - *"it should be ensured that... (b) safe and suitable access to the site can be achieved for all users"; and,*
- 9.5 Paragraph 111 - *"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."*
- 9.6 Policy RNP 8 (Safe Access To and From New Developments) sets out that: *"New developments should demonstrate the way in which they can safely be accommodated within the capacity of the local highways network. Where necessary, new developments should incorporate more than one point of access. Developments that would cause an unacceptable impact on the capacity or safety of the local highway network will not be supported."*
- 9.7 Policy RNP 9 (Safe Walking and Cycling Routes) sets out that: *"Where practicable, all developments, other than householder proposals, should include provision for safe cycling and walking routes on site and to and from the development (including pedestrian crossings of main roads where appropriate), and contribute to improved walking and cycling access to key places in the village (such as Reydon Primary School, the Sole Bay Health Centre, village shops), to the countryside and to the facilities and shops in Southwold."*
- 9.8 To address a key objection from some residents, who claim that access was not approved at outline permission stage, the outline application clearly specified that access was a matter for consideration. This was in respect of the means of vehicle access into the site. Outline permission was granted, and the decision notice clearly states that (emphasis added):

"WAVENEY DISTRICT COUNCIL hereby grant OUTLINE PERMISSION in accordance with the application, plans and particulars, subject to the submission of "reserved matters" and compliance with the following conditions as set out below. Your further attention is drawn to any informatives that may have been included."

- 9.9 The point of vehicle access was set out in the outline application submission, and is a matter fixed through the outline permission. Condition 9 of the outline permission requires details

of the new uncontrolled pedestrian crossing point located approximately 53m West of The Drive over Halesworth Road; and the improvement of the existing footpath which runs along the frontage of the development between the proposed access point and the proposed pedestrian crossing. Condition 10 requires the full specification/construction details of the vehicle access approved under the outline permission.

- 9.10 Accordingly, the location and general design of the vehicle access was firmly established through the outline permission, and it is standard practice for there to then be conditions requiring the full specification, either through conditions discharge and/or as part of a reserved matters application.
- 9.11 Many of the local concerns are from residents of St Georges Square, objecting to the detailed layout that shows a point of vehicle connection between the site (on the western edge) and the existing road layout of St Georges Square. Those objections raise concerns about the use of their privately owned and managed roads, and that residents of the new development will access the A1095 Halesworth Road via St Georges Square. In the first instance, it seems very unlikely residents of the new development would actively seek to use a longer, less direct route out of the site onto the A1095; it will be far simpler, and more direct, to use the new vehicle access for the development that is on the northern edge of the site. A construction management plan, by condition, can ensure all construction related traffic is controlled and only uses the new site access.
- 9.12 Whilst residents of St Georges Square may seek to block up the access into their development on the eastern side, preventing vehicle access, limiting any right of way over their land is a civil matter. From a planning perspective, to have two developments immediately adjacent one another, without any permeability, would represent poor layout design. A connection, at minimum for pedestrians, between the proposed development and St Georges Square is necessary for connectivity and permeability purposes and community cohesion. There were no conditions or obligations in the S106 setting out that there would not be a point of connection for vehicles and pedestrians between the proposed development and St Georges Square. Thus, the detailed layout proposed is not in conflict with the parameters of the outline permission. It is also relevant that Heathland residents to the southwest reportedly have a right of existing access along St George's Lane and then through St George's Square. Designing the development proposal to prevent connectivity through from St George's Lane would also have the effect of potentially removing Heathland residents right of access. These are private matters, but it is relevant to understanding the reasoning behind the layout design.
- 9.13 There has also been significant local commentary on the site access. As before, the principle of vehicle access in terms of its location and general specification was approved at outline stage and is not up for re-consideration in this reserved matters application. The precise technical specification of the access has been fully detailed within this application, and also linked application DC/22/0463/DRC, which the Highways Authority do not object to. The vehicle access would have a width of 5.5 metres with visibility splays of 2.4m x 90m in both the eastern and western directions. A footway on the western side runs into the site where it transitions into a 6 metre wide shared surface route. There are a series of pedestrian routes that would run through the woodland belt, to the north, and then also a pedestrian link on the eastern side to provide a connection to the existing right of way. The County Council Highways Authority raise no objections to the proposed development.

- 9.14 Some of the objections received request that the access be re-considered, and a mini roundabout designed between the site access and the junction of Keen's Lane with Halesworth Road. Any perceived safety issue with vehicles exiting Keen's Lane is a pre-existing highways issue and it is not clear that a roundabout would improve that. A mini-roundabout would create a situation where traffic travelling westbound on Halesworth Road would have to potentially stop to give way to the occasional vehicle exiting Keen's Lane. This may pose a highways safety issue itself. In any case, the access location and required off-site highway works were established through the outline permission and are not for consideration in this Reserved Matters application. A development of 55 dwellings served by a priority junction is completely normal and there should be no expectation for a roundabout at this scale of development.
- 9.15 The internal streets are proposed to be privately maintained and this would require a management scheme to be approved through a planning condition. The Highways Authority would not adopt the proposed road layout but raise no objections to the design and layout.
- 9.16 Visitor parking along the western boundary is provided. An access through to the adjacent St Georges Square development is proposed as there is a legal requirement for occupants of the Heathlands properties to the south to have access through the development site.
- 9.17 Cycle parking for the proposed houses is provided through garages and secure storage areas within garden spaces. A cycle store is provided for the apartment block in the centre of the development, and each home will be afforded space to store a minimum of two cycles. This will need to be secured by planning condition.
- 9.18 A total of 132 allocated car parking spaces are proposed across the site. Allocated car parking for the proposed homes is generally provided through on-plot parking. Driveways to individual properties are proposed alongside shared provide drives. Garages and car ports also compliment the range of car parking provision across the site. There would be 11 unallocated visitor spaces across the development.
- 9.19 The proposed road layout, pedestrian routes and provision for vehicle parking cycle storage and bin storage/presentation are all acceptable and in accordance with the sustainable transport objectives of the Local Plan, the RNP and the NPPF.
- 9.20 Off-site highway works are not for consideration within this application, but in any case, are detailed within DC/22/0463/DRC and found to be acceptable in consultation with the Highways Authority.

Design Considerations

- 9.21 Policies WLP8.29, 8.30, 8.31 and 8.32 provide design guidance.
- 9.22 Policy RNP 10 (Reydon Neighbourhood Design Principles) sets out that:
New development should take account of the following design principles as appropriate to their scale and use:
- a. The location, scale and design standard of all new development should retain or enhance the character and setting of the village;*
 - b. New buildings should be highly energy efficient, meeting or exceeding government policy for national technical standards and those required by Local Plan policy WLP 8.28;*

- c. New dwellings should be modest in character and reflect historical Suffolk countryside styles and/or the features and colours of the landscape in their design but without creating a pastiche approach;*
- d. New developments should include sympathetic use of tree and hedge planting to soften their impact and include green areas and use of hedging and trees within the built area;*
- e. Development proposals should incorporate into their design features which maintain or, if possible, provide gains to biodiversity. Landscaping and planting should encourage wildlife, connect to and enhance wider ecological networks, including nectar-rich planting for a variety of pollinating insects and provision for nesting birds such as swifts. Divisions between gardens, such as walls and fences, should be designed to enable movement of species such as hedgehogs between gardens and green spaces. Existing ecological networks should be retained.*

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

- High quality design is a key aspect of sustainable development (para. 126);
- "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. 130), and
- "Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to: a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings." (para. 134).

9.24 There has been considerable officer input into the design of these proposals, with the scheme amended significantly during the application process. The notable changes are summarised as follows:

- Access road through development amended to private shared surface as agreed with Highways; alignment reconfigured also. These changes have omitted pavements enabling a more efficient carriageway to facilitate more space to the southern part of the site;
- In conjunction with the above, properties within the southern parcel have been reconfigured and repositioned accordingly to afford an improved separation to the southern tree belt;
- The bungalow overlooking the LEAP at the southwest corner has been swapped for a pair of semi-detached properties, to afford improved surveillance over the space;
- 2 of the 7 properties along the southern boundary have been turned through 90 degrees to facilitate an active frontage whilst also ensuring a diverse elevation to the green spaces beyond. Boundary treatments proposed alternate between private enclosed gardens and semi open spaces with estate railings providing the treatment with supplementary planting;
- The small Public Open Space at the heart of the development has been omitted in lieu of a boulevard street setting to create one of 2no. character areas for the scheme;
- Existing scrub / gorse at the eastern edge of the development bordering the public right of way is proposed to be retained at the path edge, the exact extent to be agreed via planning condition.

9.25 The site has been divided into two character areas.

- Character Area 1 comprises those properties which flank the spine road through the centre of the development. A combination of white and red brick provides the predominant material backbone along this boulevard street scene;
- Character Area 2 comprises those properties residing on the fringe of the development at the vegetation margins. Accordingly, a palette of red brick and timber boarding provides the predominant material backbone, the latter of which is proposed in a limited selection of pastel shades.

9.26 The proposed dwellings are predominantly of two storey scale, but there are a small number of single storey and two-and-a-half storey dwellings within the scheme.

9.27 The forms are generally quite traditional, but with an interesting mix of materials. There has been careful attention to the pattern of windows and doors to ensure the correct proportions for each house type.

9.28 Within the scheme key properties which have a specific prominence in the street scene have been identified, plots 2 and 26 are particularly important given their location and exposure from various angles. It is these properties that have been given special attention to detail with the incorporation of flint features to front and side elevations. The remaining 5no. key properties across the site are also key buildings, but to a lesser extent. These properties include accents of flint to identify these and to ensure a coherence with plots 2 and 26. The selection of these properties are due to their locations terminating vistas at junctions; plot 1 is the only exception as the landmark entrance building for the site.

9.29 The final design is judged to be acceptable and meeting the objectives of the NPPF, RNP and Local Plan. The Principal Design and Conservation Officer has provided significant input into this scheme and endorses the final design.

Landscape and Visual Impact

- 9.30 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.
- 9.31 Policy RNP 5 (Maintaining Protection of the Countryside Around the Village) sets out that development outside the settlement boundary should protect and where possible enhance the natural beauty and special qualities of the Suffolk Coasts and Heaths Area of Outstanding Natural Beauty in accordance with Policy WLP8.35 of the adopted Waveney Local Plan. RNP5 also identifies the most-valued areas of the countryside where development should generally be avoided.
- 9.32 The Council's Strategic Landscape Advisor has been involved in the consideration of this application, attending several meetings with the applicant team to advise on landscape and design revisions. Her final comments are below:

"General - design and landscape concept

It is positive to see that adjustments to the road layout have created space for tree planting, which should help to provide landscape structure within the development. I am also pleased to see that these would be maintained by a management company to ensure their establishment and long term retention. I was previously concerned that the proposal was not doing enough to establish an identity and character within the site, I think this is improved and I now support the concept landscape proposals. These will provide a variety of landscape character responding to the different conditions on the site.

The changes to the layout and overall approach to design, layout and landscape are more positive in terms of the relationship between the development and the existing site, particularly its boundaries.

Detailed planting plans will be required in due course, and should generally follow the approach set out in the landscape masterplan and concept.

There were a number of recommendations made within the LVIA that accompanied the approved outline application with regard to mitigation and minimising the impact of the development, I believe these have now broadly been met, subject to some conditions which are noted in the recommendation below.

Boundaries

The relationship between buildings and the southern tree belt is improved, though it still appears a little tight toward the western end. I consider one way to safeguard these trees from any pressure from the occupiers of these homes would be to include them within a management plan (I appreciate they are actually outside the redline area but this is something that would need to be co-ordinated) to ensure their long term retention and protection.

The retention of some existing vegetation along the eastern boundary is welcomed to secure the character of this boundary and overcome any issues with regard to levels here and avoid the need for overly engineered treatments, it is acceptable that the extent of the area to be retained and cleared is yet to be agreed.

I would like to see some further clarification of the boundary treatments to the southern plots. Some extracts are shown within the DAS addendum, the image quality is blurred but it appears that close boarded fence is still proposed for rear gardens. I am not convinced that this would be suitable in appearance, but I am happy to discuss if we can see some clearer details of these areas and possibly some sketch views of how this may look. The western boundary proposals are appropriate.

Provision of open space

The changes made to the LEAP including additional natural surveillance are a considerable improvement, although it is always preferable for play and open spaces to be incorporated centrally within developments, this site is relatively small and constrained and therefore this location is justified. The location of the LAP is also acceptable.

General recommendations

Overall I consider the proposal now represents a positive design approach and I believe will achieve the quality of development required for this site to be acceptable, subject to a number of details and conditions which would need to apply to any approval given:

- Standard condition to secure detailed planting specification, implementation and management*
- Standard tree protection condition*
- Specially worded condition to secure the protection and retention of some vegetation to the eastern boundary*
- Specially worded condition to secure the long term management (25 years plus) of boundary landscape areas, as recommended as a mitigation measure within the LVIA supplied with the outline application*
- Condition to secure suitable boundary treatments to southern plots."*

9.33 The recommendations of the Strategic Landscape Advisor are to be followed in terms of required planning conditions. Officers share the views provided regarding the landscape quality of the scheme, and the positive changes made to improve the layout elements identified.

9.34 The proposal does inevitably require some tree removal to facilitate housing development, as follows:

The removal of 24 individual trees, proposed in three locations

- Access - Five individual stems varying in their quality but within a Category B group trees are required to be removed to facilitate the approved access established at the time of Outline Planning Permission.
- Northern public open space - Two Category C trees to facilitate area of open space
- Eastern boundary - Seventeen individual Category C and U tree are required to be removed to improve the useability of garden space for the relevant dwellings.

9.35 This tree removal was considered as part of the process and judged to be acceptable. The seventeen trees on the eastern boundary are low quality and would cause shading and potential safety issues to residential development on the eastern part of the site. These trees may also be shading existing properties to the east of the site. The access position approved at outline stage was always to require some limited tree removal, and what is detailed is acceptable. The small area of public open space in the northern area will require two category C (low) value trees, and this is acceptable to provide a useable area. The

appearance and quality of the woodland belt to the north will be retained, and the proposals represent a well-designed approach to comprehensive tree retention.

- 9.36 The proposals are designed appropriately for the AONB location, and the scheme accords with the landscape and design objectives of WLP8.35, the RNP and the NPPF.

Ecology and The Natural Environment

- 9.37 The Council's Senior Ecologist has been involved in the consideration of this application, and has provided the following comments:

"I have read the Ecological Impact Assessment (EclA) (MKA Ecology, June 2022) and note the conclusions of the consultant. The EclA identifies that in the absence of appropriate mitigation the proposed development has the potential to result in adverse effects on a range of ecological receptors including the adjacent St Felix School Grounds County Wildlife Site (CWS); breeding birds; bats; reptiles (Slow Worm) and flora (Clustered Clover). With regard to the potential for adverse impacts on European designated nature conservation sites, a separate draft Habitats Regulations Assessment (HRA) has been prepared to assess this. Please note that Natural England will need to be consulted on the draft HRA.

The EclA includes recommended measures to mitigate the identified ecological impacts, including via the production and implementation of a Construction Environmental Management Plan (CEMP), a reptile mitigation strategy, a lighting strategy and a Landscape and Ecological Management Plan (LEMP). The CEMP will contain measures to mitigate ecological impacts during construction activities (including impacts on the CWS, breeding birds, bats and flora) and the LEMP will contain measures to manage the site (and as necessary the adjacent CWS) in the long term. The production, approval and implementation of a CEMP for this development (prior to commencement of works) is already secured by condition 17 of the Outline planning permission (DC/15/3288/OUT) and therefore this does not need to be secured further as part of the determination of this application.

Condition 11 of the Outline planning permission also secures the production, approval and implementation of a reptile mitigation strategy prior to the commencement of Page 2 of 4 development, so again this does not need to be secured further as part of the determination of this application. However, the Outline planning permission does not include conditions to secure the production, approval and implementation of the LEMP or of an ecological enhancement strategy for the development. Whilst production and implementation of a LEMP is secured for the adjacent CWS as part of planning permission DC/20/2191/FUL, this does not cover the residential development area. It is therefore recommended that a condition requiring a LEMP (for those areas not already covered by the LEMP under DC/20/2191/FUL) is included should this application be permitted. Wording considered suitable for this is suggested below.

With regard to external lighting, from the plans provided it is noted that none is proposed as part of the development (such as on the access roads). However, as the installation of inappropriate lighting has the potential to result in adverse impacts on protected species (such as bats) it is recommended that a condition is included to control any future installation. Wording considered suitable for this is suggested below.

With regard to ecological enhancements, whilst the EclA recommends a number of suitable measures they do not appear to be included on the submitted plans for the development. A condition is therefore suggested below to secure the submission of details and implementation of ecological enhancement measures as part of the proposal.

In addition to the above, it is noted that the Section 106 agreement, signed as part of the granting of the Outline planning permission, includes requirements related to the delivery of accessible natural greenspace areas and footpath links and improvements on the land to the north (the woodland area) and south (including within the CWS area) of the development site. It is understood that details of these are required to be submitted to the Local Planning Authority separately for consideration and approval. We would be happy to provide comments in relation to these matters when the relevant information is available.

Subject to the necessary ecological mitigation and enhancement measures being secured, it is not considered that the development proposed in this application will result in significant adverse impacts on any of the identified ecological receptors.”

9.38 The conditions referenced in this response can be summarised as:

- Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Impact Assessment.
- No external lighting shall be installed unless a “lighting design strategy for biodiversity” for the area to be lit has been submitted to and approved in writing by the local planning authority.
- A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to first occupation of the development.
- Prior to any works above ground level, an Ecological Enhancement Strategy, addressing how ecological enhancements will be achieved on site, will be submitted to and approved in writing by the local planning authority.

9.39 Officers are finalising the conditions wording, subject to acceptance from the applicant, and will be providing that list in full within the update sheet.

9.40 For the reasons set out, and subject to suitably worded planning conditions, this scheme will be acceptable in ecological terms in accordance with WLP8.34, the RNP and the NPPF.

9.41 The Council’s Senior Ecologist has also prepared a Draft Habitats Regulations Assessment (see appendix 1). This will be sent to Natural England to confirm acceptance, and any recommendation to approve is subject to that process being concluded.

Affordable Housing, Housing Mix, and Principal Residence Policy RNP4

9.42 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. Policy RNP1 (Tenure Mix of Affordable Housing) sets out that any development providing Affordable Housing must contain at least

50% of Affordable Housing for affordable rent and the remainder to be Shared Ownership housing; the exact proportion shall be agreed at the time of the planning application to reflect the current assessment of housing need.

- 9.43 Some comments received raise objections regarding the quantum of affordable housing being below the 40% requirement of policy WLP8.2. However, the quantum of affordable housing, at 35%, is fixed within the outline permission and its linked S106, so it is not for this reserved matters application to alter that provision. The mix provided meets policy RNP1 in other respects, as over 50% of the affordable homes are to be for affordable rent, and the remainder are shared ownership housing.
- 9.44 The Council's Housing Team has provided guidance on the appropriate mix for this development proposal and commented that the mix is acceptable and will meet local housing need.
- 9.45 Policy RNP4 of the RNP requires all new open market housing to be controlled, by planning condition, so that it is only occupied as a person's principal residence. Such a condition has been applied to all open market housing permissions since the RNP was made; this includes the consented development on land west of Copperwheat Avenue (see ref. DC/19/1141/OUT). However, the outline permission pre-dates the RNP, and therefore no such principal residence restriction condition was applied to the outline permission. It is not open to the Committee to apply a principal residence restriction (by condition) at reserved matters stage, because such a condition needs to be applied to a permission at either outline, or full planning stage, where the principle of development is being considered; that is not the case here, where only the detailed reserved matters in respect of design of the development are for consideration.

Residential Amenity

- 9.46 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).
- 9.47 Many of the objections raised link back to the established principle of development, including vehicle access to and from the site. These matters have been addressed earlier in the report.
- 9.48 In terms of impact on local living conditions, the site is well contained, and generally new dwellings are well-separated from existing dwellings. There is a closer relationship on the eastern side of the site, but still sufficient back-to-back distances between new and existing dwellings to ensure no unacceptable amenity impacts. North and south there are no immediately adjoining properties, so no material amenity impacts.
- 9.49 On the west and southwestern edge of the site there is an acceptable separation between new dwellings and those existing dwellings at St George's Square. In the southwestern corner the LEAP may generate some noise and activity, but this is not likely to be significant and harmful to the enjoyment of dwellings at St George's Square. The substation and pumping station are minor buildings and unlikely to generate significant impacts on

neighbour amenity. A condition is required to secure precise elevation details of these buildings to ensure the height/s and form/s are appropriate.

- 9.50 It is accepted that the proposal will change the outlook from some properties nearby. However, when outline permission was granted that change of land use was always to bring a significant change. In terms of living conditions for existing residents, the design is acceptable and there will be no unacceptable impacts on outlook. Activity at the site will be as expected on a residential development and given the context of dwellings on both the eastern and western sides (and to the northeast) this scheme will sit comfortably within that context and not erode local living conditions. The scheme is designed in a way to minimise impacts.
- 9.51 Regarding future residents, the layout benefits from considerable open space and good pedestrian routes linking to footways and footpaths off-site. Individual plots have proportionate gardens and amenity spaces, and the homes are designed with sufficient floor space and access to daylight, sunlight and ventilation.
- 9.52 The proposal meets the amenity requirements of the Local Plan, RNP and NPPF.

Flood Risk and Surface Water Drainage

- 9.53 Local Plan Policy WLP8.24 sets out that new housing development will not be permitted in high-risk flood areas.
- 9.54 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. 162).
 - 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. 167)
 - Major developments should incorporate sustainable drainage systems (para. 169).
- 9.55 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.
- 9.56 The application site is located in environment agency flood zone 1 (the lowest risk area) and therefore sequentially preferable for residential development.

- 9.57 The Drainage Strategy includes results of infiltration testing carried out on site which confirmed that there is reasonable soakage on the site. As a result, the drainage strategy is based on: clean roof drainage to be discharged via catchpits to remove gross solids to shallow cellular soakage chambers; and roads, drives and parking areas to be drained via a fully infiltrating permeable paving system.
- 9.58 Private soakaways have been designed such that no above ground flooding will occur for up to the 1 in 30-year event with a 10% allowance for urban creep. In addition, flood checks for the 1 in 100 year + 40% climate change event have been carried out for all soakage chambers and flood volumes of approximately 2-6m³ are expected for each. As this flooding is relatively small it is proposed that this can easily be accommodated within the plot gardens and driveway areas, with flood depths no more than 50mm. As the ground conditions have good permeability it is expected that the majority of the water will simply infiltrate back into the ground at source rather than running off plot. Additional storage to accommodate exceedance flooding is also provided within the permeable paving, which is associated with all private parking areas across the site. The maximum flood depth in the paving has been estimated at 196mm. The design subbase depth within the paving is 300mm and therefore there will be an additional 104mm flood depth available within the paving for the 100 year + 40 % climate change storm event. Buildings on the site will generally be set between 150-300mm above existing ground levels and therefore will not be affected by any exceedance flooding.
- 9.59 This Drainage Strategy has also been provided in Discharge of Condition application DC/22/0465/DRC. In respect of both this Reserved Matters application, and the linked DRC application, the County Council Local Lead Flood Authority recommend approval.
- 9.60 The scheme is acceptable in accordance with the policies outlined above.

Heritage Considerations

- 9.61 There are no designated heritage assets affected by this development proposal. In any case, the principle of development is established through the outline permission and, given the conclusions above on the acceptability of the design and layout of the development, even if one considered any very distant designated heritage assets to be affected by this site, then there would be no harm arising.
- 9.62 The School buildings are NDHA's – i.e., they have some architectural and historic interest without being statutorily listed. The proposed development will cause no harm to the significance of The School buildings.
- 9.63 The scheme is acceptable in this regard and complies with the historic environment objectives of the NPPF and Local Plan.

10. Conclusion

- 10.1 The Outline Planning Permission took many years of extensive consideration, and this Reserved Matters application brings forward all of the detail to ensure a high-quality development. The scheme has been subject of significant officer attention, particularly in respect of the design of development and ensuring this scheme integrates successfully into

its AONB context. A focus on building elevation treatment and strategic landscaping has resulted in a well-designed scheme, and the layout takes advantage of proximate footways and footpaths to ensure good pedestrian connectivity within and to-and-from the site. There are no objections from any statutory consultees, and the scheme meets the requirements of the Development Plan. There are no material considerations to indicate for a decision other than approval. Accordingly, approval of reserved matters can be granted.

11. Recommendation

11.1 Authority to approve with conditions, subject to Natural England's approval of the draft Habitats Regulations Assessment.

11.2 Conditions to cover, at minimum, the following matters (Full Schedule of Conditions to be Provided in the Update Sheet):

1. Development to be carried out in accordance with the approved plans.
2. External materials and finishes to be submitted and approved.
3. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level.
4. Bin storage/presentation areas for each plot to be provided prior to occupation of said plot - and then retained for that purpose.
5. Construction management plan to be submitted and approved prior to commencement of development.
6. Management scheme for maintenance of the site to be submitted to the LPA for approval. The management scheme to cover long term design objectives, management responsibilities and a scheme of maintenance.
7. A landscape and ecological management plan (LEMP) to be approved by the local planning authority prior to first occupation of the development.
8. Details of EV charging to be approved and implemented in accordance with approved scheme.
9. Development to be undertaken in accordance with measures detailed in the Ecological Impact Assessment.
10. No external lighting shall be installed unless a "lighting design strategy for biodiversity" for the area to be lit has been submitted to and approved in writing by the local planning authority.
11. No development to commence until the approved scheme of tree protective fencing has been implemented. Trees or hedges shown to be retained on the approved plan to not be lopped, topped, pruned, uprooted, felled, wilfully damaged or in any other way destroyed or removed. Any trees or hedges removed, dying, being severely damaged or becoming

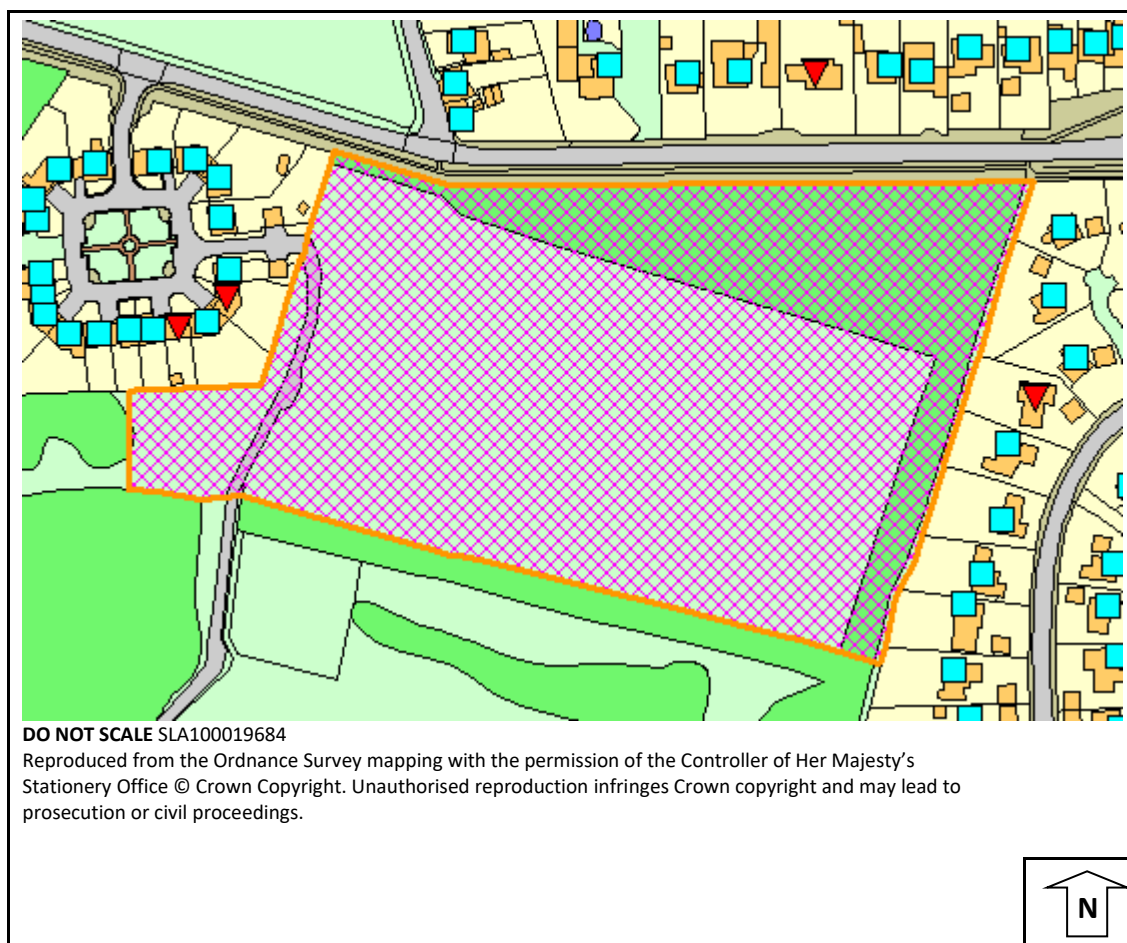
seriously diseased within five years of the completion of the development shall be replaced as approved by the LPA.

12. Full details of both hard and soft landscape works to be submitted to and approved in writing by the local planning authority, then implemented in a timely manner in accordance with approved scheme.
13. A detailed specification for the Locally Equipped Area for Play (LEAP) and the Local Area for Play (LAP) to be submitted to and approved by the Local Planning Authority. LEAP and the LAP to be completed and made available for use at appropriate stage. Ongoing maintenance and management of both the LEAP and the LAP to be in accordance with the approved scheme of management.
14. Elevation drawings of the proposed sub-station and pumping station buildings to be submitted to the LPA for approval in writing. Development to be carried out as approved.
15. Notwithstanding the details shown on the approved plans, precise details of the extent of retained scrub/vegetation in the north-eastern corner of the site to be submitted to the LPA for approval in writing. These details shall establish the final rear boundary line of adjacent plots, along with any required boundary treatment and engineering works required. Development to be carried out as approved, and the area maintained/managed in accordance with the approved management scheme.





12. Background Papers

- 12.1 See application reference DC/22/0462/ARM on [Public Access](#)
- 12.2 Appendix 1: Draft Habitats Regulations Assessment for Natural England Consultation.

13. Map



Key

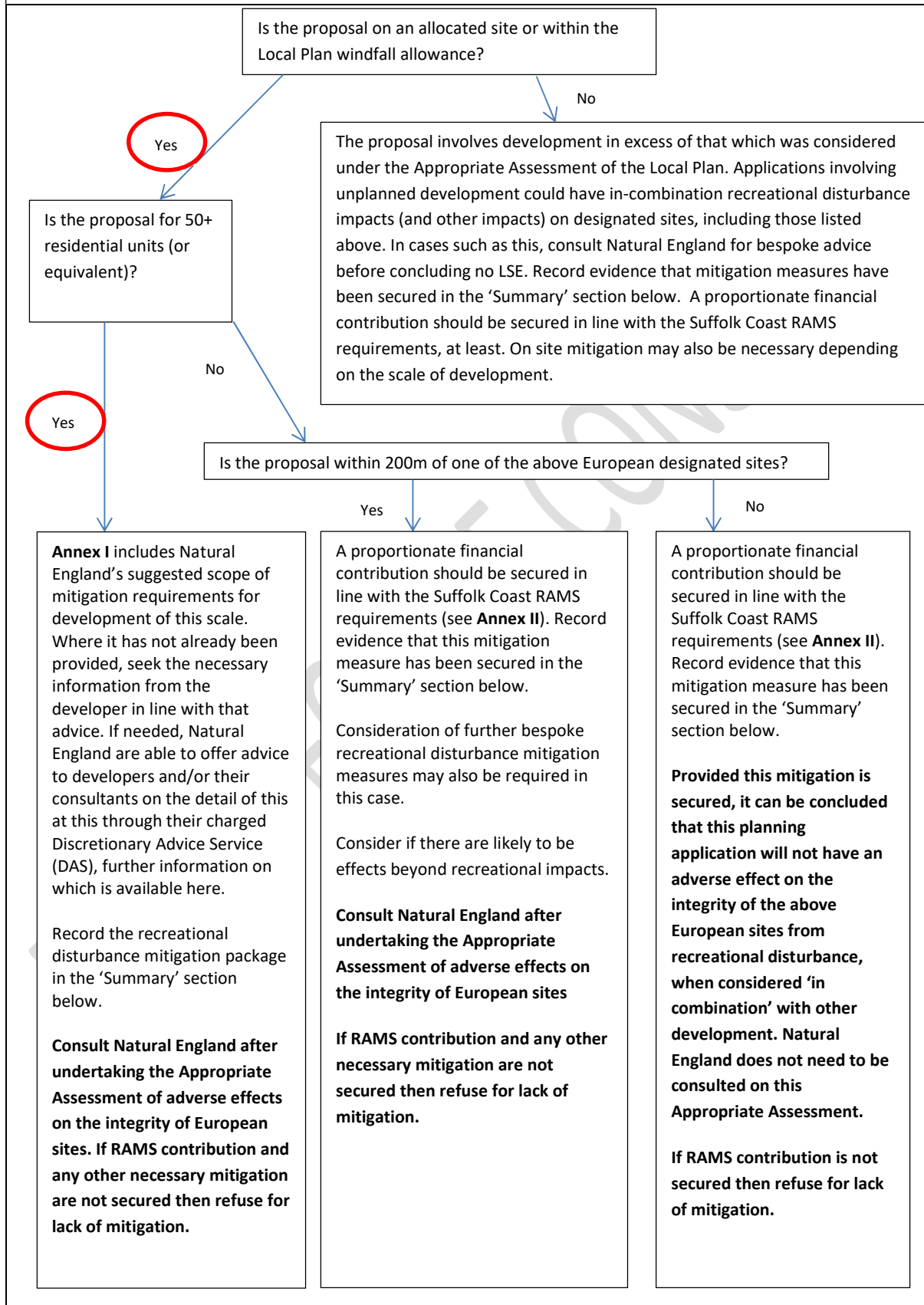
-  Notified, no comments received
-  Objection
-  Representation
-  Support

**Suffolk Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Habitat
Regulation Assessment (HRA) Record**

Application details	DRAFT FOR NATURAL ENGLAND CONSULTATION
Local Planning Authority:	East Suffolk Council
Case officer	Joe Blackmore
Application reference:	DC/22/0462/ARM
Application description:	Approval of Reserved Matters of DC/15/3288/OUT - Outline application to enable improvements to Saint Felix School to include residential development, public open space and associated infrastructure on the former playing field at Saint Felix School. Appearance, landscaping, layout and scale, pursuant to outline permission DC/15/3288/OUT for the development of 55 dwellings.
Application address:	Land South of Halesworth Road, Reydon
Status of Application:	Pending consideration
Grid Ref:	TM 49451 77047
HRA Stage 1: screening assessment	
Test 1 – the significance test: Based on the development type and proximity to European designated sites, a judgement should be made as to whether the development constitutes a 'likely significant effect' (LSE) to a European site in terms of increased recreational disturbance	
<p>Is the development within 13 km of the below European sites (check NE IRZs)?</p> <ul style="list-style-type: none"> • Alde-Ore Estuary Special Protection Area (SPA) and Ramsar site • Benacre to Easton Bavents SPA • Deben Estuary SPA and Ramsar site • Minsmere to Walberswick Heaths & Marshes Special Area of Conservation (SAC) • Minsmere – Walberswick SPA • Orfordness-Shingle Street SAC • Sandlings SPA • Stour and Orwell Estuaries SPA and Ramsar site (Suffolk side only) 	
Yes	No
<p>Does the planning application constitute residential development?</p> <ul style="list-style-type: none"> • New dwellings of 1+ units included in current site allocations and windfall (excludes replacement dwellings and extensions) • Houses in Multiple Occupancy (HMOs) • Residential caravan sites (excludes holiday caravans and campsites) • Gypsies, travellers and travelling show people plots • Tourist accommodation 	<p>Conclude no LSE to the above designated sites in terms of recreational disturbance.</p> <p>An Appropriate Assessment (AA) is not required where recreational disturbance to these sites is the only issue or recreational disturbance to these sites can be scoped out of any HRA covering other issues.</p>
Yes	No
<p>Conclude LSE. This proposal is within scope of the Suffolk Coast RAMS as it falls within the 13 km 'zone of influence' for likely impacts and is a relevant residential development type as listed above. It is anticipated that such development in this area is 'likely to have a significant effect' upon the interest features of the aforementioned designated site(s) through increased recreational pressure, when considered either alone or in combination.</p> <p>Proceed to HRA Stage 2: Appropriate Assessment to assess recreational disturbance impacts on the above designated sites.</p>	<p>RAMS is not relevant, however other Habitats Regulations considerations should be taken into consideration for non residential developments and in some circumstances a bespoke AA may be required.</p>

HRA Stage 2: Appropriate Assessment

Test 2 – the integrity test: The applicant must provide sufficient evidence to allow the Appropriate Assessment to be made, which is the stage at which avoidance and/or mitigation measures can be considered



Summary of the Appropriate Assessment:

The application site is within 13km of the Minsmere-Walberswick SPA; the Minsmere-Walberswick Ramsar Site; the Minsmere-Walberswick Heaths and Marshes SAC and the Benacre to Easton Bavents SPA. The closest European designated sites to the application site are the Minsmere-Walberswick SPA; the Minsmere-Walberswick Ramsar Site; the Minsmere-Walberswick Heaths and Marshes SAC which at the closest point are located approximately 1.3km to the south-west.

This application is for the construction of 55 new dwellings and associated infrastructure including for access, recreation and landscaping. It is a Reserved Matters application following the granting of Outline planning permission for the development under reference DC/15/3288/OUT. Prior to determination the Outline application was subject to a Habitats Regulations Assessment (HRA) (*Development Project Level Habitats Regulations Assessment – Outline application for up to 69 dwellings within the grounds of St Felix School, Southwold*. Footprint Ecology, July 2018) which concluded that, subject to securing adherence to a district-wide recreational mitigation strategy and recreational management measures as part of the development, adverse effects on the integrity of European designated sites could be ruled out. The Section 106 agreement signed as part of the determination of the Outline application secured the required mitigation measures.

As recognised above and in the HRA of the Outline planning application, new residential development will, in the absence of adequate mitigation measures, give rise to increased recreational disturbance at the identified European designated sites in-combination with other new residential development. To address this, the existing Section 106 agreement secures the payment of a financial contribution of £321.22 per dwelling to the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS), the delivery of two accessible green spaces areas (one in the woodland to the north of the application site and one to the south-west of the application site) and the delivery of improved walking routes (including new signage) in the area to the south of the development site (partly within the County Wildlife Site). This Reserved Matters application also includes small areas of onsite open space (including a LAP and a LEAP), along with footpath connections to the existing public right of way network and the areas to be delivered under the S106 agreement. It is considered that the combination of measures secured in the existing S106 agreement, and the measures proposed within the design of the development submitted as part of this Reserved Matters application are sufficient to mitigate the impacts identified. It is therefore concluded that the proposed development will not result in any adverse effects on the integrity of the identified European designated sites, either alone or in-combination with other developments.

In conclusions, the following suite of mitigation measures will be delivered as part of the development:

- Provision of onsite open space including LEAP and LAP areas;
- Provision of a total of approximately 0.9Ha of accessible green space across two areas (to the north and south-west of the development) (secured as part of the S106 agreement);
- Connections to offsite public rights of way (including via Footpath 4 which runs along the eastern boundary) to provide walking routes of a range of lengths, both longer and shorter than the recommended distance of 2.7 km¹, which are away from the European designated sites. The S106 agreement also includes works to ensure that the local network of walking routes to the south of the development is maintained and that adequate signage is provided for users;

¹ Taken from *Jenkinson, S., (2013), Planning for dog ownership in new developments: reducing conflict – adding value. Access and greenspace design guidance for planners and developers*

- A commitment to the long-term maintenance and management of the open space areas secured by planning condition (via Landscape and Ecology Management Plans (LEMP) secured by condition on the Reserved Matters permission and on planning permission DC/20/2191/FUL); and
- A financial contribution to the Suffolk Coast RAMS of £17,667.10 (£321.22 x 55 dwellings) (secured by the S106 agreement).

Summary of recreational disturbance mitigation package

The development will provide:

- Onsite open space including a LEAP and a LAP;
- Accessible natural greenspace to the north and south-west;
- Connections to public rights of way creating circular walking routes of various lengths away from European designated sites (including signage and management of these routes in the area to south of the development); and
- A financial contribution to the Suffolk Coast RAMS of £17,667.10 (£321.22 x 55 dwellings).

Conclusion

Having considered the proposed avoidance and mitigation measures above, East Suffolk Council conclude that with mitigation the project will not have an Adverse Effect on the Integrity of the European sites included within the Suffolk Coast RAMS.

Having made this appropriate assessment of the implications of the project for the site(s) in view of those sites' conservation objectives, and subject to the opinion of Natural England, the authority may now agree to the plan or project under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Local Planning Authority Case Officer comments, signed and dated:

James Meyer MCIEEM
Senior Ecologist, East Suffolk Council

23/08/2022

Annex I – Natural England’s recommendations for larger scale residential developments within the 13 km Suffolk Coast RAMS zone of influence (50 units +, or equivalent, as a guide)

Developments of this scale should include provision of well-designed open space/green infrastructure, proportionate to its scale. Such provisions can help minimise any predicted increase in recreational pressure to the European sites by containing the majority of recreation within and around the development site boundary away from European sites. We advise that the Suitable Accessible Natural Green Space (SANGS) guidance here can be helpful in designing this; it should be noted that this document is specific to the SANGS creation for the Thames Basin Heaths, although the broad principles are more widely applicable. As a minimum, we advise that such provisions should include:

- High-quality, informal, semi-natural areas
- Circular dog walking routes of 2.7 km² within the site and/or with links to surrounding public rights of way (PRoW)
- Dedicated ‘dogs-off-lead’ areas
- Signage/information leaflets to householders to promote these areas for recreation
- Dog waste bins
- A commitment to the long term maintenance and management of these provisions

Natural England would be happy to advise developers and/or their consultants on the detail of this at the pre-application stage through our charged Discretionary Advice Service (DAS), further information on which is available here.

However, the unique draw of the above European sites means that, even when well-designed, ‘on-site’ provisions are unlikely to fully mitigate impacts when all residential development within reach of the coast is considered together ‘in combination’. We therefore advise that consideration of ‘off-site’ measures (i.e. in and around the relevant European designated site(s)) is also required as part of the mitigation package for predicted recreational disturbance impacts in these cases. Such measures are to be delivered strategically through the Suffolk Coast RAMS to make the sites more resilient to increased recreational pressures. A proportionate financial contribution should therefore be secured from these developments in line with the Suffolk Coast RAMS.

² Taken from *Jenkinson, S., (2013), Planning for dog ownership in new developments: reducing conflict – adding value. Access and greenspace design guidance for planners and developers*

Annex II – Natural England’s recommendations for smaller scale residential developments within the 13 km Suffolk Coast RAMS zone of influence (0-49 units, or equivalent, as a guide) which are not within/directly adjacent to a European designated site

Whilst the provision of well-designed open space/green infrastructure on site or contributions towards strategic green infrastructure in your district is to be welcomed for developments of this scale, we advise that consideration of ‘off-site’ measures (i.e. in and around the relevant European designated site(s)) is required as mitigation for predicted recreational disturbance impacts in these cases as a minimum. Such measures are to be delivered strategically through the Suffolk Coast RAMS to make the sites more resilient to increased recreational pressures. A proportionate financial contribution should therefore be secured from these developments in line with the Suffolk Coast RAMS.