



East Suffolk House, Riduna Park, Station Road,
Melton, Woodbridge, Suffolk, IP12 1RT

Planning Committee South

Members:

Councillor Debbie McCallum (Chairman)
Councillor Stuart Bird (Vice-Chairman)
Councillor Chris Blundell
Councillor Tony Cooper
Councillor Tom Daly
Councillor Mike Deacon
Councillor Colin Hedgley
Councillor Mark Newton
Councillor Kay Yule

Members are invited to a **Meeting of the Planning Committee South** to be held in the Deben Conference Room, East Suffolk House, Melton, on **Tuesday, 19 April 2022 at 2.00pm**

This meeting will be broadcast to the public via the East Suffolk YouTube Channel at https://youtu.be/iVs5WHy_oJg

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

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.	
4a	Minutes - 7 March 2022 To confirm as a correct record the Minutes of the Extraordinary Meeting held on 7 March 2022	1 - 38
4b	Minutes - 22 March 2022 To confirm as a correct record the Minutes of the Meeting held on 22 March 2022	39 - 56
5	East Suffolk Enforcement Action - Case Update ES/1115 Report of the Head of Planning and Coastal Management	57 - 77
6	DC/21/4004/ARM - Land to the South and East of Adastral Park ES/1116 Report of the Head of Planning and Coastal Management	78 - 107
7	DC/21/4005/ARM - Land to the South and East of Adastral Park ES/1117 Report of the Head of Planning and Coastal Management	108 - 139
8	DC/20/5279/OUT - Land Adjacent to Reeve Lodge, High Road, Trimley St Martin ES/1118 Report of the Head of Planning and Coastal Management	140 - 191
9	DC/21/0757/FUL - Land North of The Street, Kettleburgh, Woodbridge, IP13 7JP ES/1119 Report of the Head of Planning and Coastal Management	192 - 250
10	DC/21/5097/FUL - 14 Wainwright Way, Kesgrave, Ipswich, IP5 2XG ES/1120 Report of the Head of Planning and Coastal Management	251 - 257
11	DC/22/0345/FUL - 735 Foxhall Road, Rushmere St Andrew, IP4 5TH ES/1121 Report of the Head of Planning and Coastal Management	258 - 263
12	DC/22/0266/FUL - Land East of Bent Hill, Undercliff Road West, Felixstowe ES/1122 Report of the Head of Planning and Coastal Management	264 - 273

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.

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

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

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

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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<p>Unconfirmed</p>



Minutes of an Extraordinary Meeting of the **Planning Committee South** held in the Deben Conference Room, East Suffolk House, Melton, on **Monday, 7 March 2022 at 2.00pm**

Members of the Committee present:

Councillor Stuart Bird, Councillor Chris Blundell, Councillor Tony Cooper, Councillor Tom Daly, Councillor Mike Deacon, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Mark Newton, Councillor Kay Yule

Officers present:

Karen Cook (Democratic Services Manager), Laura Hack (Delivery Manager), Marianna Hall (Principal Planner), Phil Harris (Strategic Communications and Marketing Manager), Andy Jarvis (Strategic Director), Rachel Lambert (Planner (Major Sites)), Matt Makin (Democratic Services Officer), James Meyer (Senior Ecologist), Nicholas Newton (Principal Landscape and Arboricultural Officer), Katherine Scott (Principal Planner), Ben Woolnough (Planning Manager (Development Management))

1 Apologies for Absence and Substitutions

No apologies for absence were received.

2 Declarations of Interest

Councillor Stuart Bird declared Local Non-Pecuniary Interests in items 4, 5, 6, 7 and 8 of the agenda as a member of Felixstowe Town Council and the Chairman of that authority's Planning and Environment Committee.

Councillor Mike Deacon declared Local Non-Pecuniary Interests in items 4, 5, 6, 7 and 8 of the agenda as a member of Felixstowe Town Council.

3 Declarations of Lobbying and Responses to Lobbying

Councillor Stuart Bird declared that he had been lobbied on items 4, 5, 6, 7 and 8 of the agenda and had not responded to any correspondence.

Councillor Chris Blundell declared that he had been lobbied on item 8 of the agenda by letter and email.

Councillor Tony Cooper declared that he had been lobbied on items 5, 6, 7 and 8 of the agenda and had not responded to any correspondence.

Councillor Tom Daly declared that he had been lobbied on item 8 of the agenda and had not responded to any correspondence.

Councillor Mike Deacon declared that he had been lobbied on items 4, 5, 6, 7 and 8 of the agenda and had only responded to correspondence to acknowledge receipt.

Councillor Colin Hedgley declared that he had been lobbied on item 8 of the agenda by letter and email and had not responded to any correspondence.

Councillor Debbie McCallum declared that she had been lobbied by Felixstowe Town Council on item 8 of the agenda and had not responded to this correspondence.

Councillor Mark Newton declared that he had been lobbied on item 8 of the agenda by letter and email.

Councillor Kay Yule declared that she had been lobbied on items 5, 6, 7 and 8 of the agenda by letter and email.

Announcements

The Chairman advised that she had re-ordered the agenda and that item 8 would be heard before item 4.

8 DC/21/1322/ARM - Land North of Walton High Street, Felixstowe

The Committee received report **ES/1070** of the Head of Planning and Coastal Management, which related to planning application DC/21/1322/ARM.

The application was a reserved matters submission which presented scheme details relating to layout, scale, appearance and landscaping, in respect of an outline aspect of an approved hybrid application - DC/16/2778/OUT – for the demolition of existing buildings and the phased construction of up to 385 dwellings, including associated infrastructure, new public open space and a new link road and linear park between Walton High Street and Candlet Road.

In accordance with the Scheme of Delegation, set out in the East Suffolk Council Constitution, the Head of Planning and Coastal Management had requested that the decision be made by the Committee due to the significance of public interest in the proposal.

The Committee received a presentation from the Planner, who was the case officer for the application. The site's location was outlined, and the Committee was advised on how the application site related to its surroundings and its topography.

The Planner outlined that a number of listed buildings were located along the southern extent of the site including the Grade II* Walton Hall. A public footpath (Footpath 28) crossed the site in a north/south direction between Walton High Street and Candlet Road, continuing north and connecting with the wider public rights of way network.

The Committee was shown photographs of the site detailing views of the site from Walton High Street to the north, views along Walton High Street at the site boundary, the site's relationship with the A14 (Dock Spur Road), views west towards the site, access to the former rifle range that comprised part of the site, and views to the south towards open space opposite the site.

The Planner outlined the planning history on the application site, including the outline planning permission granted and the relevant applications to discharge planning conditions. The Committee was advised that the applicant had made a duplicate reserved matters application, which they had confirmed would be withdrawn upon approval of the application before the Committee.

The material planning considerations were summarised as:

- The principle of development established at the outline stage
- The design quality, residential amenity and heritage
- The housing provision and mix (including affordable housing)
- Highways: parking provision and standards
- Sustainable construction
- Flood risk and sustainable drainage
- Landscape and open space
- Environmental quality: air quality, noise, land contamination

The Planner noted that the current Suffolk Coastal Local Plan (2020) had been adopted between the approval of the outline planning permission and the application before the Committee; she advised that whilst the adopted Local Plan was entirely relevant to the determination of the application it needed to be acknowledged that there were parameters and limitations in the scope of what could be achieved, based on elements consented or fixed within the outline planning permission.

The Committee was shown the indicative masterplan that had been submitted as part of the application for outline planning permission.

The Planner summarised the history of the design brief and the progression of the design iterations, in consultation with the Council's Design & Conservation Officer. The Planner advised that the submitted information illustrated that the proposed development would come forward with a high-quality design, which would accord with the NPPF and policy SCLP11.1 of the Local Plan. Conditions were included in the recommendation to secure layout and design features.

The Committee was shown an image of the proposed layout for the site along with the materials plan, boundary treatment plan, hard surfaces plan, residential height and massing plan, and character area plan.

The Planner displayed drawings of the street scenes which outlined the different areas in the character area plan, showing how these areas would fit together across the site. The Committee was also shown computer-generated images of the proposed development.

The Committee was advised that the Council's Housing Officer had reviewed the application and had confirmed that the proposed housing mix and affordable housing provision met policy requirements, and that M4(2) requirements would be secured by condition.

The Planner summarised the issues relating to parking provision and standards and confirmed that the site layout had been reviewed and redesigned, as per the request of the Highways Authority, to ensure that the development provided sufficient parking levels and highway design.

The Committee was shown the movement and accessibility plan and the parking and cycling strategy.

The Committee was provided details of the Energy Strategy Statements and Water Use Calculator submitted as part of the application, which incorporated a range of measures to meet the requirements of policy SCLP9.2 of the Local Plan; the applicant had advised officers that this would contribute to the development achieving a 31% reduction in carbon emissions and energy demand. The Planner confirmed that these measures would be secured by condition.

The Planner stated that following extensive consultation with the lead local flood authority and subsequent site-wide revisions, the site wide drainage strategy was considered acceptable.

It was noted that the landscape and open space proposed built upon the indicative landscaping detail set out in the hybrid planning permission and would deliver a range of green infrastructure and publicly open space, including a green gap on the frontage to the site to preserve the setting of existing buildings, together with new planning. The Planner advised that Natural England had not objected to the application subject to the adequate mitigation measures being secured.

The Landscape Elements Plan and Open Spaces Plan were displayed to the Committee and the Planner highlighted key information within the documents.

The Planner summarised that the Council's Environmental Protection Officer was satisfied that the original transport assessment that accompanied the outlined planning consent (dated 2016) could still be relied upon in terms of future road traffic predictions and that a new assessment was not needed. The Planner outlined the mitigation measures proposed, which would be secured by conditions.

It was confirmed that the air quality concerns regarding assessment of air quality associated with development had been resolved and the previously accepted air quality assessment remained valid. The Planner said that should future concerns arise regarding air quality in the area, the Council's Environmental Protection Team may monitor and assess air quality under other statutory provisions and duties related to local air quality management.

The Planner noted that, unfortunately, land contamination had not been captured in the outline planning consent in the form of any conditions but that the applicant and their consultants had worked closely with officers to meet expected procedures/steps

of the investigation of the site and the development of a Remediation Method Statement with a view to ensuring that the site would be suitable for development.

The Committee was advised that as set out and incorporated in the Section 106 Agreement a pre-school land plan was required to be submitted to and approved by Suffolk County Council before the commencement of development. Suffolk County Council had confirmed acceptance of the siting of area secured for an early years facility subject to a condition that secured pre-development works. The Committee was also shown a drawing outlining the site allocated for the early years facility within the wider application site.

The Planner summarised the conclusion of her presentation and outlined the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, subject to the agreement of conditions and an upfront payment of RAMS.

The Chairman invited questions to the officers.

The Committee was shown the location of affordable housing units within the site; the units were to be located within the northern quarter of the site, along with clusters of units in the southern section of the site. Other affordable units would be located in the flat schemes along the linear road.

The Planner confirmed that the consultation response from Anglian Water stated that the site would be connected to the existing sewer network.

The Planner reiterated that the Council's Environmental Protection Team may monitor and assess air quality under other statutory provisions and duties related to local air quality management. The Planning Manager (Development Management) added that the principle of development had been established by the outline planning consent and that the effects and mitigation would have been considered at this stage, and that it was not necessary for them to be considered as part of the current application. The Planning Manager noted that a cumulative assessment would be needed for the area and any future developments would need to consider the impact on this development, if approved.

The Planner stated that officers had been assured by the Council's Environmental Protection Team that through planned remediation, the early years facility could be delivered satisfactorily without land contamination issues on the site of the former rifle range.

The location of the footpath from Candlet Road to Walton High Street was confirmed.

The Planner confirmed that the current application was to be determined against the current Suffolk Coastal Local Plan, adopted in 2020, and that the outline planning consent had been determined against the former Suffolk Coastal Local Plan that had been in place at that time.

The total amount of open space was stated to be 2.28 hectares.

The Planner highlighted the spread of open space across the application site and confirmed the area at the south of the site had been indicated in the outline application.

In response to a question on the size of the clusters of affordable housing, the Planner suggested that this question could be best answered by the applicant and their representatives. The Planner stated that the Council's Housing Officer was satisfied with the spread of affordable housing units across the site.

The Chairman invited Ms Haseman, who objected to the application, to address the Committee.

Ms Haseman expressed concern that highway changes were required to accommodate the proposed housing and outlined the significant loss of parking on Walton High Street as a result of the various crossings and bus stops that would form part of these changes.

Ms Haseman considered that the crossings and bus stops were either not located in the right places or not required due to existing provision and that it appeared the changes resulted in either a change or a loss of the existing cycle routes both towards Ipswich and Felixstowe. Ms Haseman stated that the majority of pedestrian traffic was on the south footpath of Walton High Street. Ms Haseman was also concerned about the impact on privacy by double-decker buses stopping at the new bus stops.

Ms Haseman said that the scheme did not accord with the Local Plan's policies on sustainable transport and would create conflict with the existing transport network in an area already chaotic with school traffic.

The Chairman invited questions to Ms Haseman.

Ms Haseman concurred with a member of the Committee that parking was already an acute issue in the area, especially during peak times for school traffic.

The Chairman invited Councillor Smith, representing Felixstowe Town Council, to address the Committee.

Councillor Smith confirmed that the communication he had circulated to members of the Committee ahead of the meeting reflected the views of Felixstowe Town Council.

Councillor Smith noted that despite several meetings with the landowner and developer Felixstowe Town Council remained opposed to the application, acknowledging that some of the mitigation proposed did address some of its previous concerns. Councillor Smith said that the Town Council was not opposed to new housing but was of the view that development should be considered in a more holistic way.

Councillor Smith expressed concerns about the proposed open space, particularly in relation to the proposed linear park, which would result in less usable open space. Councillor Smith said that the Town Council considered this to be contrary to Local Plan policies on open space and was concerned about the proximity of some

parcels of open space, including those containing trim trails and a play area, to the spine road within the site and a strategic cycleway.

Councillor Smith said that the Town Council was of the view that there should be more one and two-bedroom properties to allow for downsizing and that the affordable housing should be fully integrated with the site and tenure blind. Councillor Smith cited the comments of the Council's Housing Officer about the positioning of the affordable housing not being policy compliant.

Councillor Smith noted that although Felixstowe Town Council welcomed the cycling and walking linkage to Walton High Street, this should be of greater width.

Councillor Smith concluded that Felixstowe Town Council considered there to be sufficient material planning reasons for the application to be refused by the Committee.

The Chairman invited questions to Councillor Smith.

Councillor Smith confirmed that Felixstowe Town Council was recommending refusal of the application as it was contrary to planning policies regarding both open space and the clustering of affordable housing.

The Chairman invited Mr Clarke, representing Bloor Homes (the applicant), to address the Committee. Mr Clarke was accompanied by Mr Lee (Technical Manager, Bloor Homes) and Mr Bailey (agent for the applicant).

Mr Clarke noted that the outline planning consent had established the principle of development on the site and that the design brief for the size and location of the open space had been agreed. Mr Clarke highlighted that the application was for 19 units fewer than what had been approved at the outline stage.

Mr Clarke outlined that the design brief set out the different character areas within the site, including details on height and massing and construction materials. Mr Clarke said that the approach across the site had been agreed by officers, noting that the application had been submitted in April 2021 and that significant work had been undertaken to reach the proposals now in front of the Committee for determination.

Mr Clarke confirmed that the technical approvals and legal agreements were in place for the proposed southern roundabout, which although not the preferred option had been considered by officers to be an acceptable approach. Mr Clarke considered that the numerous meetings between Bloor Homes and officers showed the former's willingness to address issues on the site.

The Chairman invited questions to Mr Clarke, Mr Lee and Mr Bailey.

In response to a question on if it had been necessary to completely remove the trees at the site's border with Candlet Road, Mr Clarke explained that the trees had been removed as part of the works secured by the Section 278 Agreement and had been located within land owned by the Highways Authority; Mr Clarke confirmed that once

the works were completed replanting would take place as it was important that the entrance to the site was as good as it could be.

Mr Clarke confirmed that the Section 106 Agreement contained triggers that the Candlet Road entrance will not be used until the first 100 houses were occupied and that the link road would be opened when 150 houses had been occupied. Mr Clarke said it was intended to begin development at the southern end of the site where highways works could already be undertaken, noting issues with agreements at the northern end of the site with another developer.

Mr Clarke detailed the number of affordable housing units in each cluster and confirmed that Bloor Homes was comfortable with the spread proposed.

In response to question on a lack of a specific recreation area, Mr Clarke explained that the linear park proposed was broadly in excess of the open space indicated in the outline application and provided a variety of spaces. Mr Clarke said that this approach had been encouraged by Natural England and other consultees to provide a linear/walking route type of facility. Mr Clarke acknowledged that this resulted in a lack of a dedicated recreation/sports space but considered there would be transport links to other such sites in the local area.

Mr Clarke confirmed that the land reclaimed as a result of fewer dwellings had become part of the open space proposed on the site.

Mr Clarke advised that a pre-application enquiry had been made to Anglian Water in June 2020 which had concluded there was capacity in the existing sewer network to accommodate the development, based on 385 dwellings.

Mr Clarke advised that electric vehicle (EV) charging points would be provided as part of the upcoming changes to Part S of the Building Regulations; Mr Clarke noted the upcoming changes to Part L of the Building Regulations relating heating and considered that there would be a mixture of air source heat pumps and natural gas, with the latter being provided with hydrogen conversion kits.

The Planning Manager noted that the outline planning consent fixed certain parameters, such as the open space, which this application had to adhere to. The Planning Manager highlighted that other developments in the area would provide considerable open space for sports.

The Chairman invited the Committee to debate the application that was before it.

Several members of the Committee highlighted concerns about access to the site, the location of affordable housing units and the diffusion of open space through the linear park concept. Councillor Blundell considered that there should be a larger area of open space for recreational activities on the site, stating that parents were unlikely to want to travel the significant distance to recreational areas north of Candlet Road. Councillor Blundell was also concerned about the installation of another roundabout so close to the Dock Spur roundabout.

Councillor Deacon spoke at length on the application, noting his previous opposition to its development on Grade 1 agricultural land. Councillor Deacon accepted that the site would be developed but wanted the best outcome for residents, which he considered that the proposed development would not achieve. Councillor Deacon expressed concern about the construction access arrangements being through Walton High Street, next to a busy school and routing construction traffic through Walton or the Trimley villages which would cause maximum disruption to road users and residents.

Councillor Deacon was also disappointed with the apparent clustering of affordable housing units in the noisiest area of the site and said that he hoped their design would be tenure blind. Councillor Deacon added that there was a need for more smaller units, like bungalows, on the site and not the quantity of three-bedroom homes proposed. Councillor Deacon was surprised that given the greenfield nature of the site there was not a greater push for sustainable heating solutions, noting that a local housing association had retrofitted its properties to benefit from a community ground source heat pump system.

Councillor Deacon also raised concerns about road safety, parking and air quality, and questioned if there was sufficient capacity in the existing sewer network to accommodate the development; he cited that it was an older system that already suffered from several issues, including a pump on the junction of Walton High Street and King Street which regularly failed. Councillor Deacon noted other areas were prone to flooding at an increasing rate. Councillor Deacon said he could not support the application.

Councillor Yule was unhappy with the design and proposed character features and was of the view that the site would look dated; she said she would be voting against approving the application.

Councillor Cooper urged caution on refusing the application without material planning considerations; he said that he was unable to see there were any such reasons to refuse this application and that should the Committee refuse the application it needed to provide planning reasons for doing so.

The Planning Manager reiterated to the Committee that certain parameters of the development were controlled by the outline planning consent and could not be altered by this application. In response to the concerns raised about the location of affordable housing units, particularly those located in the north-west of the site, the Planning Manager explained that the units had been designed as identifiable but cohesive groups, which provided two blocks that a housing association could take on and manage successfully. The blocks had been designed as inward facing cul-de-sacs surrounded by open market housing.

Councillor Bird stated that despite his concerns over public space and housing mix, he considered that the benefits of the scheme outweighed the harm it would cause. Councillor Bird highlighted that the principle of development had been established by the outline consent and that various Council officers were confident that the various aspects of the scheme discussed during debate were policy compliant. Councillor Bird was of the view that there were no material planning

grounds sufficient to refuse the application and said he would be supporting its approval.

Councillor Newton echoed comments made during debate regarding the provision of open space but concurred with Councillor Bird's view that there were no material planning grounds sufficient to refuse the application.

There being no further debate the Chairman sought a proposer and seconder for the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report.

On the proposition of Councillor Cooper, seconded by Councillor Bird it was by a majority vote

RESOLVED

That **AUTHORITY TO APPROVE** the application be delegated to the Head of Planning and Coastal Management subject to agreement of conditions with the applicant (this may be confirmed in the committee update sheet) and an upfront payment of RAMS under Section 111 of the Local Government Act 1972.

Conditions:

1. The development hereby permitted shall not be carried out other than in complete accordance with the following:

- P20-0602_01-11 Site Location Plan
 - P20-0602_09S Planning Layout
 - P20-0602_01-03C Site Masterplan
 - P20-0602_01-02E Character Areas Plan
 - P20-0602_01-04H Residential Heights and Massing Plan
 - P20-0602_01-05D Urban Design Principles Plan
 - P20-0602_04C Design brief compliance statement
 - P20-0602_05K Materials Plan
 - P20-0602_06B Ancillary Buildings
 - P20-0602_07C Boundary Treatment Details
 - P20-0602_10C Parking & Cycle Strategy
 - P20-0602_11C Refuse Strategy
 - P20-0602_12E Boundary Treatments Plan
 - P20-0602-02_01 REV L Streetscenes
 - P20-0602-02_02 REV L Streetscenes
 - P20-0602-02_03 Rev L Streetscenes
 - P20-0602-02_04 Streetscenes
 - P20-0602_13D Affordable Tenure
 - P20-0602_15C Hard Surfaces Plan
 - P20-0602_16C Open Space Areas
 - P20-0602_17B Movement & Accessibility Plan
 - P20-0602_18A CGI Streetscene
 - P20-0602_19A Residential Offsets
 - P20-0602_08B Proposed Sections 1 of 2
 - P20-0602_08B Proposed Sections 2 of 2

- P20-0602 House Type Pack - Part 1 Nov 21
- P20-0602 House Type Pack - Part 2 Nov 21
- P20-0602 House Type Pack - Part 3 Nov 21
- P20-0602 House Type Pack - Part 4 Nov 21
- Energy Strategy Statement (Briary Energy, February 2021)
- Water Use Calculator (Bloor Homes, February 2021)
- EA165-LS-001h (Site Landscaping)
- EA165-LS-002f (Site Landscaping)
- EA165-LS-003i (Site Landscaping)
- EA165-LS-004e (Site Landscaping)
- EA165-LS-005g (Site Landscaping)
- EA165-LS-006h (Site Landscaping)
- EA165-LS-007f (Site Landscaping)
- EA165-LS-008f (Site Landscaping)
- EA165-LS-009h (Site Landscaping)
- EA165-LS-010b (Landscape Elements Plan)
- 60724-C-005 - Lighting layout
- 60724-C-006 – Fire tending tracking
- 60724-C-007 – Refuse tracking
- EA 165-PD-905 Early Years Location Dimension Plan
- R9230-1 Rev 0 - Noise Assessment (24 Acoustics, 27 September 2021)
- R9230-2 Rev 0 – Noise Assessment Memorandum (24 Acoustics, 10 December 2021)
- R9230-3 Rev 0 – Noise Assessment Addendum Early Years Facility
- Addendum Ground Investigation Report (ref. 60724 - Richard Jackson, 15 October 2020)
- Infiltration Technical Note Rev A (ref. 60724 - Richard Jackson, 23 December 2021)
 - GreenBlue Urban Hydraulic Modelling Guidance
 - Drainage Strategy Statement Rev B (ref. 60724 - Richard Jackson, 4 January 2022)
 - MicroDrainage Calculations for Northwest + Early Years (Richard Jackson)
 - MicroDrainage Calculations for Early Years Site + Porous Paving (Richard Jackson)
 - 60724/C/001 Rev E - Section 38 Agreement Plan (Richard Jackson, 22 December 2021)
 - 60724/C/002 Rev C - Preliminary FFL (Richard Jackson, 7 December 2021)
 - 60724/C/003 Rev E - Drainage Strategy (Richard Jackson, 22 December 2021)
 - 60724/C/004 Rev C - Exceedance Flow Routes (Richard Jackson, 7 December 2021)
 - 60724/C/008 Rev A - Preliminary Site Levels for Early Years Site (Richard Jackson, 23 November 2021)
 - 60724/C/009 Rev B - Infiltration Strategy (Richard Jackson, 22 December 2021)
 - 60724/C/010 Rev A - Infiltration Test Locations (Richard Jackson, 7 December 2021)
 - 60724/C/011 - Preliminary Drainage Strategy for Early Years Site Richard Jackson)
 - 60724/C/012 - Impermeable Areas Plan (Richard Jackson, December 2021)
 - 60724/C/013 - Preliminary Drainage Strategy for Early Years Site Alternative Option No

Infiltration (Richard Jackson, January 2022)

- EA60724-EN-070 Rev B - Adoptable Highway Construction Details Sheet 1 (Richard Jackson, 9 December 2021)
- EA60724-EN-071 Rev B - Adoptable Highway Construction Details Sheet 2 (Richard Jackson, 4 January 2021)
- EA60724-EN-072 Rev C - Adoptable Highway Construction Details Sheet 3 (Richard Jackson, 4 January 2021)
- EA60724-EN-075 Rev B - Private External Works Construction Details Sheet 1 (Richard Jackson, 22 December 2021)
- EA60724-EN-076 Rev B - Private External Works Construction Details Sheet 2 (Richard Jackson, 22 December 2021)

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

2. The materials and finishes shall be as indicated within the submitted application (P20-0602_05K Materials Plan) and thereafter retained as such, unless otherwise agreed by the local planning authority.

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

3. A formal crossing point in the broad location as indicated on plan 60724-C-002 C shall be submitted to and approved in writing by the local planning authority. This crossing may be in the form of a toucan or tiger crossing whichever is deemed suitable and safe for this location by SCC as the local highway authority.

Reason: In the interests of highway safety to ensure that satisfactory access is provided for the safety of residents and the public to encourage sustainable transport links.

4. No other part of the development hereby permitted shall be occupied until the new accesses onto the primary road has been laid out and completed in all respects in accordance with drawing no. 60724-C-001 E (s38 Agreement Plan) specifically including the cycleway provision at the accesses in accordance with the emerging Suffolk Streets Guide. Thereafter it shall be retained in its approved form.

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

5. Before the main road accesses (secondary to secondary and secondary to primary road) are first used visibility splays shall be provided as shown on drawing number 60724-C-001 E (s38 Agreement Plan) and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected,

constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

6. Before the main spine road (Primary Road) is first used forward visibility splays shall be provided as shown on drawing number 60724-C-001 E (s38 Agreement Plan) and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

7. Before the access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 43 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension) [or tangential to the nearside edge of the metalled carriageway, whichever is the more onerous]. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

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

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

9. The use shall not commence until the area(s) within the site shown on drawing no. 60724-C-001 E (s38 Agreement Plan) for the purposes of loading, unloading, manoeuvring and parking of vehicles has / have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking 2019 where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

10. The use shall not commence until the area(s) within the site shown on drawing no. P20- 0602_10C (Parking & Cycle Strategy) for the purposes of loading, unloading, manoeuvring and parking of vehicles has / have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking 2019 where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

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

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

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

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

13. No development shall commence until an estate road phasing and completion plan has been submitted to and approved in writing by the local planning authority. The estate road phasing and completion plan shall set out the development phases and the standards of construction that the estate roads serving each phase of the development will be completed to and maintained at. Development shall only take place in accordance with the approved estate road phasing and completion plan.

Reason: In the interests of highway safety, to ensure that the estate roads serving the development are completed and thereafter maintained during the construction phase to an acceptable standard.

14. Prior to commencement, a Construction Management Plan shall have been submitted to and approved in writing by the local planning authority. Construction of the development shall not be carried out other than in accordance with the approved plan.

The Construction Management Plan shall include the following matters:

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

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase.

15. All HGV delivery traffic movements to and from the site over the duration of the construction period shall be subject to a Deliveries Management Plan, which shall be submitted to the local planning authority for approval a minimum of 56 days before any deliveries of materials commence. No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan. [The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.]

Reason: In the interests of highway safety, to reduce and / or remove as far as is reasonably possible the effects of HGV traffic in sensitive areas.

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

Reason: In the interests of sustainable travel provision and compliance with local plan sustainable transport policies.

17. Prior to any occupation or use, the residential noise mitigation measures (window and ventilation systems) recommended by the Noise Assessment (ref. R9230-1 Rev 0 –

dated 27 September 2021) should be validated to ensure compliance with the internal guideline noise values within BS 8233:2014.

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

- Results of surveying and/or monitoring carried out to demonstrate that the measures in the agreed noise assessment report have been implemented and any agreed noise levels achieved.
- Results of surveying to at least one dwelling in each of the Noise Zones A, B & C as identified in the 24 Acoustics noise assessment report.

The validation methodology (including numbers and locations of selected dwellings) should be agreed with the LPA prior to the assessment being undertaken.

Reason: To ensure that risks from noise pollution to the future users of the land are minimised to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

18. Prior to any occupation or use of the approved development, the Remediation Method Statement Rev. A (21 January 2021) must be completed in its entirety. The local planning authority must be given two weeks written notification prior to the commencement of the remedial works.

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

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

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

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

20. In the event that contamination which has not already been identified to the local planning authority is found or suspected on the site it must be reported in writing immediately to the local planning authority. No further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its

entirety. An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM)) and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority.

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

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

21. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Appraisal (Aspect Ecology, April 2016 updated September 2021) and the Report to Inform a Habitats Regulations Assessment (HRA) (Aspect Ecology, December 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

22. Prior to any works above slab level an Ecological Enhancement Strategy, based on the measures set out in the submitted Ecological Appraisal (Aspect Ecology, April 2016 updated September 2021) and addressing how ecological enhancements will be achieved on site, will be submitted to and approved in writing by the local planning authority.

Ecological enhancement measures will be delivered and retained in accordance with the approved Strategy.

Reason: To ensure that the development delivers ecological enhancements.

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

- a. Description and evaluation of features to be managed.
- b. Ecological trends and constraints on site that might influence management.

- c. Aims and objectives of management.
- d. Appropriate management options for achieving aims and objectives.
- e. Prescriptions for management actions.
- f. Preparation of a work schedule (including an annual work plan capable of being
- g. rolled forward over a five-year period).
- h. Details of the body or organisation responsible for implementation of the plan.
- i. Ongoing monitoring and remedial measures.

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

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

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

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

25. If any phase of the development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within three years from the date of the planning consent, the approved ecological measures shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to establish if there have been any changes in the presence and/or abundance of protected and/or UK Priority species present on the site and identify any likely new ecological impacts that might arise from any changes.

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

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

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

Reason: To ensure that nesting birds are protected.

27. The strategy for the disposal of surface water (referenced in Condition 1) shall be implemented as approved in writing by the local planning authority. The strategy shall thereafter be managed and maintained in accordance with the approved strategy.

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

28. Within 28 days of practical completion of the last dwelling of each phase (as agreed under Condition 3 of DC/16/2778/OUT), surface water drainage verification report shall be submitted to the local planning authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

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

29. No development other than site clearance and site establishment shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include: temporary drainage systems; measures for managing pollution / water quality and protecting controlled; waters and watercourses; and measures for managing any on or offsite flood risk associated with construction.

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater [https://www.suffolk.gov.uk/roads-and-](https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-assetregister)

30. Prior to occupation of the hereby approved development, details of all measures that have been completed as stated in the Energy Strategy Statement (by Briary Energy, dated February 2021) and Water Use Calculator (by Bloor Homes, dated February 2021), shall be submitted to and approved in writing by the local planning authority.

The updated sustainability strategy should demonstrate how the development shall achieve higher energy efficiency standards that result in a 20% reduction in CO2 emissions below the Target CO2 Emission Rate (TER) set out in the 2013 Building Regulations; and include a table providing a concise summary of the results of the calculations for each dwelling and the percentage improvement on Building Regulations Part L 2013. The calculations shall be carried out in accordance with the Building Regulations Part L 2013.

Reason: To ensure the finished development implements the approved sustainable measures to comply with Policy SCLP9.2 of the East Suffolk Council – Suffolk Coastal Local Plan (2020).

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

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

32. Arrangements for the storage and collection of refuse shall fully accord with a scheme which shall have been submitted to and approved in writing by the local planning authority, before the use is commenced.

Reason: In the interests of amenity and the protection of the local environment.

33. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking or re-enacting the said Order] no development of any kind specified in Part(s) 1; 2 & 3 of Schedule 2 of the said Order shall be carried out unless otherwise agreed with the local planning authority.

Reason: In order that the local planning authority may retain control over this particular form of development in the interests of amenity and the protection of the local environment and the amenity of adjoining residents.

34. All windows serving WC's and bathrooms shall be fitted and remain fitted with patterned/obscured glass, details of which shall be submitted to and approved in writing by the local planning authority before the glazing is installed.

Reason: In the interest of residential amenity.

35. The hereby approved development shall include provision for 50% of all dwellings to meet the requirements of M4(2) (or M4(3) of Part M of the Building Regulations, where applicable) for accessible and adaptable dwellings. Drawings and/or documents shall list which units/plots meet the M4(2) (or M4(3) standards) and shall be submitted to and approved in writing by the local planning authority prior to development of each phase.

Reason: To ensure the development complies with Planning Policy SCLP5.8. An additional condition is to be agreed with the applicant and Suffolk County Council that secures pre-development works to the early years facility location (i.e., erection of acoustic fencing and future maintenance, minimum level of topsoil etc.).

Informatives:

1. The local planning authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework (2019) and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

2. It is recommended that a check of the buildings and vegetation for nesting birds is undertaken prior to work commencing. Nesting birds are protected by the Wildlife and Countryside Act (1981). It is therefore recommended that any works take place outside the nesting season. If birds are encountered advice should be sought from a suitably qualified ecologist on how best to proceed.

3. The applicant is advised that the proposed development will require approval under the Building Regulations. Any amendments to the hereby permitted scheme that may be necessary to comply with the Building Regulations must also be approved by the local planning authority in order that any planning implications arising from those amendments may be properly considered.

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

Please note: the Council will issue a Liability Notice for the development once liability has been assumed. Liability must be assumed prior to the commencement of development.

Failure to comply with the correct process as detailed in the regulations may result in surcharges and enforcement action and the liable party will lose the right to pay by instalments. Full details of the process for the payment of CIL can be found at <http://www.eastsuffolk.gov.uk/planning/community-infrastructure-levy>.

5. The applicant is advised that the granting of planning permission for the hereby approved development does not override any other legislation, private access rights or land ownership issues which may exist. The onus rests with the owner of the property

to ensure they comply with all the necessary legislation (e.g. building regulations and acts relating to environmental protection) and it is the applicants/developers responsibility to ensure that comply with all the necessary legislative requirements, and obtain all the necessary consents/permits.

6. The applicant is advised that the proposed development is likely to require the naming of new street(s) and numbering of new properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. Contact the Property Information Team (01394 444261), which is responsible on behalf of the Council for the statutory street naming and numbering function.

7. This consent is the subject of a Section 106 legal agreement which must be adhered to.

8. This planning permission contains condition precedent matters that must be discharged before the development approved is commenced, or any activities that are directly associated with it. If development commences without compliance with the relevant conditions(s) you will not be able to implement the planning permission & your development will be deemed unauthorised. An application under Section 73 of the Town & Country Planning Act 1990 will be required to amend the relevant condition(s) before development continues. You are strongly recommended to comply with all conditions that require action before the commencement of development.

9. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. The County Council must be contacted on Tel: 0345 606 6171. A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing. For further information please visit:

<https://www.suffolk.gov.uk/planning-wasteand-environment/planning-and-development-advice/application-for-works-licence>.

11. The local planning authority recommends that developers of housing estates should enter into formal agreements with the Highway Authority under Section 38 of the Highways Act 1980 in the interests of securing the satisfactory delivery, and long-

term maintenance, of the new streets. For further information please visit:
<https://www.suffolk.gov.uk/planningwaste-and-environment/planning-and-development-advice/application-for-works-licence>.

Please note that this development may be subject to the Advance Payment Code and the addition of non-statutory undertakers plant may render the land unadoptable by SCC Highways for example flogas and LPG.

12. Acceptance of the road layout by the highway authority during the planning process does not guarantee meeting the Section 38 of the Highways Act 1980 adoption criteria. It is recommended that the applicant refers to the current adoption criteria: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-developmentadvice>.

13. A cycle link is required to link the eastern side of the development to Treetops, Gulpher Road and beyond, to enable sustainable access to local facilities. The cost for supplying a 3m wide unbound surface suitable for cycling and walking will cost with design fees £22,000. If preferred I would condition this route to be provided by the applicant and would need to agree appropriate wording for such a condition. This route is required under NPPF 110a, c & d, 112a & c.

14. Public utility apparatus may be affected by this proposal; the appropriate utility service should be contacted to reach agreement on any necessary alterations which have to be carried out at the expense of the developer.

Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991.

15. Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.

Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment may be is subject to payment of a surface water developer contribution.

16. Any works to a main river may require an environmental permit.

17. Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2006 Edition, incorporating 2010 and 2013 amendments Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for firefighting, in which case those standards should be quoted in correspondence. Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2006 Edition, incorporating 2010 and 2013 amendments.

18. Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system.

19. The applicant is advised that a public right of way crosses the application site or adjoins the application site (Footpath 28) and nothing in this permission shall authorise the stopping up, diversion or obstruction of that right of way. The applicants should apply to Suffolk County Council if they want the public right of way to be diverted or stopped up. It is an offence under the Highways Act 1980 to obstruct the route or damage/alter the surface of the right of way without the prior written consent of the highway authority, either during the construction of the development or beyond. If any development work conflicts with the safe passage of pedestrians or other users of the right of way, the applicants will need to apply to the highway authority for a temporary closure of the right of way.

Following the conclusion of this item the Chairman adjourned the meeting for a short break; the meeting adjourned at 3.32pm and reconvened at 3.45pm.

4 DC/21/5479/FUL - Beach Platform, South Beach, Felixstowe

The Committee received report **ES/1066** of the Head of Planning and Coastal Management, which related to planning application DC/215479/FUL.

The application was for the repair and extension of an existing beach platform to the south-west of Felixstowe Pier to provide six additional beach hut sites. As the applicant and landowner was East Suffolk Council the application was before the Committee for determination, in accordance with the Scheme of Delegation set out in the East Suffolk Council Constitution.

The Committee received a presentation on the application from the Planning Manager (Development Management). The Planning Manager explained that he would be presenting this application along with the applications at items 5, 6 and 7 of the agenda on behalf of the various case officers in order to provide a consistent approach, as the applications were linked.

The Planning Manager gave an overview of the linked applications stating that although each application was to provide new beach hut sites and should be considered as such, they all related to accommodating the relocation of existing beach huts at the Spa Pavilion, which could no longer be sited on the beach due to beach erosion and could no longer remain sited on the adjacent area of the promenade.

The site's location was outlined; the Planning Manager explained that the site had been subject to a previous application determined by the Committee for the repair of the existing platform. The Committee was shown drawings demonstrating the extension of the platform to accommodate the six additional beach hut sites.

The Planning Manager explained that the beach huts currently on the site were moved to the promenade for the winter to avoid storm impacts. The Committee was advised that policy SCLP12.14 of the Local Plan applied to this section of Felixstowe seafront,

which stated that additional beach huts in the area would be limited to locations which complement the existing resort uses and did not fill the important gaps between huts.

The site's relationship to the neighbouring conservation area was demonstrated; the Planning Manager noted that the storage area on the promenade fell within this conservation area.

The Committee was shown photographs of the site demonstrating views looking south from the promenade towards the platform, looking north towards the beach platform, looking north from the beach platform, and looking north towards the winter storage area.

The Planning Manager displayed the existing and proposed block plans, along with the proposed elevations for the beach huts both on the platform and on the promenade. The Committee was also shown a comparison of the existing and proposed elevations.

The material planning considerations and key issues were summarised as the visual impact, the impact on the conservation area, coastal management, contamination, and ecology.

The recommendation to approve the application was set out.

The Chairman invited questions to the officers.

The Principal Planner, who was the case officer for the application, confirmed that an incorrect policy had been quoted in the flood risk assessment but that this did not impact the conclusions of the assessment itself. The Planning Manager advised that as the beach huts were not intended for habitation, the flood risk was of less concern.

The Planning Manager confirmed that the larger central gap of 1.8 metres stated in the report was incorrect and referred to the update sheet which confirmed that there would be regular spacings of 870 millimetres between each hut and no larger separate gap.

The Planning Manager clarified that the interpretation of policy SCLP12.14 was that regular spacings between huts were not considered to be 'important gaps'.

The Chairman invited Councillor Smith, representing Felixstowe Town Council, to address the Committee.

Councillor Smith spoke of his role in the evolution of the current Suffolk Coastal Local Plan and acknowledged that beach huts were a valuable resource; he said that Felixstowe Town Council considered that for walking users of the promenade, long rows of beach huts had a detrimental impact. Councillor Smith said the intention of policy SCLP12.14 was to avoid linking up existing rows of beach huts by filling the gaps between them.

Councillor Smith said the Town Council considered the increase from 12 to 16 beach huts to be intrusive and that the extension of a platform that had been formed from

the remains of a wartime gun emplacement was not a good idea. Councillor Smith suggested that the proposed development did not fit the characteristic of being part of the scenery.

There being no questions to Councillor Smith the Chairman invited the Council's Delivery Manager, representing the Council as the applicant, to address the Committee. The Delivery Manager was supported by the Council's Strategic Director.

The Delivery Manager noted the importance of beach huts to Felixstowe and highlighted that there were 900 sites in the town on three-yearly licences. The Delivery Manager explained that some of the huts sited on the beach itself were relocated to the promenade and the beach huts located at the Spa Pavilion had been stuck on the promenade for the last four years due to beach erosion at that location.

The Delivery Manager said that the Council had explored a number of ways to return these huts to the beach at this location, as it was not practical to leave the huts on the promenade all year round, especially during the summer season, but this had not been possible. The Delivery Manager explained that the four linked applications sought to relocate these huts to other sites in Felixstowe and should they be refused, the Council would, reluctantly, have to terminate these licences as there would be no safe beach area to return the huts to.

The Delivery Manager confirmed that the platform would be lengthened and strengthened; a previous application to do so in 2019 had been refused but since that time the current Suffolk Coastal Local Plan had been adopted and the application was policy compliant.

The Delivery Manager advised that hut owners bore the cost of relocating the huts on and off the beach platform but stated that the Council would pay the one-off costs of relocating the huts from the Spa Pavilion to their new home. The Delivery Manager was of the opinion that the development would not impede the views of the beach.

The Chairman invited questions to the Delivery Manager and the Strategic Director.

The Delivery Manager, in response to a question regarding the interpretation of policy SCLP12.14, said that although all efforts were made to evenly space the huts when relocated each summer, they were not always put down in a precise way. The Delivery Manager said that no larger 'important' gap existed within the current row of huts but that ample space was provided to move freely between the huts.

It was confirmed that the beach platform was wheelchair accessible.

The Chairman invited the Committee to debate the application that was before it.

Councillor Yule opened debate by proposing to move to the recommendation to approve, as set out in the report, and this was seconded by Councillor McCallum and it was by a unanimous vote

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 the following plans, 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:

Drawing no. SR353-1002-B

Drawing no. SR353-1003-B

Drawing no. SR353-1004

Drawing no. SR353-1000-A

All received on 6 December 2021.

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

3. No development shall commence until a management plan for the maintenance of the beach huts and associated beach maintenance has been submitted to and approved in writing by the local planning authority. The plan shall include long term design objectives, management responsibilities and a scheme of maintenance for the promenade and beach areas for a period of 20 years. The plan shall also include details of the arrangements for its implementation. The development shall be carried out in accordance with the approved management plan.

Reason: To ensure the areas occupied by the beach huts are properly maintained in the interests of amenity and coastal management.

4. Before the development hereby permitted is commenced a scheme indicating the provision to be made for disabled people to gain access to respective beach hut(s) shall have been submitted to and approved by the local planning authority. The agreed scheme shall be implemented before the development hereby permitted is brought into use.

Reason: To ensure the design and layout of the development provides and maintains safe and convenient access for people with disabilities.

5. The source of 'local' beach material to fill / refill the platform is to be agreed with the Coastal Management team on every occasion that filling is required.

Reason: In order that the local planning authority may retain control over this development/site in the interests of amenity and the protection of the coastal environment.

6. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. No further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety. An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM)) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works. Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

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

Informatives:

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

5 DC/21/5102/FUL - Area on beach materials seawards in front of the prom and steps at Clifflands, Cliff Road, Felixstowe, IP11 9SA

The Committee received report **ES/1067** of the Head of Planning and Coastal Management, which related to planning application DC/21/5102/FUL.

The application sought full planning permission for the formation of 18 new beach hut sites for the proposed repositioning of existing beach huts from the spa area, to form a row of huts on the shingle material on the foreshore at Clifflands. As the applicant and landowner was East Suffolk Council the application was before the Committee for determination, in accordance with the Scheme of Delegation set out in the East Suffolk Council Constitution.

The Committee received a presentation from the Planning Manager (Development Management) on behalf of the case officer.

The site's location was outlined, and the Committee was shown the proximity of existing beach huts to the application site. The Planner advised that the development would provide a stable platform for the planned repositioning of existing beach huts currently located at the Spa Pavilion. The Committee was also shown aerial images of the site.

The Planning Manager advised the Committee that this area was subject to policy SCLP12.12 of the Local Plan, which required the beach huts concentrated in this location to be kept below the level of the cliff to avoid obstruction of the sea view from Cliff Road.

The Committee received the block plan and elevations for the development.

The Committee was shown photographs demonstrating views from the Cliff Road carpark and green towards the existing beach huts, access steps and Martello Tower T, from the access steps looking south-east, from the promenade looking south-west, from the application site on the beach, and from the beach looking north-east.

The material planning considerations were summarised as landscape and visual amenity, ecology and coastal environment & flood risk.

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

The Chairman invited questions to the officers.

The Planner advised that the third-party responses had been received from a mixture of locations, predominantly focusing on the impact of relocating beach huts from the Spa Pavilion and less amenity facilities in this location by comparison.

In response to a question on third-party responses relating to access, the Planner was of the view these were regarding to the beach location proposed, as the existing huts were currently on the promenade at the Spa Pavilion. The Planner was not aware of any significant vandalism in the area.

The Planner confirmed that the huts would be located on the beach all year round; the Planning Manager added that the significant depth of the beach meant that storm impacts would be unlikely.

The Chairman invited Councillor Smith, representing Felixstowe Town Council, to address the Committee.

Councillor Smith highlighted the significant difference in the beach area compared to the current location of the huts at the Spa Pavilion and that it had been gradually replenished having receded, resulting in the shingle being fresh and not vegetated. Councillor Smith said that the area would be at risk of semi-flooded or wave action in the event of a serious storm and considered that beach hut users should be aware of this, acknowledging that the risk was small and that the site was relatively stable.

There being no questions to Councillor Smith the Chairman invited the Council's Delivery Manager, representing the Council as the applicant, to address the Committee. The Delivery Manager was supported by the Council's Strategic Director.

The Delivery Manager advised that this application was part of the relocation proposals discussed earlier in the meeting and highlighted that the owners of the huts at the Spa Pavilion had stressed the importance of a beach siting for their huts. The Delivery Manager said that the proposals would relocate the huts to other clusters but would be low down enough not to impede on sea views from Cliff Road. The Delivery Manager noted that anecdotal evidence suggested that the site had not been subject to flooding in recent years.

The Delivery Manager explained that the huts would sit on sleepers and not impact on wildlife and stated that the huts would be only a few hundred metres away from public facilities, with further amenity facilities being brought forward by the redevelopment of the nearby Felixstowe Ferry Golf Club. The Delivery Manager considered that the lack of seasonal movement would be of benefit to hut users and the area would be fully managed, including a flood risk assessment.

The Chairman invited questions to the Delivery Manager and Strategic Director.

In response to a question on disability access, the Delivery Manager pointed out that the four relocation sites each had a range of pros and cons and acknowledged that this site did not benefit from disabled access. The Delivery Manager said that site identification had been driven by a need to be able to place huts on the beach.

The Delivery Manager noted that the stabilisation of the beach at the Spa Pavilion had been managed by the Coastal Management team and that although the area was suitable for general amenity use, there was not enough material to safely maintain a platform for beach huts. The Strategic Director added that this planning application was not an admission that the work to stabilise this area of beach had failed but was a reaction to changing circumstances.

The Chairman invited the Committee to debate the application that was before it.

Councillor Cooper opened debate by proposing to move to the recommendation to approve, as set out in the report, and this was seconded by Councillor Newton and it was by a unanimous vote

RESOLVED

That **AUTHORITY TO APPROVE** be delegated to the Head of Planning and Coastal Management subject to confirmation from East Suffolk Council Coastal Management team that the submitted 'Level B CEVA' satisfies their requirements.

Conditions:

1. The development hereby permitted shall begin no later than three years from the date of this permission.

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

2. The development hereby permitted shall not be carried out other than in complete accordance with the following drawings, received on 10 November 2021:
Site location plan (drawing number 15-12-58 01)
Block plan (drawing number 15-12-58 02)
Proposed elevations (drawing number 15-12-58 03)

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

3. The materials and finishes shall be as indicated within the submitted application (colourscheme as per licence and constructed from wood with ash felt roof coverings) and thereafter retained as such, unless otherwise agreed by the local planning authority.

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

4. The hereby approved non-habitable beach huts shall not be used for sleeping accommodation or any other habitable use.

Reason: In the interests of amenity and the protection of the local environment.

5. The development shall be carried out in accordance with the approved Level B Coastal Erosion Vulnerability Assessment, unless otherwise agreed by the local planning authority.

Reason: In the interests of coastal change management and to ensure that access to coastal defences is not inhibited by new and/or replacement development.

6. Prior to use, a Flood Response Plan shall be submitted to and approved by the local planning authority in consultation with the emergency planning department.

Reason: To ensure that owners and occupiers of the property are aware that the land is at risk of flooding and the appropriate course of action to be taken in the event of a flood.

7. Prior to use, and every 12 months thereafter, a Risk Level Assessment and Occupation Plan shall be submitted to and approved by the local planning authority.

Reason: To ensure that owners and occupiers of the property are aware that the land is at risk of flooding and the appropriate course of action to be taken in the event of a flood.

8. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (by SWT Trading Ltd, dated October 2021) as

submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

Informatives:

1. The local planning authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework (2021) and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

2. Environmental permit - advice to applicant

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

3. Marine Licensing

Works activities taking place below the mean high-water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009.

Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence.

Applicants should be directed to the Marine Management Organisation's (MMO) online portal to register for an application for marine licence:

<https://www.gov.uk/guidance/make-a-marine-licence-application>

You can also apply to the MMO for consent under the Electricity Act 1989 (as amended) for offshore generating stations between 1 and 100 megawatts in English waters.

The MMO is also the authority responsible for processing and determining Harbour Orders in England, together with granting consent under various local Acts and orders regarding harbours.

A wildlife licence is also required for activities that that would affect a UK or European protected marine species.

The MMO is a signatory to the coastal concordat and operates in accordance with its principles. Should the activities subject to planning permission meet the above criteria then the applicant should be directed to the follow pages: check if you need a marine licence and asked to quote the following information on any resultant marine licence application:

- * local planning authority name,
- * planning officer name and contact details,
- * planning application reference.

Following submission of a marine licence application a case team will be in touch with the relevant planning officer to discuss next steps.

6 DC/21/5174/FUL - Area between Front Row of Beach Huts at Golf Road Car Park, Golf Road, Felixstowe, IP11 1NG

The Committee received report **ES/1068** of the Head of Planning and Coastal Management, which related to planning application DC/21/5174/FUL.

The application sought full planning permission for the formation of 18 new beach hut sites for the proposed repositioning of four existing beach huts at land to the northeast of Golf Road carpark. As the applicant and landowner was East Suffolk Council the application was before the Committee for determination, in accordance with the Scheme of Delegation set out in the East Suffolk Council Constitution.

The Committee received a presentation from the Planning Manager (Development Management), on behalf of the case officer.

The site location was outlined, and the proximity and arrangement of the existing beach huts was outlined. The Committee was shown the proposed block plan and aerial images of the site.

The Committee was shown photographs demonstrating views from Golf Road carpark looking east, looking south from the cliff top, looking north towards the four huts to be repositioned, looking east towards the promenade and further beach huts below the cliff, towards the beach huts from the green, of the woodland to the rear of the beach huts, of the woodland from the green, looking south-west towards the woodland, looking west towards Golf Road, looking north towards Cliff Road and the coast, and of the green.

The Planning Manager advised the Committee that this area was subject to policy SCLP12.12 of the Local Plan, which required the beach huts concentrated in this

location to be kept below the level of the cliff to avoid obstruction of the sea view from Cliff Road.

The elevations and proposed block plan were displayed. The Planning Manager outlined that between seven and 16 trees would need to be felled to accommodate the new beach hut sites.

The material planning considerations were summarised as landscape and visual amenity, ecology and coastal environment & flood risk.

The Chairman invited questions to the officers.

The Principal Landscape and Arboricultural Officer explained that a precise number of trees to be felled had not been given as due to the nature of the development a degree of micro-siting would be possible, which allowed for the possibility of some trees being avoided during development.

The Committee was advised that the application was for 18 new beach hut sites and that matters such as future beach hut sites in this location and the relocation of existing beach huts from the Spa Pavilion were not material planning considerations when determining this application.

The Chairman invited Councillor Smith, representing Felixstowe Town Council, to address the Committee.

Councillor Smith said that Felixstowe Town Council had significant concerns about the application which had been heightened by the attitude towards the felling of trees expressed at the meeting. Councillor Smith suggested that replacing felled trees with shrubs was not acceptable and highlighted the history of the open space, with the woodland having been planted in the 1980s. Councillor Smith said it did not make sense to remove trees from the site.

There being no questions to Councillor Smith the Chairman invited the Council's Strategic Director, representing the Council as the applicant, to address the Committee.

The Strategic Director noted that the application formed part of the proposed solution for relocating existing beach huts currently located at the Spa Pavilion; he said that the application would create a second row of beach huts, staggered to avoid the impact on the open characteristic of the green.

The Strategic Director considered that the application was policy compliant and would add to the unique character of the area, as well as bring forward improvements through the re-siting of four existing huts.

The Strategic Director confirmed that it was the Council's intention to limit the removal of trees and improve the overall biodiversity of the site and that it took its stewardship of the land seriously, having taken advice from relevant officers and developed a site mitigation strategy to protect what was considered a depleted woodland. The

Strategic Director drew attention to the Council's plans to plant thousands of trees across the district.

The Chairman invited questions to the Strategic Director.

The Committee was advised that the application was for 18 new beach hut sites and that it was the Council's intention to use these pitches to relocate existing beach huts currently at the Spa Pavilion.

The Chairman invited the Committee to debate the application that was before, noting the significant objection to the removal of trees, including from students at a local primary school and Felixstowe Town Council.

Councillor Cooper left the meeting at this point (4.57pm).

Several members of the Committee expressed concern about the removal of trees to accommodate the development; Councillor Bird considered that the benefits of the application did not outweigh the loss of biodiversity on the site that would be caused by the loss of trees, considering that the proposed replanting of shrubs was not sufficient and noting that the root systems of the trees contributed to the stability of the cliff. Councillor Daly added that the development would effectively privatise the green and remove it from general public use.

Councillor Blundell left the meeting at this point (4.59pm).

Councillor Hedgley said he would understand the concerns about tree removal if the trees in question were prime trees, but did not object to the removal of minor trees as proposed.

There being no further debate the Chairman sought a proposer and seconder for the recommendation to delegate authority to approve the application the Head of Planning and Coastal Management, as set out in the report. The recommendation was proposed but not seconded and therefore **FAILED**.

The Chairman sought an alternative recommendation for refusal and on the proposition of Councillor Bird, seconded by Councillor Deacon it was by a majority vote

RESOLVED

That the application be **REFUSED** on the grounds that it is contrary to paragraphs 174 and 179 of the National Planning Policy Framework and policy SCLP10.1 of the Suffolk Coastal Local Plan.

7 DC/21/4756/FUL - Beach Hut Area, South Seafront, Langer Road, Felixstowe

The Committee received report **ES/1069** of the Head of Planning and Coastal Management, which related to planning application DC/21/4756/FUL.

The application sought full planning permission for the re-siting of 16 existing beach huts from their current location at the Spa Pavilion to a permanent site at Manor End

on an area between the sea wall and the promenade. As the applicant and landowner was East Suffolk Council the application was before the Committee for determination, in accordance with the Scheme of Delegation set out in the East Suffolk Council Constitution.

The Committee received a presentation from the Planning Manager (Development Management), on behalf of the case officer. The Planning Manager summarised the reasons for the recommendation of refusal.

The site's location was outlined, and the Committee was shown aerial images of the site.

The Committee was shown photographs demonstrating views west, north-west and south-west from the promenade and from the walkway in Martello Park to both the north and south.

The Committee was advised that policy SCLP12.14 of the Local Plan applied to this section of Felixstowe seafront, which stated that additional beach huts in the area would be limited to locations which promoted high intensity tourist uses in the area and required new beach huts to complement the existing resort uses and not fill the important gaps between huts.

The proposed elevations were displayed to the Committee.

The Planning Manager drew attention to policy SCLP10.1 of the Local Plan which stated that application having a direct or indirect impact on locally designated sites of biodiversity would not be supported unless it could be evidence that the benefits of the development outweighed the biodiversity loss. It was the view of officers that the benefits of the application did not outweigh the biodiversity loss of priority habitat.

The material planning considerations were summarised as landscape and visual amenity, ecology and coastal environment & flood risk.

The Chairman invited questions to the officers.

The Planning Manager considered that despite the recommendation of refusal, the determination of the application by the Committee provided transparency.

The Chairman invited Councillor Smith, representing Felixstowe Town Council, to address the Committee.

Councillor Smith said that the Town Council was content with the application and did not consider it impinged on Martello Park. Councillor Smith said that the vegetation on the site was sparse and came and went with the tide; he noted that the Town Council considered the flood risk was acceptable and that the ecological value of the site had been overplayed in contrast to the neighbouring Site of Special Scientific Interest (SSSI).

There being no questions to Councillor Smith the Chairman invited the Council's Strategic Director, representing the Council as the applicant, to address the Committee.

The Strategic Director considered that the development would add to the general beach scene in the area and noted that it would be located near to amenities with easy access to the promenade and the beach, providing similar facilities as those enjoyed by the beach huts at the Spa Pavilion.

The Strategic Director confirmed that an independent ecology assessment had been completed by Suffolk Wildlife Trust which had concluded that the application site was not within the neighbouring SSSI. The Strategic Director stated that the ecosystem in the area would benefit from footfall traffic and highlighted that the beach huts would be sited on wooden sleepers, suggesting the site was suitable for beach huts and that the development would provide an ecological benefit.

The Chairman invited the Committee to debate the application that was before it.

Councillor Hedgley said he was familiar with the area and considered it a suitable location for beach huts and would not be supporting the recommendation to refuse.

The Planning Manager noted that the Council's Senior Ecologist was present should the Committee have any questions for him. In response to a question from Councillor Bird the Senior Ecologist confirmed that the application site had been identified as a priority habitat by the independent ecology assessment and that the Council had a duty to protect such habitats.

There being no further debate the Chairman sought a proposer and a seconder for the recommendation to refuse the application, as set out in the report.

On the proposition of Councillor Deacon, seconded by Councillor Bird it was by a majority vote

RESOLVED

That the application be **REFUSED** for the reason below.

Reason:

1. The proposal would result in the loss of coastal vegetated shingle priority habitat, for which Section 40 of the Natural Environment and Rural Communities Act places the duty on the Local Planning Authority to have regard for biodiversity, and sets the framework for what are priority habitats under Section 41. Accordingly Local Policy SCLP10.1 of the Suffolk Coastal Local Plan seeks to protect such areas setting out that all development should follow a hierarchy of seeking of first to avoid impacts. There are further protections for priority habitat whereby proposals that have direct and indirect adverse impacts will not be supported unless it can be demonstrated with comprehensive evidence that the benefits of the proposal, in its particular location, outweighs the biodiversity loss. In this case it has not been demonstrated with comprehensive evidence that the benefits of the proposal in this location would outweigh the biodiversity loss, the proposal is therefore contrary to the aforementioned policy considerations.

Informatives:

1. The local planning authority has identified matters of concern with the proposal and the report clearly sets out why the development fails to comply with the adopted development plan. The report also explains why the proposal is contrary to the objectives of the National Planning Policy Framework and local plan to deliver sustainable development.

2. In determining this application, the local planning authority has considered the following documentation submitted in association with the application:

- Application form - received 18 October 2021
- Heritage statement - received 18 October 2021
- Topographical plan PLS-NP-FT-TS-00 - received 18 October 2021
- Proposed site plan 15-12-57-02 - received 18 October 2021
- Proposed elevations 15-12-57-03 - received 18 October 2021
- Coastal Erosion Vulnerability Assessment - received 19 October 2021
- Preliminary Ecological Appraisal - received 24 November 2021

The meeting concluded at 5.21pm

.....
Chairman

<p>Unconfirmed</p>



Minutes of a Meeting of the **Planning Committee South** held in the Deben Conference Room, East Suffolk House, Melton, on **Tuesday, 22 March 2022 at 2.00pm**

Members of the Committee present:

Councillor Stuart Bird, Councillor Chris Blundell, Councillor Tony Cooper, Councillor Mike Deacon, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Mark Newton, Councillor Kay Yule

Other Members present:

Councillor Lydia Freeman, Councillor David Ritchie

Officers present:

Jamie Behling (Trainee Planner), Sarah Davis (Democratic Services Officer), Grant Heal (Planner), Matt Makin (Democratic Services Officer), Katherine Scott (Principal Planner), Rachel Smith (Senior Planner), Dominic Starkey (Assistant Enforcement Officer (Development Management)), Ben Woolnough (Planning Manager (Development Management))

1 Apologies for Absence and Substitutions

Apologies for absence were received from Councillor Tom Daly.

Announcement

The Chairman announced that Michaelle Coupe, one of the Council's Senior Planners, was retiring after a long career with both East Suffolk Council and its predecessor authority Suffolk Coastal District Council. The Chairman, on behalf of the Committee, wished Michaelle all the best for her retirement.

2 Declarations of Interest

Councillor Stuart Bird declared a Local Non-Pecuniary Interest in item 7 of the agenda as a member of Felixstowe Town Council and Chairman of that authority's Planning & Environment Committee.

Councillor Chris Blundell declared a Local Non-Pecuniary Interest in item 6 of the agenda as a member of Martlesham Parish Council.

Councillor Mike Deacon declared a Local Non-Pecuniary Interest in item 7 of the agenda as a member of Felixstowe Town Council.

Councillor Mark Newton declared a Local Non-Pecuniary Interest in item 8 of the agenda as a member of Rushmere St Andrew Parish Council and a member of that authority's Planning Committee.

3 Declarations of Lobbying and Responses to Lobbying

Councillor Stuart Bird declared that he had been lobbied on item 7 of the agenda in his capacity as a member of Felixstowe Town Council; he said he had only responded to clarify the procedure of the planning application being considered by that authority.

4 Minutes

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

RESOLVED

That the Minutes of the Meeting held on 22 February 2022 be agreed as a correct record and signed by the Chairman.

5 East Suffolk Enforcement Action - Case Update

The Committee received report **ES/1092** of the Head of Planning and Coastal Management which was a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 18 February 2022. At that time there were 10 such cases.

The report was taken as read and the Chairman invited the Assistant Enforcement Officer to make any further updates. The Assistance Enforcement Officer provided further detail on enforcement notices that had been served on sites in Wrentham and Bungay.

The Chairman invited questions to the officers.

The Assistant Enforcement Officer advised that the Council had written to the landowner of the site at Sandy Lane, Martlesham regarding the use of caravans on the land and was waiting for further information on the industrial units placed on the site before progress the case further.

On the proposition of Councillor Deacon, seconded by Councillor Blundell it was by a unanimous vote

RESOLVED

That the outstanding enforcement matters up to 18 February 2022 be noted.

6 DC/21/4748/FUL - 12 Carol Avenue, Martlesham, IP12 4SR

The Committee received report **ES/1093** of the Head of Planning and Coastal Management, which related to planning application DC/21/4748/FUL.

The application sought planning permission for single-storey front and rear extensions at 12 Carol Avenue, Martlesham. The application was presented to the Referral Panel on 22 February 2022 as the officer's minded to recommendation of approval was contrary to the objection of Martlesham Parish Council. The Referral Panel resolved to refer the application to the Committee for determination to allow for the impact of the change to the front of the terrace to be debated in public.

The Committee received a presentation from the Principal Planner, who was the case officer for the application.

The Committee was shown an aerial photograph of the site which demonstrated the application site's relationship with the wider area. The site's location was outlined, and the proposed block plan was displayed.

The Principal Planner displayed a street view of the area and highlighted the character of the area and the location of the application site within that area.

The Committee was shown photographs demonstrating views of the front of the site, the rear of the site and the site within the terrace of houses on Carol Avenue.

The Committee was shown a comparison of the existing and proposed plans.

The material planning considerations and key issues were summarised as residential amenity, visual amenity and the permitted development fallback position. The Principal Planner provided details of the permitted development fallback position and explained this would have a more negative impact than what was proposed and there would be no planning control on the materials used.

The recommendation to approve the application was outlined.

The Chairman invited questions to the officers.

The Principal Planner confirmed there was an extension on the rear of a neighbouring property.

There being no public speaking on the application, the Chairman invited the Committee to debate the application that was before it.

Councillor Blundell said that the rear of the property was not significant and did not back on to another property; he highlighted that Martlesham Parish Council's main issue was the addition of the porch to the front of the dwelling and the impact this would have on the line of the terrace. Councillor Blundell considered that terraces up and down the country contained front porches and saw no material planning reasons to refuse the application.

There being no further debate the Chairman sought a proposer and seconder for the recommendation to approve the application, as set out in the report.

On the proposition of Councillor Blundell, seconded by Councillor Hedgley it was by a unanimous vote

RESOLVED

That the application be **APPROVED** subject to the conditions set out below.

Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Site Location Plan, Proposed Block Plan, Proposed Ground Floor Plan and Proposed Elevations (revised December 2021); received 27 January 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

Informatives:

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

2. The applicant is advised that the granting of planning permission for the hereby approved development does not override any other legislation, private access rights or land ownership issues which may exist. The onus rests with the owner of the property to ensure they comply with all the necessary legislation (e.g. building regulations) and it is the applicants/developers responsibility to ensure that comply with all the necessary legislative requirements, and obtain all the necessary consents/permits.

7 DC/21/4052/FUL - Seaside House, 27 Bath Road, Felixstowe, IP11 7JN

The Committee received report **ES/1094** of the Head of Planning and Coastal Management, which related to planning application DC/21/4052/FUL.

The application sought planning permission for the retention of works compromising the installation of cladding to the rear/side elevations and the erection of a free-standing balcony with stairs at Seaside House, 27 Bath Road, Felixstowe.

The referral process had been triggered in accordance with the Scheme of Delegation set out in the East Suffolk Council Constitution as the minded to decision of the case officer to approve the application was contrary to the recommendation of refusal made by Felixstowe Town Council. The application was presented to the Referral Panel on 22 February 2022, who referred it to the Committee for determination to give further consideration to the merits and impacts of the implemented works.

The Committee received a presentation from the Planner, who was the case officer for the application.

The site's location was outlined, and the Committee was shown aerial photographs of the site and the street scene. The Planner demonstrated the distances between the balcony and the rear elevations of bordering properties located on Quilter Road.

The Committee was shown photographs of the site displaying views of the front of the property, the rear of the property, the side elevation of the property and the rear elevation of the property. The Planner highlighted that the dormer windows installed on the rear elevation had been highlighted at the Referral Panel as needing planning consent; a separate application for this element of the development had been made by the application and it was not the subject of the application that was before the Committee.

The Committee was shown further photographs demonstrating views from the balcony towards the rear elevations of the properties at Quilter Road and from the balcony towards the south-west, north-west, south and north. The Planner detailed the presence of other balconies in the area on adjacent properties.

The Committee was shown photographs of the property comparing the site before and after development viewed from the rear of the property and from between properties along Quilter Road.

The Planner advised that the property was considered a positive unlisted building in the Felixstowe Conservation Area; the Council's Design & Conservation team had been consulted and concluded that the completed works had a minimal impact on the conservation area and caused negligible harm.

The recommendation to approve the application was outlined.

The Chairman invited questions to the officers.

The Planner confirmed that officers had accepted the aesthetic of the cladding, noting that although the colouring clashed with the adjoining property the materials were of a high quality and there was minimal impact.

In response to a question on precedent, the Planning Manager (Development Management) confirmed that precedence did not apply in the planning system and noted that highlighting the other balconies in the area showed that the development could be supported as being in keeping with the character of the area.

The Planner noted that there had been one third-party objection, set out in the report.

The Planner advised that the distance from the balcony to the rear elevations of the properties in Quilter Road was considered to be acceptable.

The Planner was unable to confirm if works to the chimney had been undertaken but confirmed they were not part of the application; he considered that the applicant would be best placed to answer that question.

The Committee was advised there was no evidence of the site benefiting from a rear-facing balcony in the past beyond the written statement in the planning application. Councillor Deacon, who was familiar with the area, noted that several of the Victorian/Georgian properties on Bath Road had benefited from front balconies for sleeping outdoors as this was believed at the time to have health benefits. Councillor Deacon said it was reasonable to assume that rear balconies had also been in place for this reason.

The Chairman invited Ms Dixon, the applicant's representative, to address the Committee. Ms Dixon was accompanied by Mrs Goodridge, the applicant's spouse.

Ms Dixon explained that Mr and Mrs Goodridge had bought the property as their first home four years ago and it had been in need of restoration. The couple had undertaken works to increase space indoors in addition to the work to the exterior of the property and had been recommended a builder by their architectural designer and Building Control had visited the site during the works.

Ms Dixon outlined that work had begun in 2018 and that massive structural damage had been caused to the property, which resulted in a legal case and the property becoming a building site whilst this was resolved. The legal case was resolved just as the country entered into the first lockdown which further delayed the resumption of the construction to September 2020, with the work being completed in the summer of 2021.

Ms Dixon said that Mr and Mrs Goodridge had felt it necessary to put a statement to the Committee and assured Members that it had not been their intention to deceive or flout planning laws, having been under the impression they had complied with the requirements to restore a run-down house into a home.

The Chairman invited questions to Ms Dixon and Mrs Goodridge.

Ms Dixon said that the cladding had not been installed for its thermal value but said that a positive by-product of its construction did provide insulation. and that the property had been insulated from the interior.

Ms Dixon confirmed that the cladding was concrete hardie planking.

Mrs Goodridge confirmed that they had not received any advice from Building Control, their designer or their builders that planning permission was needed for the works.

The Chairman invited the Committee to debate the application that was before it.

Several members of the Committee spoke in support of the application, noting that it had appeared to previously benefit from a rear balcony and considering that the development enhanced the conservation area through a modern design which blended in well. Councillor Deacon reiterated his earlier comments on the historical use of balconies in the area and noted that he had visited the site this morning to visualise the area. Councillor Deacon said that the cladding was not visible from Bath Road and only from between properties on Quilter Road and did not think the development impacted on the character of the area.

Councillor Bird noted that the cladding was visible from Quilter Road and said that the development had to be considered like any other occurring in a conservation area. Councillor Bird said that the cumulative effect needed to be considered and highlighted that the cladding was concrete hardie planking which was in stark contrast with the neighbouring property.

Councillor Bird considered that the nineteenth century character of the building had been lost as a result of the development and did not consider it met the requirements of policy SCLP11.5 of the Local Plan, which required development in a conservation area to either preserve or enhance what was already there. Councillor Bird said that he could not support the application.

Councillor Hedgley considered the retrospective nature of the application highlighted the shortcomings of the applicant in not seeking planning permission or even advice before beginning development. Councillor Hedgley sympathised with Councillor Bird's views but did not think it would be feasible to expect the applicant to undo the work.

Councillor Yule said she concurred with the points made by Councillor Bird but was in support of the application. Councillor Yule said that discussion was needed in future about how such situations arise and was concerned that other residents may feel a retrospective application was the best way to make changes in the future.

Councillor Bird said that having listened to the debate he would not stand against an overwhelming majority.

In response to a question on Building Control, the Planning Manager said it may have been an Approved Inspector used rather than the Council's Building Control service and said it was not the role of Building Control officers to comment on matters related to planning permission.

There being no further debate the Chairman sought a proposer and seconder for the recommendation to approve the application, as set out in the report.

On the proposition of Councillor Deacon, seconded by Councillor Hedgley it was by a unanimous vote

RESOLVED

That the application be **APPROVED** and the existing works retained subject to the following conditions.

Conditions:

1. The development hereby permitted shall be retained in accordance with the details received by application validated on 12 October 2021, including the following drawing(s) and document(s):

- Proposed block plan (received 11 October 2021);
- Site location plan (received 11 October 2021);
- 'Balcony viewed from back garden' (received 11 October 2021);
- 'Gable end wall viewed from back garden' (received 11 October 2021).

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

2. The materials and finishes shall be retained as indicated within the submitted application, unless otherwise agreed by the Local Planning Authority.

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

3. The hereby approved cladding shall be retained in the approved form to all elevational walls apart from the subject building's front elevation and the south facing side gable on the original main building, directedly adjoining the front elevation. No further cladding shall be installed.

Reason: For the avoidance of doubt as to what has been approved and in the interest of protecting visual amenity and the special historic interest of the Conservation Area.

Informatives:

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

8 DC/21/5183/FUL - 10 Haughley Drive, Rushmere St Andrew, Ipswich, IP4 5QU

The Committee received report **ES/1095** of the Head of Planning and Coastal Management, which related to planning application DC/21/5183/FUL.

The application sought planning permission to replace a boundary wall with a fence closer to the pavement with a one-metre gap for planting, enlarging the residential curtilage of the site.

As the officer's minded to recommendation was to approve the application, contrary to the recommendation of refusal from Rushmere St Andrew Parish Council, the application was presented to the Referral Panel on 15 February 2022 who referred the application to the Committee for determination.

The Committee received a presentation from the Trainee Planner, who was the case officer for the application.

The site's location was outlined; the property was on the corner of Haughley Drive and the current hedgerow and fence was positioned two to three metres from the pavement. The Committee was shown the proposed block plan which detailed the repositioning of the fence.

The Committee was shown photographs of the site demonstrating views west along the boundary from the road, an example of the proposed fence with hedgerow planted one metre in front and an example of the proposed planting. The Committee also received images of similar schemes in the area that had been approved. The Trainee Planner confirmed that the proposed planting, which would be secured by condition, had been approved by the Council's Principal Landscape and Arboricultural Officer.

The material planning considerations were summarised as design and visual amenity.

The recommendation to approve the application was outlined.

The Chairman invited questions to the officers.

The Trainee Planner advised that the scheme had been designed to minimise the spread from the hedge into the footpath and increase the amenity garden space of the host dwelling.

In response to a question on the proposed colour of the fence, the Trainee Planner was of the understanding that this was down to the applicant's preference.

Councillor Newton noted that the report was incorrect at paragraph 1.2 as it stated he had submitted objections to the application which he had not done, and referred to the Planning Committee North. The Trainee Planner acknowledged the errors in the report.

There being no public speaking on the application, the Chairman invited the Committee to debate the application that was before it.

Councillor Newton supported the objection of Rushmere St Andrew Parish Council, noting that Haughley Drive was part of an open area and the existing hedgerow spread to the footpath due to a lack of maintenance. Councillor Newton remained open minded but was leaning towards refusal of the application.

Councillor McCallum said that she was concerned about the increased fencing in the area and said it was sad that people felt the need to enclose themselves.

Councillors Hedgley and Bird both highlighted that the applicant was looking to move their fence to encompass their own land and noted that similar schemes had been approved in the immediate area. Councillor Bird said that there was a case for residents putting a hard boundary right up to their curtilage and pointed out that in this instance the applicant was leaving one metre for planting to screen the fence.

There being no further debate the Chairman sought a proposer and seconder for the recommendation to approve the application, as set out in the report.

On the proposition of Councillor Bird, seconded by Councillor Hedgley it was by a majority vote

RESOLVED

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

Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Block Plan, Fence Details received 16/12/2021 and site plan received 16/11/2021, 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 western site boundary (adjacent the hereby approved new fence) shall be planted as a *Griselinia littoralis* not later than the first planting season following the commencement of the development; and any plants which die during the first three years shall be replaced in the next planting season.

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

4. Within 3 months of the fence being erected, the timber sections of the hereby approved fence shall be stained in a dark colour and be retained in that colour thereafter.

Reason: In the interest of visual amenity.

Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the

objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

9 DC/20/5252/VOC - Riduna Park, Station Road, Melton, Woodbridge, IP12 1QT

The Committee received report **ES/1096** of the Head of Planning and Coastal Management, which related to planning application DC/20/5252/VOC.

The application sought to vary condition 13 of planning permission C09/0584 which permitted the development of two-storey business units within Melton. Development of the site had been completed and was known as Riduna Park. Condition 13 restricted the use of the units across the whole site to (previous use class classifications) of B1, B2 or A2 and one unit being permitted to be an A3 cafe use.

The application originally sought to remove this restriction on use to enable all units to be able to be used within the new 'Commercial', Class E Use Class. Following concerns raised regarding the potential impact on Woodbridge Town Centre and in accordance with policy, a revised proposal was made to include up to a maximum of six units (excluding the existing cafe (Unit 1), East Suffolk House and units 7-9 (those currently occupied by East Suffolk Council)) to have a more flexible Class E use.

As the application site included land owned by East Suffolk Council the application was before the Committee for determination, in accordance with the Scheme of Delegation set out in the East Suffolk Council Constitution.

The Committee received a presentation from the Senior Planner, who was the case officer for the application.

The site's location was outlined, and the Committee was shown a map of the Riduna Park site detailing the location of the units excluded from the variation and the units the variation would apply to. The Senior Planner highlighted the spread of applicable units across the site, to allow for a degree of flexibility in locations.

The material planning considerations were summarised as the potential impact on Woodbridge town centre, residential amenity and parking.

The recommendation to approve the application was outlined.

The Chairman invited questions to the officers.

The Senior Planner advised that the response from the Highways Authority indicated that there would be no significant change in vehicle movements on Riduna Park as a result of the change of use class.

The Chairman invited Mr Aronson, agent for the applicant, to address the Committee.

Mr Aronson said that the amount of time taken for the application to reach this stage reflected the rigorous process from the applicant and officers to reach such a high standard and thanked officers for their constructive approach.

Mr Aronson explained that the application had been made ahead of the third national COVID-19 lockdown at a time when the demand for office space had slumped, as the applicant wanted to update the permitted uses on the site to comply with government policy on promoting the use of buildings for commercial purposes.

Mr Aronson advised that said that the variation of condition 13 would allow the applicant to deliver a business park with higher occupancy and would provide mixed commercial benefits. Mr Aronson said that the applicant acknowledged the possible impact on Woodbridge town centre and had sought professional advice on this matter. Mr Aronson said that the applicant remained of the view that Riduna Park's offer was different to that of Woodbridge town centre but acknowledged that without more commercial businesses occupying units on the site, this was difficult to prove.

Mr Aronson confirmed that the applicant was content with the compromise proposal made by officers as it would provide an improved commercial environment to keep Riduna Park sustainable without impacting on local amenity and Woodbridge town centre.

The Chairman invited questions to Mr Aronson.

Mr Aronson said the proposed change of use would not involve the intensification of use on the site and that the quantum of development would be unchanged.

Mr Aronson confirmed that the applicant had received a range of enquiries for vacant units on the site.

The Chairman invited the Committee to debate the application that was before it.

Several members of the Committee highlighted concerns about parking on Riduna Park, given the existing parking issues there, highlighting that parking spaces at the front of units should be used for parking and not for retail purposes such as was the case outside the existing cafe at unit 1.

The Planning Manager (Development Management) advised that the application before the Committee was to vary condition 13 of planning permission C09/0584 and that all other planning conditions from that extant consent would remain in place, including condition 10 which controlled the use of parking spaces. The Planning Manager explained that any occupier of a unit would need to apply for a separate variation of condition 10, as had been the case at unit 1.

In response to concerns raised during debate on the intensification of parking on the site, the Planning Manager highlighted that the change of use would impact on how the parking spaces would be used; rather than being used for the entirety of a working day by office workers there would be a more diverse and less intense use of parking spaces allocated to these units.

There being no further debate the Chairman sought a proposer and seconder for the recommendation to approve the application, as set out in the report.

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

RESOLVED

That the variation of condition 13 be **APPROVED** to read as follows:

"The premises herein referred to, shall be used for purposes within Use Class E(c) and E(g) and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning [Use Classes] Order 1987) (as amended) (or any Order revoking or re-enacting the said Order) with the exception of Unit 1 which shall be used for a purpose within Class E (b) and a maximum of six units (out of Units 2-6 and 10-27) at any one time which may be used for any purpose set out within Class E of the Schedule to the Town and Country Planning [Use Classes] Order 1987) (as amended) (or any Order revoking or re-enacting the said Order)

Reason: In order that the local planning authority may retain control over this site in the interests of amenity, the protection of the local environment and to ensure there would be no adverse impact on the vitality and viability of Woodbridge Town Centre subject to controlling conditions as previously imposed on the original application (and as amended since in subsequent applications)."

Conditions:

2. The scheme for the provision and implementation of surface water drainage shall be constructed and completed in accordance with drawing no. 612668/108 Rev P4 before occupation of any part of the development herein approved.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

3. Details in respect of the adoption and maintenance of any surface water drainage features shall accord with details approved on 7th June 2013 unless otherwise approved in writing by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site for the lifetime of the development.

4. The finished floor levels of the buildings herein approved shall be set between 2.84m AOD and 4.74m AOD as shown on drawing 1724/50H.

Reason: To ensure appropriate protection from flooding to the development and its occupants.

5. Flood proofing measures as detailed in paragraph 4.8 of Flood Risk Assessment SJC/612668/LSP shall be incorporated into the proposed development.

Reason: To minimise the damage to buildings in the event of flooding and enable a faster recovery once flood waters have subsided.

6. Details in respect of the Flood Evacuation Plan shall accord with details approved on 7th June 2013 unless otherwise approved in writing by the local planning authority.

Reason: To ensure appropriate measures are in place to give adequate warning to occupants of any impending flood event and how to leave the site safely.

7. Surface water from impermeable vehicle parking areas and service areas, shall be passed through a storm by-pass oil interceptor. It must be designed to receive flows of up to 50mm/hour from the connected area, with all flows up to 5mm/hour rainfall, passing through the interceptor and receiving a minimum 6 minutes retention in each interception chamber.

Reason: To prevent pollution of the water environment.

8. Details in respect of the means to prevent surface water discharge shall accord with details approved on 7th June 2013 and thereafter retained, unless otherwise approved in writing by the local planning authority.

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

9. Details in respect of the Travel Plan shall accord with details approved on 7th June 2013 and thereafter adhered to, unless otherwise approved in writing by the local planning authority.

Reason: In the interests of sustainable development.

10. The use shall not commence until the area(s) within the site shown on Drawing Number 1724-50H for the purpose of loading, unloading, manoeuvring and parking of vehicles has been provided. Thereafter the area(s) shall be retained and used for no other purpose.

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

11. At least 5% of all car parking spaces shall be a minimum of 3.3m wide and shall be retained and made available to persons with disabilities.

Reason: To provide suitable parking spaces for those with disabilities to gain access to the buildings/employment.

12. Details in respect of the Full Site Investigation and Remediation Strategy shall accord with details approved on 7th June 2013, unless otherwise approved in writing by the local planning authority.

Reason: To ensure adequate mitigation of the risks to human health identified in the MLM Environmental Phase 1 Desk Study Report (ref DMB/722106/R1 March 2009).

13. The premises herein referred to, shall be used for purposes within Use Class E(c) and E(g) and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning [Use Classes] Order 1987) (as amended) (or any Order revoking or re-enacting the said Order) with the exception of Unit 1 which shall be used for a purpose within Class E (b) and a maximum of six units (out of Units 2-6 and 10-27) at any one time which may be used for any purpose set out within Class E of the Schedule to the Town and Country Planning [Use Classes] Order 1987) (as amended) (or any Order revoking or reenacting the said Order)

Reasons: In order that the local planning authority may retain control over this site in the interests of amenity, the protection of the local environment and to ensure there would be no adverse impact on the vitality and viability of Woodbridge Town Centre.

14. There shall be no activities, external storage or processes conducted outside any buildings.

Reason: In the interests of amenity and protection of the local environment.

15. Hours of working on the site shall be -
For East Suffolk House and Units 7-9: unrestricted hours.

For Unit 1 only:
Monday to Thursday 07.00-18.00 hours
Friday and Saturday 07.00-00.00 hours
Sundays 08.00-16.00 hours
Bank Holidays shall accord with the above opening hours.

For Units 2-3, 5-6, 10-16 and 18-27:
Monday to Friday - 07:00 until 19:00 hours
Saturdays - 08:00 until 16:00 hours
Sundays & Bank Holidays - none

For Unit 4 only:
Monday to Friday - 07:00 until 02:00 hours
Saturdays - 08:00 until 16:00 hours
Sundays and Bank Holidays - none
Unless otherwise agreed in writing with the Local Planning Authority.

For unit 17 only:
Monday to Friday - 07:00 until 22:00 hours
Saturdays - 08:00 until 16:00 hours
Sundays and Bank Holidays - none

Reason: In the interests of amenity and protection of the local environment.

16. Hours of deliveries to, and collections from the site shall be -
Monday to Friday - 07:00 until 19:00 hours
Saturdays 08:00 - until 14:00 hours
Sundays & Bank Holidays - none

Reason: In the interests of amenity and protection of the local environment

17. All extract ventilation installed in association with the Class A3 unit shall be vented via a filtered system, capable of preventing cooking odours, fumes, grease, dust, smoke and droplets from escaping the premises. Before the installation of such a system, the following details shall be submitted to the Local Planning Authority for approval:

- i) The proposed filtration plant;
- ii) Its ducted route through the building, and
- iii) Its final discharge point 1 metre above roof level;
- iv) Sound power levels of all fans, air-conditioning or other cooling equipment;

Only the approved scheme shall be implemented and shall be retained in the approved form thereafter.

Reason: In the interests of amenity and protection of the local environment.

18. Only the fixed plant approved by application DC/15/5085/DRC shall be installed and retained in its approved form thereafter. Prior to the installation of any further air conditioning, extract ventilation system, refrigeration equipment, and any other fixed plant, details of the equipment, its location, acoustic housing and any vibration isolation measures, together with the projected noise levels at the boundary of the property, shall be submitted to the Local Planning Authority and only approved plant shall be installed and retained in the approved form thereafter.

Reason: In the interests of amenity and the protection of the local environment.

19. No refrigerated containers shall be stored on the site

Reason: In the interests of amenity and protection of the local environment.

20. Full details of any floodlighting shall be submitted to the Local Planning Authority for approval and shall be provided and retained in that approved form thereafter.

Reason: To prevent and/or minimise light overspill and sky glow.

21. Proper facilities shall be provided for the storage and disposal of waste material. Such facilities should totally enclose and adequately protect all commercial waste from insect and rodent infestation.

Reason: In the interests of amenity and the protection of the local environment.

23. None of the existing trees or hedgerow on the northern and western site boundary(ies) shall be uprooted, felled, wilfully damaged or in any other way destroyed or removed without the prior written consent of the Local Planning Authority. Any trees or hedgerow removed, dying, being severely damaged or becoming seriously diseased within five years of the completion of the development shall be replaced during the first available planting season with trees and/or shrubs of a size and species which have previously been agreed in writing by the Local Planning Authority.

Reason: To safeguard the visual amenity provided by the trees and hedgerows.

24. The details approved in relation to protective fencing of trees and hedgerows shall be adhered to unless otherwise agreed in writing by the local planning authority.

Reason: To protect the trees/hedgerow during the course of development in the interest of visual amenity.

25. Details in respect of the Tree Protection Fencing, shall accord with details approved on 7th June 2013, unless otherwise approved in writing by the local planning authority.

Reason: To protect the trees/hedgerow during the course of development in the interest of visual amenity.

26. Details in respect of landscape works shall be as approved by applications DC/16/1067/DRC.

Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.

27. Details in respect of hard landscape works shall be as approved by applications DC/16/4493/DRC and DC/17/2951/DRC.

Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.

28. The approved scheme of landscaping in respect of each phase of the development shall be implemented not later than the first planting season following implementation of the phase to which it relates (or within a specific time scale agreed in writing with the local planning authority). Any plant material covered by the approved scheme shall be retained and maintained and any removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season.

Reason: To ensure implementation of the landscaping scheme at an appropriate time in the interest of visual amenity.

29. The proposed acoustic fencing to the northern boundary as shown on drawing 1724/50H shall be carried out in accordance with details received on 6 September 2019

Reason: To provide acoustic screening to residential units to the north of the site from traffic using the turning head.

30. The materials shall accord with details approved on 16th August 2017, unless otherwise approved in writing by the local planning authority.

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

32. Arrangements for the storage and collection of refuse shall fully accord with a scheme which shall have been submitted to and approved in writing by the Local Planning Authority, before the use is commenced.

Reason: In the interests of amenity and the protection of the local environment.

33. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended the General Permitted Development Amendment (No2) Order 2008) or any Order revoking or re-enacting the said Order] no development of any kind specified in Part 8, Classes A, C and D of Schedule 2 of the said Order shall be carried out unless otherwise agreed in writing with the Local Planning Authority. (Part 8, Classes A, C and D refers to extension, hardsurfaces or the deposit of waste).

Reason: In order that the local planning authority may retain control over this particular form of development in the interests of amenity and the protection of the local environment.

Informatives:

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

The meeting concluded at 3.24pm

.....
Chairman

PLANNING COMMITTEE SOUTH

Title of Report:

East Suffolk Enforcement Action – Case Update

Meeting Date

19 April 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 18 March 2022. At present there are 12 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 18 March 2022 be received.

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 	31/06/2022

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/2014/0104	16/08/2016	South	Top Street, Martlesham	Storage of vehicles	<ul style="list-style-type: none"> • 23/11/2016 – Authorisation granted to serve an Enforcement Notice • 22/03/2017 – Enforcement Notice served. Notice takes effect on 26/04/2017. Compliance period is 4 months. • 17/07/2017 – Enforcement Notice withdrawn and to be re-served • 11/10/2017 – Notice re-served, effective on 13/11/2017 – 3 months for compliance • 23/02/2018 – Site visited. No compliance with Enforcement Notice. Case to be referred to Legal Department for further action. • Notice withdrawn • 09/07/2018 – Notice reserved, compliance date 3 months from 06/08/2018 (expires 06/11/2018) 	28/05/2022

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"> • 01/10/2018 – PINS has refused to accept Appeal as received after the time limit. • Time for compliance is by 06/12/2018 • Site visit to be completed after the 06/12/2018 to check for compliance with the Notice • 07/12/2018 – Site visit completed, no compliance, case passed to Legal for further action. • 17/01/2019 – Committee updated that Enforcement Notice has been withdrawn and will be re-served following advice from Counsel. • 21/02/2019 – Authorisation granted by Committee to serve an Enforcement Notice. Counsel has advised that the Council give 30 days for the site to be cleared before the Notice is served. • 01/04/2019 – Enforcement Notice served. • 28/05/2019 – Enforcement Appeal has been submitted to the Planning Inspectorate. 	

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"> • Start date has now been received, Statements are due by 12/12/2019. • Awaiting Planning Inspectorate Decision • Appeal Dismissed with variations. Compliance by 20 January 2021 • Site visit due at end of January 2021. • 24/02/2021 – Visit conducted, some compliance, extension agreed until 24/05/2021 • 03/06/2021 – site re visited, no compliance, case passed to Legal Department for further action to be considered. • Legal action being considered. • Case to be heard at Court on 15/10/2021 • Court Case adjourned until 12/11/2021 • Court case adjourned for trial on 24/01/2022 • Court case adjourned until 01/02/2022 	

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"> Owners and Tenant pleaded guilty to the charges and were fined £2000 and £1000 respectively plus costs. The majority of the site has now been cleared with the rest to be done by mid May 2022. 	
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 	31/05/2022

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"> • Appeal started, final comments due by 08/02/2019. • 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 	

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 visit to be undertaken after 11/12/20 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. 	
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 over the case, she communicated and met with 	31/05/2022

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>the owner on several occasions.</p> <ul style="list-style-type: none"> • Notice sever 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. • Court hearing in relation to structures and fencing/gates 03/03/2021 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • 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 	30/06/2022

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. 	
ENF/2018/0090/DEV	10/12/2019	South	Dairy Farm Cottage, Sutton Hoo	Erection of a summer house	<ul style="list-style-type: none"> • Enforcement Notice served 10/12/2019 • Awaiting site visit to check on compliance • Site visit undertaken, summer house still in situ. Further action to be considered. • Property has now changed hands. Contact with new owner to be established. 	30/05/2022

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"> • Officers are now in contact with the new owners and are discussing a way forward. • Six weeks given for summerhouse, decking and steps to be removed. • New planning application has been submitted. Case on hold until determined. • Planning permission has been granted for retention of the decking element. Removal of summerhouse and steps have been conditioned. • Summerhouse to be removed by 10th June 2021 • Site visit to be undertaken. • 16/09/2021 – Site visited, summerhouse still in situ, letter sent requiring removal. • New Planning application submitted for retention of summerhouse. • Planning application refused; letter sent requiring 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					compliance with conditions by 11/05/2022.	
ENF/2019/0307/C OND	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 sales from the site and to submit a scheme of landscaping within 3 months. 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 	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)
ENF/21/0441/SEC2 15	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 	11/06/2022
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 caravans and residential use /erection of structures and laying of hardstanding)	<ul style="list-style-type: none"> 10/03/2022 - Enforcement Notices served and takes effect on 11/04/2022. 4 months for compliance. 	11/08/2022
ENF/20/0131/LIST L	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. 	18/07/2022

Committee Report

Planning Committee South – 19 April 2022

Application no DC/21/4004/ARM

Location

Land to the south and east of Adastral Park

Expiry date 23 November 2021

Application type Approval of Reserved Matters

Applicant Taylor Wimpey

Parish Martlesham

Proposal Approval of reserved matters - the construction of 119 dwellings (including 34 affordable houses), associated works, landscaping and infrastructure for Phase E1, together with details of Green Infrastructure relating to the adjoining part of the southern boundary (Ipswich Road) SANG - on DC/20/1234/VOC.

Case Officer Rachel Lambert
01394 444574
rachel.lambert@eastssuffolk.gov.uk

1. Summary

Proposal

- 1.1. Approval of reserved matters - the construction of 119 dwellings (including 34 affordable houses), associated works, landscaping and infrastructure for Phase E1, together with details of Green Infrastructure relating to the adjoining part of the southern boundary (Ipswich Road) SANG - on DC/20/1234/VOC.

Committee reason

- 1.2. In accordance with the scheme of delegation, the Head of Planning and Coastal Management has requested that the decision is to be made by members at the respective planning committee due to the significance of the Brightwell Lakes proposal. This is the first reserved matters application for the design of housing and it is considered important to place this before the Planning Committee. Future reserved matters application would not automatically be referred to the Planning Committee unless triggered through the Referral Panel process.

Recommendation

- 1.3. Authority to approve subject to resolving all outstanding matters and agreement of conditions.

2. Site description

- 2.1. The subject site relates to part of the wider Brightwell Lakes strategic development site. Due to the scale of the site, the development will be delivered in phases. This particular application relates to one of four parcels that have been submitted for reserved matters approval simultaneously. The applicant advises that this will represent the first phases of residential development to be delivered at Brightwell Lakes.

This area of the scheme is located north of Ipswich Road and south of the central areas of green infrastructure, with a site area measuring approximately 5.36ha. As per the outline design, this phase of development is bound by a green corridor on the west and south, the central Boulevard Spine Road on the north and the area identified for education on the east.

Planning history

- 2.2. The relevant planning history for the site includes the following:

- **DC/16/5277/SCO:** Request for EIA Scoping Opinion: Application for 2000 residential homes and associated infrastructure.

Permitted applications

- **DC/17/1435/OUT:** Original application
- **DC/18/4644/VOC:** Variation of DC/17/1435/OUT
- **DC/20/1233/OUT:** Alternative access road to that under DC/18/1644/VOC
- **DC/20/1234/VOC:** Variation to DC/18/4644/VOC
- **DC/21/3434/DRC:** Partial discharge of Condition(s) 18, 28b, 57 on application DC/17/1435/OUT

Applications pending consideration

- **DC/18/2959/DRC:** Full and Partial Discharge of Conditions of DC/17/1435/OUT in relation to conditions: 6, 8, 9, 11, 14, 24, 28, 29, 30, 41, 43, 58, 61 Through information submitted under Approval of Reserved Matters applications - DC/18/2774/ARM and DC/18/2775/ARM
- **DC/18/2774/ARM:** Reserved matters in respect of DC/17/1435/OUT - Site Entrance and Boulevard comprising the detail of the following elements:
 - The new junction with the A12
 - The entrance to the site, including the new entrance feature / acoustic bund along the A12 boundary
 - The new boulevard from the site entrance to the junction with the Eastern Spine Road
 - The new Western Spine Road and new Junction with the Ipswich Road, incorporating measures required by condition 43 of DC/17/1435/OUT
 - The Landscaping to the entrance and zone along the boulevard / spine road

- The new Drainage to the boulevard and spine road, including pumping station off the Ipswich Road, in the Valley Corridor
 - The new incoming utility supplies along the route of the boulevard and spine road
- This application has authority for approval from the Planning Committee pending final conclusion of details. This was on hold pending sale of the site to Taylor Wimpey but is due to be concluded in the near future.
- **DC/18/2775/ARM:** Reserved matters in respect of DC/17/1435/OUT: Green Infrastructure comprising the detail of the following elements:
 - Main Green Infrastructure - SANG
 - SANG Valley Corridor
 - SANG Links to Southern Boundary
 - Allotments and Community Orchards to area 5b

This application has authority for approval from the Planning Committee pending final conclusion of details. This was on hold pending sale of the site to Taylor Wimpey but is due to be concluded in the near future.
 - **DC/21/4002/ARM:** Approval of reserved matters - the construction of 173 dwellings (including 80 affordable houses) together with associated works, landscaping and infrastructure for Brightwell Lakes (Phase W1) - on DC/17/1435/OUT
 This application is pending consideration but has not yet been concluded for a recommendation.
 - **DC/21/4003/ARM:** Approval of reserved matters - the construction of 22 dwellings together with associated works, landscaping and infrastructure for Brightwell Lakes (Phase W1a) - on DC/17/1435/OUT
 This application is pending consideration but has not yet been concluded for a recommendation.
 - **DC/21/4005/ARM:** Approval of reserved matters - the construction of three dwellings together with associated works, landscaping and infrastructure for Brightwell Lakes (Phase E1a) - on DC/17/1435/OUT
 This application is to be considered alongside this application by the Planning Committee South.

3. Proposal

- 3.1. This reserved matters application relates to Condition 1 of the outline planning permission – ref. DC/20/1234/VOC, which states:

Condition 1

The development hereby approved will be delivered in a phased manner in accordance with Conditions 2, 6, 7 and 9. Approval of the details of appearance, landscaping, layout and scale (hereinafter called "the reserved matters") for each phase shall be obtained from the Local Planning Authority in writing before development (except development for means of access and site reprofiling works) in the areas the subject of the reserved matters commences. Thereafter, the development shall be implemented in accordance with the approved reserved matters.

Reason: As provided for in the Town and Country Planning (Development Management Procedure) (England) Order 2015

- 3.2. This submission seeks approval of the details relating to appearance, landscaping, layout and scale for the construction of 119 dwellings (including 34 affordable houses), associated works, landscaping and infrastructure for Brightwell Lakes - Phase E1, together with details of Green Infrastructure relating to the adjoining part of the southern boundary (Ipswich Road) SANG.
- 3.3. Three units located within this parcel is subject to a separate reserved matters submission, referred to as Parcel E1a (DC/21/4005/ARM) – the units within Parcel E1a will provide the show home area for Phase E1 of the development.
- 3.4. A number of planning conditions within the outline permission require the submission of details as part of/or prior to a reserved matters submission. Those that are addressed within this submission are listed below:
- Condition 8 – Character banding plan
 - Condition 10 – Access strategy
 - Condition 12 – Landscaping details
 - Condition 23 – Building materials
 - Condition 24 – Boundary treatment plan
 - Condition 25 – Recycling/bin storage plan
 - Condition 28 – Arboricultural impact assessment and tree survey
 - Condition 30 – Earthworks strategy plan
 - Condition 41 – Details of estate roads and footpaths
 - Condition 48 – Surface water drainage scheme
 - Condition 60 – Noise attenuation scheme
- 3.5. Other pre-commencement and prior-to-occupation conditions, as listed on the decision notice, will be subject to separate discharge of conditions applications.

4. Consultation

Third Party Representations

- 4.1. No third-party comments were received.

Statutory and non-statutory consultees

- 4.2. Due to the frequency of consultation throughout processing the application, all comments received are collated within one table – with the respective consultation start dates listed. Where the consultee comments do not alter in response to the most recent revisions, or where matters have been resolved, the latest 'date reply received' date is noted within the summary of comments.

Consultee	Date consulted	Date reply received
Brightwell Parish Council	8 September 2021 13 September 2021 14 February 2022	19 September 2021 20 September 2021
Summary of comments: “The Parish Council has no comments to make about this reserved matters application.”		

Consultee	Date consulted	Date reply received
Bucklesham Parish Council	8 September 2021 13 September 2021 14 February 2022	4 November 2021 15 February 2022
Summary of comments: “No comment.”		

Consultee	Date consulted	Date reply received
East Suffolk CIL	8 September 2021 13 September 2021 14 February 2022	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Design and Conservation	8 September 2021 13 September 2021 14 February 2022 15 March 2022	No response 17 November 2021
Summary of comments: Internal consultee – comments included within reporting.		

Consultee	Date consulted	Date reply received
Disability Forum	8 September 2021 13 September 2021 14 February 2022	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	8 September 2021 13 September 2021 14 February 2022	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Economic Development	8 September 2021 13 September 2021 14 February 2022	13 September 2021 9 March 2022
<p>Summary of comments:</p> <p><u>9 March 2022</u></p> <p>“Based on our response criteria thresholds, which we use to assess whether to respond to planning applications, Economic Development will not be commenting on this application.”</p> <p><u>13 September 2021</u></p> <p>“Based on our response criteria thresholds, which we used to assess whether to respond to planning applications, Economic Development will not be commenting on this application as we do not feel it directly relates to our economic objectives or criteria as outlined in the East Suffolk Growth Plan 2018 – 2023.”</p>		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	8 September 2021 13 September 2021 14 February 2022 15 March 2022	6 December 2021
Summary of comments: Internal consultee – comments included within reporting.		

Consultee	Date consulted	Date reply received
Natural England	8 September 2021 13 September 2021 14 February 2022	11 October 2021 No response 1 March 2022
Summary of comments: No objection subject to appropriate mitigation being secured.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	8 September 2021 13 September 2021 14 February 2022	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
SCC Fire and Rescue Service	8 September 2021 13 September 2021 14 February 2022	8 September 2021 14 February 2022
<p>Summary of comments:</p> <p>“Please be advised that the Suffolk Fire & Rescue Service have made comment on this site, under the original planning application DC/17/1435/OUT, which we note has been published. We also note that Condition 44 was placed against this planning application. Please ensure that this Condition follows this build, through all the phases, to completion.”</p>		

Consultee	Date consulted	Date reply received
Henley Parish Council	8 September 2021 13 September 2021 14 February 2022	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	8 September 2021 13 September 2021 14 February 2022 15 March 2022	28 March 2022
Summary of comments: “The application is for a net total of 119. For this site, a total of 34 affordable homes has been agreed. At least 40% of all dwellings should meet the building regulations M4(2) wheelchair accessible standards, (Suffolk Coastal policy requires 50%), both for market and affordable homes. However, the matrix below reflects the higher need for M4(2) dwellings in the affordable sector, especially the affordable rented sector. The wheelchair adaptable standard M4(3) would be supported and applicants are welcome to discuss how these properties could be delivered as part of the scheme. All homes must be in small clusters of no more than 10 homes and not contiguous, well-integrated and indistinguishable within the scheme with equal access to amenities such as children’s play parks and amenity green space. Dwellings should meet the following size standards; 1 bed, 2 persons; 2 bed, 4 persons; 3 bed, 5 persons; and 4 bed, 6 persons, with a predominance of houses, especially for families. The Council’s housing requirements are provided below based on SHMAA evidence and local housing need from the Council’s Housing Register.”		

Consultee	Date consulted	Date reply received
Kesgrave Town Council	8 September 2021 13 September 2021 14 February 2022	27 October 2021 25 February 2022
Summary of comments: “Support.”		

Consultee	Date consulted	Date reply received
Kirton Parish Council	8 September 2021 13 September 2021 14 February 2022	4 October 2021
Summary of comments: “Kirton & Falkenham Parish Council considered this application at its meeting in 20th September 2021 and objects to the proposals, having severe reservation about generated traffic that will put utmost strain on an already over capacity road network which relies on the main arterial roads (A12/A14) to allow cars and HGV’s to travel to and from work etc. This is a peninsular, so alternative routes are unavailable as Ipswich is very quickly gridlocked. Noise, light and construction dust pollution will have a massive effect on wildlife and existing homeowners in what is a tranquil area. All surface water will inevitably flow into the Mill River and surrounding watercourses leading to potential flooding downstream.”		

Consultee	Date consulted	Date reply received
Martlesham Parish Council	8 September 2021 13 September 2021 14 February 2022	22 October 2021 28 February 2022

Summary of comments:

“Arboricultural Impact Assessment

Martlesham Parish Council (MPC) is pleased to note that the majority of trees along the Ipswich Road are to be retained. MPC would like to see East Suffolk Council (ESC) confirm that any trees earmarked to be removed are of poor quality. Furthermore, MPC would like to see measures put into place for dealing with watering any newly planted areas. Environmental Action Plan: Part 2 February 2022 MPC is pleased to note that further detail has been provided regarding wildlife enhancement measures.

Appendix 6:

MPC is pleased to note the measures proposed to ensure that lighting impact on wildlife during the construction phase is minimised and that the detailed lighting design has been produced in accordance with the relevant guidance. MPC is pleased to note the lighting design consultants have made 5 recommendations in order to minimise the effect on the southern boundaries of phases E1 and E1A.

We note that:

- All lighting should be LED
- Rear shields should be used close to ecologically sensitive areas
- There should be careful consideration of column heights
- Lights should be mounted on the horizontal to avoid light spillage
- MPC would ask ESC to confirm that these recommendations are fully carried through in the detailed design proposals.

Coloured Layout PL-02-E1 Revision C

MPC would like to understand the following:

- What measures will be put in place to prevent visitor parking becoming permanent parking?
- What are the arrangements for commercial van parking to ensure the overall visual amenity of the site?
- Bin collection points are now indicated, but it is unclear where the refuse storage areas are located.
- MPC would welcome detailed proposals for grey water storage and water harvesting, given that this is a water scarce area.

Detailed Soft Landscaping Proposals

JBA-18/163-8,9,10,11 and 12 Revision C

The revised landscaping proposals show areas to be seeded with wildflowers between the car parking and the joint cycling and walking track connecting Ipswich Road to the Boulevard. Given the density of parking provision and the narrowness of the parking access, it is unclear how this area is to be protected from unofficial parking. If a knee rail is to be provided, this is not shown in the key on the drawing. The overall visual and biodiversity impact of the proposed arrangement would be poor if these areas were to become a carpark and would lead to frustration on the part of residents and visitors.”

Consultee	Date consulted	Date reply received
Melton Parish Council	8 September 2021 13 September 2021 14 February 2022	9 September 2021

Summary of comments:

“Melton Parish Council Planning and Transport Committee considered this application at its meeting on 8 September 2021 and has no comments to make.”

Consultee	Date consulted	Date reply received
Newbourne Parish Council	8 September 2021 13 September 2021 14 February 2022	No response

Summary of comments:

No response.

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	8 September 2021 13 September 2021 14 February 2022	No response

Summary of comments:

No response.

Consultee	Date consulted	Date reply received
Police - Design Out Crime Officer	8 September 2021 13 September 2021 14 February 2022 15 March 2022	No response

Summary of comments:

No response.

Consultee	Date consulted	Date reply received
Network Rail Property (Eastern Region - Anglia)	8 September 2021 13 September 2021 14 February 2022	14 September 2021

Summary of comments:

“After reviewing the associated information, I would like to inform you that Network Rail have no objections to the proposals.”

Consultee	Date consulted	Date reply received
Rushmere St Andrew Parish Council	8 September 2021 13 September 2021 14 February 2022	No response

Summary of comments:

No response.

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	8 September 2021 13 September 2021 14 February 2022	29 September 2021 23 February 2022
<p>Summary of comments:</p> <p>“The application seeks approval of reserved matters for Phase E1 of the development approved under Outline Planning Permission Ref. DC/17/1435/OUT, on 10th April 2018. The permission was approved subject to a s.106 agreement that sets out details of the developer contributions required, including those required by Suffolk County Council. Details of the contributions and other related obligations are set out in Schedules 5,6 and 8 of the agreement. The developer should ensure that the obligations, including the payment of the contributions, are fully complied with in accordance with triggers set out in Schedule 3. The County Council otherwise has no further comments, in relation to the developer contributions required.”</p>		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	8 September 2021 13 September 2021 14 February 2022	2 December 2021
<p>Summary of comments:</p> <p>“Archaeological work has been secured on the site through conditions on the outline consent (DC/17/1435/OUT), and a mitigation strategy. We therefore do not have particular comments on the reserved matters applications for the areas in question save that work is undertaken in accordance with the strategy/conditions. However, we would echo the comments provided by Historic England in response the consultation, regarding consideration/safeguarding of designated and non-designated heritage assets through the CMP etc.”</p>		

Consultee	Date consulted	Date reply received
SCC Cycling Officer	8 September 2021 13 September 2021 14 February 2022	No response
<p>Summary of comments:</p> <p>No response.</p>		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	8 September 2021 13 September 2021 14 February 2022 21 February 2022	21 September 2021 11 March 2022
<p>Summary of comments:</p> <p>Recommend approval subject to conditions.</p>		

Consultee	Date consulted	Date reply received
SCC Highways Department	8 September 2021 13 September 2021 14 February 2022 15 March 2022	3 November 2021
<p>Summary of comments:</p> <p>Holding objection.</p>		

Consultee	Date consulted	Date reply received
Suffolk Police Designing Out Crime Officer	8 September 2021 13 September 2021 14 February 2022	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
SUSTRANS	8 September 2021 13 September 2021 14 February 2022	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	8 September 2022 13 September 2021 14 February 2022	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	8 September 2021 13 September 2021 14 February 2022 15 March 2022	27 October 2021
Summary of comments: "I have reviewed the submitted documents covering: Arboricultural Impact Assessment Arboricultural Method Statement Landscape Masterplan Landscape Details Plans Landscape and Schedule of quantities and can advise that they are all acceptable."		

Consultee	Date consulted	Date reply received
Waldringfield Parish Council	8 September 2021 13 September 2021 14 March 2022	22 October 2021 1 March 2022
Summary of comments: <u>1 March 2022</u> "Access WPC previously commented on the conflicting statements made in the ARM/RMA applications regarding vehicular access points off the Ipswich Road and we sought clarification. We do not feel that this has been addressed as the information appears still to differ depending on which document/format is presented. The current Planning Statement Addendum is to highlight amendments to the previously submitted Planning Statement and "is to be read alongside the Planning Statements (relating to each individual phase) submitted with the applications in August 2021." The Addendum makes no reference to the Access points so the statement made in "The		

Planning Statement relating to phase E1”, para 5.59 appears to still apply – i.e. “5.59 Access from Ipswich Road, will be a combination of enhanced and improved points of entry which were previously associated with the quarry activities that have since ceased on the site. Alongside new point of access which in the short term will provide a temporary exit route for construction traffic but over the lifetime of the development be converted into an emergency access point only”. We say that paragraph 5.59 requires amendment. It is misleading and appears to suggest that there will be several (i.e. more than two) vehicular access points off the Ipswich Rd. This does not conform with Outline Planning Permission DC/17/1435/OUT which included two points only of vehicular access/egress on Ipswich Rd. The first being (Ipswich Rd Eastern Access) the existing access route to the quarry and the second, a new access (Ipswich Rd Western Access). This second access was subject to Planning Condition 43, which requires “a design strategy to reduce traffic using this access, through traffic calming or street design” in order to “distribute traffic across the other accesses and to calm the effect of traffic on that junction in order to maintain the rural character of Ipswich Road”. Furthermore, in the recent (Feb 2022) BLCF meeting, in a response to a question about construction traffic access, Taylor Wimpey reiterated that the same access point that is used for aggregates access i.e. the existing route to the quarry, will be used for access/ingress of construction traffic.

2. Street lighting

WPC previously pointed out that no external lighting plan had been submitted, contrary to condition 61 of outline permission. Such a plan has now been submitted. It includes a great deal of detail describing the different types of lighting across different locations and sensitivities. To our untrained eye this appears to be appropriate but we are not really qualified to make technical comment.

3. Car Parking

The WPC expressed concerns, in particular regarding the design of the court parking schemes, found predominately in phase W1. We are pleased to see that there are no such parking courts in E1 as off-plot parking appears to be accommodated via allocated parking spaces on the edge of green space.

4. Charging points for electric vehicles

We are very disappointed to find no reference to this topic in the new ARM documents. In the February BLCF, Taylor Wimpey detailed plans to install EV charging points. As a minimum, cables are being laid to allow their installation on all on-plot parking from the first dwelling. WPC would wish to see this commitment confirmed, possibly in a further addendum to the Planning Statement.

5. Energy efficiency

WPC commented previously that there was no mention in the ARM documents regarding energy efficient measures. Taylor Wimpey gave a great deal of information on this matter in the February BLCF, detailing the installation of air heat pumps, triple glazing, solar panels etc. Perhaps this is a building regulations matter rather than planning but nonetheless it would be good to see some reference to it in the ARM documents, again possibly in a further addendum to the Planning Statement.

6. Ecology

WPC is pleased to see the firm commitments to produce targets and associated drawings (location and box design) for nest boxes for swifts, starlings and house sparrows and roosting boxes for bats (to include two pill boxes for bat roosts) as detailed in “Landscape and Ecology Management Plan

(LEMP)" within "Part 2: Environmental Action Plan".

7. Construction Method/Management Plan

The outline planning consent, condition 18, required a construction method/management statement. WPC do not currently have the expertise of planning consultants but it appears to us that there is some confusing crossover regarding the documents relied upon under this topic. Within the ARM/RMA application the amended "Part 2 of The Environment Action Plan" includes in section 4, a "Construction Environmental Management Plan (CEMP: Biodiversity)" This contains much detail of how the ecological features of the site will be protected during construction and is of course extremely important and welcome. But, it doesn't cover such matters as how will the building materials, lorries, diggers, etc. access the site, and how will the impact of this on Ipswich Rd and local residents be mitigated. A separate application, DC/21/5740/DRC | Discharge of Condition(s) 18 is currently before ESC. This contains a "Construction Environmental Management Plan Phase 1 Earthworks", this references the Construction Environmental Management Plan as in the above paragraph. It is also very detailed regarding the site management, hours of working, access/ingress (former quarry entrance) etc. etc. Waldringfield Parish Council 3 WPC will be responding to this DRC separately, but we do not understand why the Construction Environmental Management Plan Phase 1 Earthworks document is not included in the ARM/RMA, or at the very least, referenced in these applications.

8. Phasing & Timing

We have found no reference to time-frames in these ARMs – we would have thought this to be a critical element.

9. Previously submitted but undetermined ARMS

It has been explained at the BLCF of February 2022 that the ESC Planning Committee has already made a "resolution to grant" the extant ARMs but amendments put forward by Taylor Wimpey would be subject to consultation.

10. Design

A very comprehensive response to the revised documents has been made by the Principal Design and Conservation Officer– WPC has nothing to add to that.

11 Landscape & Arboriculture WPC's Tree Warden has provided a report which forms part of WPC's consultation response."

1 March 2022

"I have been examining available landscape drawings looking for any sign of changes to increase biodiversity of the proposals. The only new drawing relevant to landscape appears to be: JBA Soft Landscape Proposals 24.01.22 amended to new layout. This shows part of the east site. It does not have a schedule of plants but I assume this is the same as on the previous version and all planting appears as before.

My criticisms are:

1 Not enough trees: Canopy deficiency Small number of trees which are mostly narrowly fastigate trees offering little canopy. Tight planting of ornamental hedges round all housing necessitating frequent trimming. No groups of native trees and shrubs. The drawing only shows a part of the East site so I assume the remainder is unchanged.

2 No relevance to local species: biodiversity deficiency The planting schedule is all as before therefore all the comments I made in the response of 22/10/21 still apply. Please note that Taylor Wimpey 'Strategy' states: "All new sites have planting that provides food for local species throughout the seasons" as quoted in the document from ecologists SES Part 2 environmental action plan. This strategy is not complied with in that few of the planted species will provide food for native species.

Natural England comments

Also I would draw attention to the comments from Natural England which makes many of these points on page 2 of its letter of 11 October 2021, plus a lot more, under other advice, Landscaping, and which I wholly endorse. "2) Other advice Waldringfield Parish Council 2 In addition, Natural England would advise on the following issues. Landscaping The detailed landscape proposals indicate a large number of ornamental shrubs/trees which have little value for native wildlife. Ideally planting within residential areas would maximise benefits for biodiversity. Opportunities for enhancement might include: • Planting more trees characteristic to the local area to make a positive contribution to the local landscape. • Using native plants in landscaping schemes for better nectar and seed sources for bees and birds". This would require a re-think of the layout as in the current design no room is left for wildlife apart from narrow strips between hard areas. Biodiversity here seems to be providing a lot of boxes but little 'natural' habitat.

3 No trees or climbers within gardens and none (apparently) to be offered

In conclusion

The canopy effect will be very sparse even if all the trees grow to maturity. The 5m circles indicated would not be achieved with these narrow growing species so they are misleading. There is no relationship between the coastal location in Suffolk, with low rainfall and extremely sharp drainage, and the proposed vegetation on site. These proposals could just as easily be in any county in England. There are few 'native species' included and these are clones or varieties not the native growing ones e.g. clones of field maple and birch. In all the plans are not relevant to current thinking regarding tree canopy to help modify climate and provide shade and belong in the days when stretches of massed ornamental shrubs were carpeted out in housing areas."

22 October 2021

"Overall concept

The phases here detailed are residential developments, the first four areas of the several required to complete the site. The layout of these is necessarily quite tight incorporating houses and flats, garages and parking spaces, cycle storage, footpaths and roads. There are few opportunities left for landscape planting of trees, hedges, shrubs and herbaceous material, and grasses. However where these exist they have not been used to their full advantage.

Wildlife corridors

Although mention has been made of wildlife corridors in past documents these now seem to consist almost entirely of the peripheral bridleways which are already in existence for the main part and the necessary open spaces or SANGs including the main one around the lake not yet fully designed. There is no attempt to take the wildlife corridor into the housing development where it might link up with gardens. In these layouts gardens do not back onto open areas but very largely onto other gardens meaning they are surrounded by tall (1.8m) grey closeboard fencing. The back gardens are turfed. There are no trees or climbers in the gardens whatsoever native or otherwise (see condition 12).

Proposed Trees

Proposed trees are spaced 15m apart along both sides of main access roads. Trees within the development are a mere sprinkle. There are no groups of trees of different sizes and species. There are many dwellings within the development where there will not be a single tree visible from a window until residents (hopefully) start to plant them.

Tree canopy on maturity

On the planting plan all proposed trees of whatever species or initial planting size are shown as circles of diameter 5m. It is not known at what stage of their development they are meant to be illustrated. However many are very narrowly fastigate trees. These are suited to restricted spaces such as city courtyards. There is a lot of the upright growing field maple *Acer campestre* Streetwise. This is predicted to reach a diameter of 3m after 25 years (using data from Hillier Nurseries). *Carpinus betulus* Franz Fontaine will reach 2.5 crown diameter, ornamental cherry *Prunus Amanogawa* only 1m wide after 25 years. Fastigate birch may make 1.5m wide spread and *Pyrus Chanticleer* (ornamental pear) 3m. Therefore all of these will be much narrower columns than shown on plan. Only *Acer Elsrijk* may reach 6m after 25 years and Liquidambar is predicted to reach 5m diameter. The others would be much smaller than the circles shown on the plans, half as big or less in some cases. These severely upright trees cast less shade, and are mostly without the contrast of more spreading forms as shown on the optimistic illustrative sections. They will not provide much leafy mass to complement the buildings. The exception Silver Birch is a native tree but shortlived. It has a limited lifespan of 60-80 years. There are very few shown although these are very good for wildlife supporting many insect species.

Species of trees selected

The cultivar of Field Maple Streetwise is a clone. Therefore although providing food for wildlife in the seeds and leaves they are identical genetically which would mean a disaster if a disease struck. All the cultivars are genetically identical so similarly the cultivars of Hornbeam would be identical with each other. Among the tree species represented there are no oak, which is the main forest tree in this area in the woods bordering the larger overall site to the north and west. There is no hazel, no willow, no holly and in fact there are no native shrubs whatsoever. It seems that the wildlife travelling through will not find much sustenance. There are no pines to tie in visually with the existing tree belt of Austrian Pine, with one exception.

Survival of trees

This area has had severe droughts in the past few summers and these very tall rootballed specimen trees are going to need plenty of watering. Generally, smaller trees survive better. No watering system is specified. Either an underground fitted irrigation system or a water bag to deliver water over a period may be necessary to combat drought and see the survival of these trees. Examples exist nearby of tall specimen trees planted and subsequently dying in numbers (e.g. Silver Birch at BT Adastral Park) Liquidambar is a fine tree from North America. It prefers a well drained but moist soil.

Shrubs: maintenance

All ornamental, these are planted in 1m wide bands around the housing. They are maintained by the contractor in the first year. After this there is no management plan that we know of so far. Do the residents clip them? There are topiary yews and bay in pairs at several of the entrances. Are these maintained by the resident or visiting contractors? This seems rather a quirky idea. If contractor, they may end up like the planting at nearby Martlesham Heath Retail Park which is all cut by hedge trimmer to the same height, often removing flowers and berries. Most of these shrubs will outgrow their position if not carefully maintained.

Use of poisonous shrubs

There are quite a lot of varieties of spindle (*Euonymus*) in the planting which is close to footpaths and house frontages. The native spindle is highly poisonous in all parts. These foreign relatives of it are also marked as injurious, may cause skin irritation. It is used very widely throughout the site in many cases close to where pedestrians will walk and ultimately the residents may decide to cut these themselves and would have to handle the foliage.

Non-native shrubs

The Taylor Wimpey Environmental Strategy states that 'all new sites (will) have planting that provides for local species throughout the seasons'. None of the many thousands of shrubs or hedges is a native species. While many have flowers and berries which may support our wildlife – *Choisya* and *Hebe* for example are good for bees when in flower – generally they are planted for their decorative foliage and do not provide 'food and shelter' for wildlife throughout the site. While not expecting a design with entirely British wild plants it is as though these have been excluded entirely.

Basin (in E1)

This damp area receiving drainage from the swales is to be sown with a wetland wildflower and grass mix. It could be enhanced by adding a few groups of shrubby willows, dogwood and/or alder. This would increase its wildlife potential greatly.

Swales

These are part of the Suds system and could provide useful habitat if they are maintained with the longer grass and flowers cut on a less frequent programme as described. The swales, about 8m long, are meant to be surrounded by shorter grass it would appear. I have not found a section drawing showing the depth and slopes of the swales.

Private gardens

These are to be turfed and surrounded by fencing with no further planting.

Suggestions for greening the site

A number of fairly easy things could be done to improve the appearance and wildlife potential of the new residential areas:

13.1 Residents with gardens could be offered a choice of small trees to plant in their gardens, such as Rowan, Crab Apple, Cherry Plum or varieties of domestic apple which would attract birds and bees into their gardens at the very least and soften the overall effect of the stark closeboard fencing.

13.2 Residents could also be offered a climber to go on their fence with a trellis attached for them (less work than clipping topiary) such as a climbing rose, clematis or honeysuckle, or an ornamental ivy, which they could select from. These would all provide nesting sites and soften the appearance of so many fences.

13.3 Street trees which are 15m apart could be at least doubled in number and do not have to be entirely fastigate. The narrow forms suit tight spaces, they are not necessary where the trees have plenty of space all around them. Whitebeam, Rowan, Crab apple, Wild Pear and larger growing trees such as Wild Cherry, Small Leafed Lime, Oak and Scots Pine could be placed where space permits.

13.4 Native hedges could be incorporated in some areas including fruiting plants for wildlife such as hawthorn, elderberry, dogrose, cherry plum, dogwood, holly, which all grow in the area.

In conclusion

The plans are disappointing on a number of fronts. Wildlife and nature seem to have been far from the minds of whoever drew up the plans. The canopy effect will be very sparse even if all the trees grow to maturity. There is no relationship between the coastal location in Suffolk, with low rainfall and extremely sharp drainage, and the proposed vegetation on site. These proposals could just as easily be in any county in England. There are very few native species included."

Consultee	Date consulted	Date reply received
Woodbridge Town Council	8 September 2021 13 September 2021 14 February 2022	7 October 2021 2 March 2022

Summary of comments:

2 March 2022

"It was agreed to make No Comment on this application."

6 October 2021

"In July 2017 Woodbridge Town Council recommended refusal of application DC/17/1435/OUT due to concerns about the suitability of the site for development and the likely negative impact to the already congested A12 at Martlesham which is the primary access route for Woodbridge residents and visitors travelling to and from the south and west. Four years on, with extensive further retail and commercial development east of the A12 north of this development at Martlesham Heath Business and Retail Park, we have reviewed that position in the light of the four applications DC/21/4002-4005/ARM. Woodbridge Town Council consider that the mitigation proposals contained within the applications for managing and minimising traffic flows to and from, as well as within this development are inadequate both in terms of extent and timetabled implementation strategy during the stages of development of the land south and east of Adastral Park. Our concerns are exacerbated by the expected increase in traffic movements on the A12, up to around 2036, as published by the Applicant for Sizewell C at the for Sizewell C DCO Examination. Woodbridge Town Council ask that, if ESC is minded to approve the applications, ESC require prior to approval further details on how the Applicant will encourage non-vehicular and public transport movements of residents between the development and the retail/commercial facilities at Martlesham Heath Business and Retail Park. We consider the Applicant proposals do not currently positively encourage walking and cycling and there is no provision for direct off A12 bus services to the facilities. We consider the application requires as a minimum a detailed strategy for mitigation against a potential increase in short distance car journeys to retail and commercial facilities. Woodbridge Town Council are deeply concerned by the lack of detail in the application on the above and other aspects, notably drainage as highlighted by Suffolk County Council. The Committee echoes the comments of Kirton and Falkenham Parish Council. The Climate and Ecological Emergency Committee have commented to the Planning Committee that they have the following ecological and environmental concern alongside the matter of sustainable transport strategy as mentioned above; - We would ask that if ESC is minded to approve the applications a condition is included to extend the period until the end of July for which protection is provided to nesting birds in the development areas, - We further recommend, if ESC is minded to approve the applications, that a condition is added that no artificial interference to nesting birds such as the pre netting of trees and hedgerows would be permitted on the development areas. In general, we

are deeply concerned by the lack of detail in the application and therefore, with all of the above considered, recommend REFUSAL of this application.”

Consultee	Date consulted	Date reply received
Bucklesham Parish Council	13 September 2021	4 November 2021 15 February 2022
Summary of comments: <u>15 February 2022</u> “No comment” <u>4 November 2021</u> “No comment”		

Consultee	Date consulted	Date reply received
Newbourne Parish Council	8 September 2021 13 September 2021 14 February 2022	No response
Summary of comments: No response.		

5. Publicity

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

Category	Published	Expiry	Publication
Archaeological Site	16 September 2021	7 October 2021	East Anglian Daily Times

6. Site notices

6.1. The application has been the subject of the following site notice:

General Site Notice	Reason for site notice: May Affect Archaeological Site / Major Application Date posted: 20 September 2021 Expiry date: 11 October 2021
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7. Planning policy

7.1. National Planning Policy Framework (NPPF).

7.2. The development plan comprises the East Suffolk Council – Suffolk Coastal Local Plan (adopted on 23 September 2020) (“local plan”) and any adopted neighbourhood plans. The relevant policies of the development plan and supplementary planning documents are listed in the section below and will be considered in the assessment to follow.

- SCLP5.8 - Housing Mix (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP5.10 - Affordable Housing on Residential Developments (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP7.1 - Sustainable Transport (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP7.2 - Parking Proposals and Standards (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP8.2 - Open Space (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP9.2 - Sustainable Construction (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP9.5 - Flood Risk (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP9.6 - Sustainable Drainage Systems (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP9.7 - Holistic Water Management (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP10.1 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP10.2 - Visitor Management of European Sites (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP10.3 - Environmental Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP10.4 - Landscape Character (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP11.3 - Historic Environment (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP11.7 - Archaeology (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

- The Historic Environment Supplementary Planning Document (2021)

8. Planning considerations

Principle of development

- 8.1. The principle of development has been established via the hybrid planning permission, which approved in part the construction of *'for up to 2000 dwellings, an employment area of 0.6ha (use class B1) primary local centre comprising use class A1, A2, A3, A4, A5, B1, C3, 02) secondary centre (comprising possible use classes A1, A3 and A4), a school, green infrastructure (including Suitable Accessible Natural Green space (SANGs) outdoor play areas, sports ground and allotments/community orchards), public footpaths and cycleways, vehicle accesses and associated infrastructure.'*
- 8.2. The outline planning permission set parameters for how the development should be achieved, which included:
 - up to 2000 dwellings;
 - an employment area of c. 0.6ha (use Class B1);
 - a primary local centre (comprising use Classes A1, A2, A3, A4, A5, B1, C3, D1 and D2);
 - a secondary centre (comprising possible use Classes A1, A3 and A4);
 - a school;
 - green infrastructure (including Suitable Accessible Natural Greenspace (SANGs), outdoor play areas, sports ground and allotments/community orchards);
 - public footpaths and cycleways;
 - vehicle accesses; and,
 - associated infrastructure.
- 8.3. This reserved matters submissions should build upon these established principles, as well as the approved plans and documents of the outline permission, to shape the detail and form of development within this specific parcel.
- 8.4. The details under considered in this submission relate to the following – as set out by the outline permission:
 - **Appearance:** Aspects of a building or place which affect the way it looks, including the exterior of the development, including *the alignment, height and materials of all walls and fences and other means of enclosure*
 - **Landscaping:** The improvement or protection of the amenities of the site and the area and the surrounding area, including a landscape plan, proposed planting, the means of forming enclosures, the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels, and means of future maintenance.
 - **Layout:** Includes buildings, roads, footpaths and cycleways, routes and open spaces within the development and the way they are laid out in relations to buildings and spaces outside the development.
 - **Scale:** Includes information on the size of the development, including the height, width and length of each proposed building, and density.

- **Other:** Character banding, access strategy, landscaping details, building materials, boundary treatment, recycling/bin storage, arboricultural impact and tree survey, earthworks strategy, details of estate roads and footpaths, surface water drainage and noise attenuation.

Building height and density

- 8.5. The outline planning permission establishes the building heights for entire Brightwell Lakes scheme, under the approved drawing 'Environmental Statement - Parameter Plan 2: Building Heights' (Dwg: 31677 03 Rev. F), which has regard to the impact of development on the nearby existing development, public rights of way, the Suffolk Coast Area of Outstanding Natural Beauty (AONB), surrounding landscape character and visual receptors.
- 8.6. In response to these parameters, the submitted Building Heights Parameter Plan denotes the frontage of the Phase E1 site (adjacent to the Spine Road) falling under 'Height Zone 2', which can include buildings up to 2.5 storeys [with a maximum building height of +12.5m to ridge level above proposed ground level], with the rest of the parcel identified as 'Height Zone 1', which can include buildings up to 2 storeys [with a maximum building height of +11.0m to ridge level above proposed ground level]. Supplementary to this, the Residential Density Parameter Plan indicates a 'medium density' development for the frontage of the parcel - at 30-35 dwellings per hectare - with the rest of the parcel shown as 'low density' - between 20-30 dwellings per hectare. Responding to this framework, the majority of the proposed dwellings will be two-storeys in height, with dwellings fronting the Spine Road at 2.5 storeys.

Density

- 8.7. The principles of site-wide development densities were approved by a density parameter plan. In this particular location, development along the Spine Road frontage will comprise a higher density to provide a sense of enclosure, with other parts of the phase being slightly lower density. Overall, this particular phase will provide an average density of 27 dwellings per hectare.

Character

- 8.8. The approved Design and Access Statement and Character Banding Plan, provides guidelines for overall design ethos of each character area. In this instance, the Character Banding Plan identifies Phase E1 as relating to 'The Boulevard', 'Ipswich Road Edge' and 'Valley Corridor Edge' character areas. As prescribed, the character areas are defined by subtle variations in the building design, form and finishing materials as well as the urban grain and form, landscape treatments and planting. Distinctive patterns of building setbacks, frontages, architectural treatment, materials, and inter-relationship between public and private spaces are proposed to help the new homes sit within their surroundings and create legibility across the wider site.
- 8.9. In response, the frontage of the parcel that sits within The Boulevard character area, presents a contemporary architectural style, whilst the southern and western extents of the parcel is formed of a 'soft approach, comprising informal frontages with irregular rhythm and wider gaps' due to its setting against green corridors. The remaining core includes 'subtle material changes to create transition between the primary road and edges'.

Material palette

- 8.10. Proposed materials include a range of bricks, render and boarding and are applied in variations across each character area, with contemporary fenestration comprising grey uPVC windows that offer large, glazed openings - see submitted materials plan.

Layout

- 8.11. The proposed layout of the development is informed by the site's constraints and opportunities, in particular the surrounding landscape features, site edges and neighbouring phases (e.g., the all-through school to the east). The applicant notes that the layout is informed by the approved Parameter Plans and has evolved further following discussions with the local planning authority at pre-application stage.
- 8.12. East Suffolk Council's design and conservation team have reviewed the submission and have advised the following:

"As you know, I provided you with detailed comments on the original applications in November last year, following which we met with the agent to review them on December 7th 2021. Although supportive of the applications in general and in most detail, I did highlight specific areas of concern, where a minor revision was merited, and areas of omission that I judged needed addressed.

The current applications include the applicant's response – the submitted Planning Statement Addendum indicates so. I provided combined comments for each application, as they relate to a single parcel, and will do so here. I shall, therefore, provide you with comment here only on those matters of concern and omission that I drew your attention to originally. I shall omit any preamble as unnecessary.

Lack of streetscenes to the boulevard and school frontage

I note that we have now received a streetscene drawing for the boulevard frontage which is helpful. This is a key elevation to the SANG and illustrates the approach proposed to this part of the boulevard which is the principal route through the Brightwell Lakes development. The drawing shows that the frontage will have a uniform design approach in terms of housetypes, materials (red brick) and elevational treatments, including for the gabled plots. And that this frontage will contrast somewhat with the rest of the parcel (with its use of buff brick and white render). I consider this a positive approach, as it does enough to signal the key importance of the frontage to the SANG without compromising its integrity (or belonging) with the rest of the parcel behind. This is a successful outcome, but we wouldn't have known about it had we not asked for it to be illustrated. This drawing incorrectly shows a timber fence between plots 61 and 62 – the boundary treatment plan shows that this will be a 1.8m brick wall.

Lack of site sections

This original comment of mine has been addressed by the inclusion of a streetscene (D-D) which provides an illustration of the main access point into the parcel off the Ipswich Road access road. This – plus other streetscenes – does confirm what we were advised at our December meeting that the topography of this parcel does not include any significant slopes and is relatively level. The D-D streetscene is helpful and shows what I consider to be a pleasant, lower density layout of slightly dispersed character (that is, with good gaps between dwellings on the streetscene) and all of that is fine to go along with. What I do consider unfortunate, however, is the flank elevations of the same housetypes that present

onto this street – see plots 43, 109 and 112. I do find these kind of what I call ‘turn-out’ elevations depressing, by which I mean, no design consideration has gone into their appearance – the windows just appear where they suit the plan layout with no thought to whether the resultant elevation is attractive or not. I’m not sure why I should really have to point this out, frankly, but it’s the sort of indifferent streetscene effect we really want to avoid.

Front door designs

I note that the housetype designs have now been amended to include a more contemporary front door design that better relates to the character of the house designs across this parcel. Of course, the front door is a detail, only, but I welcome that this has been revised in response to my comments and the outcome is satisfactory.

Visitor parking provision

I note that the layout has been amended in relation to parking provision to comply with adopted standards (the County’s, I assume), including for visitors. This confirmation is welcome. The submitted parking plan clearly shows the visitor parking annotated and being on-street. There looks to be good provision for it pepper-potted throughout the layout.

Boundary treatments abutting roads

I note that the revised boundary strategy now includes for all boundaries abutting roads and forming part of the streetscene to now be brick walls (instead of fencing). This is very welcome and will enhance the design quality of the layout considerably. I have checked the submitted Boundary Treatment Plan and advise that we require the following further amendments to be made: 1.8m brick walls in place of timber fencing between plots 1 and 2; 61 and 62. Inclusion of knee rails – I note that the same revised boundary strategy now includes for the use of knee rails to provide a boundary between private drives or the back edge of footpaths along the SANG, bridle way and also the boulevard. This was a suggestion, only, that I had made having seen the same arrangement to good effect elsewhere and I welcome this addition to the design here, which will enhance it. I am uncertain, however, why these are shown to be in metal, when all other knee rails that I have seen used elsewhere are in more attractive timber – why not that here? Timber is much easier to repair when damaged, as these features easily are by reversing vehicles.

Materials schedule and specification

I have reviewed the submitted Materials Plan with particular focus on brick type specifications and those for roof coverings. I can confirm that these are acceptable and that some of the brick choices are of a particularly good quality – such as the Wienerberger, Forterra and Ibstock. I note that the drawing specifies these bricks and roof coverings with the caveat ‘or similar’. I understand the need to include such a caveat, due to materials supply issues that are still affecting the construction industry. We wouldn’t normally agree such an open-worded specification, but we will need to acknowledge some flexibility here.

Would it be possible to add an Informative to any consent to require agreement by exchange of correspondence (for the record) where any change in the specified material is proposed? This will allow us to then still have some control over final choices.

- 8.13. Following initial comments raised, the applicant has updated boundary treatment plans (E1-SP05 Rev. E) to amend the timber fence between Plots 1 and 2 and Plots 61 and 62 to brick walls. Additionally, the annotation on the plans have been amended to confirm that the knee rails will be timber, rather than metal.
- 8.14. The revisions to boundary treatments and knee rail materials are accepted. However, the elevational treatment is as an area of unresolved concern. Whilst the point about plan layout is acknowledged, there are other ways to enhance the appearance of an elevation using materials, details or other architectural treatments, to create interest.

Housing provision

- 8.15. The E1 parcel provides 119 dwellings, comprising a range of house types including one-bed maisonettes to detached five-bedroom homes.

Housing mix

- 8.16. The local plan identifies a need across all tenures for 41% of properties to be one- or two-bedroom dwellings. In this instance, 16 dwellings will be one- or two-bedroom units, equating to 13.5% - as shown in Table 1.
- 8.17. However, given the spatial extent of the Brightwell Lakes proposal, and the manner in which the development will come forward in phases, it was agreed that it is appropriate to consider the proposed housing mix in the context of the wider site as a whole, rather than calculated per individual parcel. Due to varying site sizes, characteristics, uses and constraints, it is acknowledged an individual parcel may not necessarily achieve the required housing mix within its defined site. The delivery of the required housing provision will be assessed collectively throughout the development of each phase.
- 8.18. This is apparent when taking into account the provisions proposed by parcels W1 and W1a, which comprises a larger number of smaller units (49.2% are one- or two-bedroom dwellings).

Affordable housing

- 8.19. As dictated by the s106 legal agreement, the affordable housing provision for the Brightwell Lakes development is set to twenty five percent (25%). Of these affordable dwellings, the target tenure mix is: 25% affordable rent, 25% intermediate rent, 25% shared ownership, and 25% shared equity – or otherwise approved by the local planning authority pursuant to the relevant affordable housing schedule. These proportions are to be addressed across the whole site and there will be reserved matters policies which provide greater and lesser quantities and proportions dictated by the characteristics of that parcel. It will remain important closely monitor the accumulating mix as the site progresses.
- 8.20. Of the total provision for this parcel, 34 dwellings (28.6%) would be affordable tenures – see Table 1. The materials and distribution of the affordable dwellings seek to ensure they are tenure blind and integrate successfully into the site. The location of the affordable dwellings across the site is illustrated on the Housing Mix and Tenure Plan.
- 8.21. Further discussion is required to address points of concern raised by the East Suffolk Council's housing enabling officer.

- 8.22. For context, the proposed mix across all four parcels (E1, E1a, W1 and W1a), which are pending consideration is shown in Table 3.

Table 1: Proposed housing mix for Phase E1

Phase E1 housing mix		Number of dwellings
Market	2-bed flat over garage	2
	2-bed house	4
	3-bed house	34
	4 bed house	34
	5-bed house	11
Affordable rent	1-bed maisonette	4
	3-bed house	4
	4-bed house	2
Intermediate rent	3-bed house	4
	4-bed house	3
Shared ownership	1-bed maisonette	2
	3-bed house	4
	4-bed house	2
Shared equity	1-bed maisonette	2
	2-bed flat over garage	2
	3-bed house	2
	4-bed house	3
Total affordable		34
Total market		85
Overall total		119

Table 2: Proposed housing provisions against percentage of district wide need

Phase E1 housing provisions against policy		
Number of bedrooms	Percentage of district wide need	Percentage proposed
1	12%	6.7% (8 units)
2	29%	6.7% (8 units)
3	25%	40.4% (48 units)
4+	33%	46.2% (55 units)

Table 3: Overall housing mix across Phases E1, E1a, W1 and W1a

Mix	Parcels W1 & W1a		Parcels E1 & E1a		Total	
	# of units	%	# of units	%	# of units	%
Private						
1 bed	3	2.6%	0	-	3	1.5%
2 bed	13	11.3%	6	6.8%	19	9.3%
3 bed	93	80.9%	34	38.6%	127	62.6%
4 bed	6	5.2%	36	41%	42	20.7%
5 bed	0	-	12	13.6%	12	5.9%
Affordable						
1 bed	38	47.5%	8	23.5%	46	40.3%

2 bed	42	52.5%	2	5.9%	44	38.6%
3 bed	0	-	14	41.2%	14	12.3%
4 bed	0	-	10	29.4%	10	8.8%
Overall – 317 dwellings (114 affordable [35.9%])						
1 bed	41	21%	8	6.6%	49	15.4%
2 bed	55	28.2%	8	6.6%	63	19.9%
3 bed	93	47.7%	48	39.3%	141	44.5%
4 bed	6	3.1%	46	37.7%	52	16.4%
5 bed	0	-	12	9.8%	12	3.8%
Total	195		122		317	

Ecology

- 8.23. To accord with the requirements of Condition 14 (Environmental Action Plan) and Condition 15 (Environmental Statement) of the outline planning permission, a Part 2: Environmental Action Plan (EAP Part 2) and an updated Ecological Impact Assessment containing the results of updated surveys, have been prepared to support the submission and also relates to Phase E1a, W1 and W1a.
- 8.24. East Suffolk Council's ecologist has reviewed the Updated Ecological Assessment (SES, July 2021) and the Part 2: Environmental Action Plan Reserved Matters Phases E1, E1a, W1 and W1a (SES, July 2021) and is satisfied with the conclusions of the consultant.
- 8.25. In the absence of appropriate mitigation measures, the proposed developments will result in adverse impacts (of a range of severities) on a suite of ecological receptors including:
- Recreational disturbance impacts on national and international designated sites (all four phases);
 - Loss of Open Mosaic habitats (Phase W1 and W1a);
 - Impacts on retained semi-natural habitats from pollution events and lighting (all four phases);
 - Loss of rare flora including annual beard-grass, dittander, mossy stonecrop, clustered clover, corn spurrey, smooth cat's-ear and corn marigold (Phase W1 and W1a);
 - Spread of Japanese knotweed (Phase E1 and E1a);
 - Impacts on badgers during construction (all four phases);
 - Loss/disturbance of bat tree roost (all four phases);
 - Loss/fragmentation of bat foraging and commuting habitats (all four phases);
 - Loss of breeding and wintering bird habitats (particularly for breeding skylark and linnet) (all four phases);
 - Loss of invertebrate habitats (Phase W1 and W1a);
 - Loss of reptile habitat, killing/injury of animals (all four phases);
 - Impacts on hibernating common toad and hedgehog (all four phases).
- 8.26. However, the updated ecological assessment details measures which are adequate to mitigate the identified impacts. These include implementation of 25.1Ha of SANG (under planning application DC/18/2775/ARM); a financial contribution to the Suffolk Coast RAMS; production and implementation of a Construction Environment Management Plan (CEMP) to control construction related impacts (including pollution controls, construction noise and lighting; construction impacts on individual species etc.); production and implementation of a Landscape and Ecology Management Plan (LEMP) to ensure long term

beneficial management of the SANG and other areas of greenspace (as part of the Part 2: Environmental Action Plans); implementation of ecologically sensitive lighting; translocation of turves/plants of notable plant species to the SANG area; eradication of Japanese knotweed from the site; sensitive external lighting design; mitigation for removal of trees with bat roost potential; creation of new bat foraging/commuting habitats as part of SANG and new greenspace/landscaping; timing to avoid works impacting on nesting birds and mitigation measures to avoid impacts on reptiles.

- 8.27. Although the loss of open mosaic habitats will not be able to be fully mitigated, compensation will be achieved through the creation and long-term management of some such habitat, as well as other ecologically desirable habitats, as part of the SANG. The Updated Ecological Assessment also identifies that there will be an adverse impact on breeding skylark as a result of the loss of suitable nesting habitat from the overall development area, although the significance of this is predicted to be time limited due to the relatively recent increase in nesting activity at the site due to the reduction in quarrying and agricultural operations. However, this impact could be further reduced by the creation of offsite skylark nest plots or nearby arable land. This is something which should be explored by the applicant as the development phases progress to determine whether additional mitigation is deliverable.
- 8.28. The Updated Ecological Assessment also includes a suite of ecological enhancement measures, including provision of integrated bat boxes in at least 5% of new dwellings, provision of integrated bird boxes into at least 80% of new dwellings, provision of bug hotels in at least 20% of new dwellings, landscape planting using wildlife friendly species and the provision of 'hedgehog highway' holes in the bottoms of new garden walls and fences. These measures are set out in the Part 2: Environmental Action Plan Reserved Matters Phases E1, E1a, W1 and W1a document.

Flood risk

- 8.29. Suffolk County Council as the lead local flood authority have reviewed the following submitted documents and recommend approval, subject to conditions:
- Stantec, Technical Note, Surface and Foul Water Drainage Strategy for Phases E1 and E1A – Revision B, 332210596-2001-TN003B, 16/02/2022

Note: It should be noted that Table 2 of the above Technical Note contains some errors regarding infiltration rates. However, the correct rates are stated and used in supporting plans and calculations.

Highways

- 8.30. Access arrangements for the wider development were established at outline stage and are not for consideration under this submission, these are identified via the A12 and Ipswich Road, which link into the Central Boulevard Spine Road - a tree lined street and running through the centre of the site. The proposed layout for each phase is informed by the internal access arrangements and connectivity with the wider site.
- 8.31. The primary access to this parcel is via Ipswich Road, with a secondary access created from the Spine Road. It will involve a combination of enhanced and improved points of entry, which were previously associated with the previous quarry activities. Across the parcels of

development, the road structure changes from primary, to secondary to tertiary roads, which branch out towards the core and edges of the development.

8.32. A parking and cycle strategy plan is included with this application, and has been designed in line with the requirements of the Suffolk Guidance for Parking – it incorporates the following features:

- Ensure vehicular parking is not a dominant feature in the public realm.
- Private drives provide access to small number of units along the green edges.
- Shared surfaces and private drives will have a pedestrian priority.
- Urban frontages along the primary roads provide appropriate scale, height and enclosure to address the importance of these streets.
- Streetscapes integrated with landscaping proposals to mitigate the visual impact of car parking.
- Provision of on-plot parking, or off-plot parking located in a manner that provides a close and visible relationship with the dwelling.
- Avoidance of parking courts wherever possible.

Public rights of way

8.33. Brightwell Lakes has a number of Public Rights of Way crossing the site which provides connections for users of footpaths and bridleways between the communities surrounding the site. Consequently, a key focus within the outline planning permission is the connectivity through the site for pedestrians, cyclists, horse riders and those using other forms of non-vehicular means of travel.

8.34. Enhancing the network of Public Rights of Way by ensuring the non-vehicular traffic in the form of walking and cycling is given priority on key routes such as the Central Boulevard Spine Road and the main points of access into Brightwell Lakes. Through providing priority access for non-vehicular movements, residents and visitors to the site will be encouraged to use sustainable modes of transport as their preferred choice for journeys at Brightwell Lakes.

8.35. The initial holding objection from the Highway Authority, along with comments raised in regard to the proposed design details, is yet to be fully resolved. The local planning authority is working proactively to ensure key revisions are accounted for to secure a well-designed scheme in accordance with policy and outline requirements. It is expected that this will be reported on further in the Committee update sheet.

Landscaping and open space

8.36. Strategic areas of open space are provided across the wider site, as part of the extensive green infrastructure provision, with a green corridor adjoining this parcel along its western edge. Additionally, pocket areas of public open space have also been incorporated into the layout of the site and have been designed and located in order to supplement key vistas, ensure natural surveillance and create green links with the surrounding green infrastructure.

8.37. Detailed landscape proposals have been prepared for the first phases of development at Brightwell Lakes, as illustrated on the Landscape Masterplan and Detailed Landscape Proposals for Phase E1. These are also supported by a Measured Works Schedule to ensure that the necessary planting and landscape works are undertaken correctly.

- 8.38. Existing vegetation is retained and enhanced with native skyline and native character trees within the open spaces, site boundaries and wildlife corridors, which aims to help the proposed development blend into the wider landscape. The landscape proposals around the boundaries of the site have been prepared and designed to ensure that they provide an appropriate mix of species which are natural to the local environment and are resilient to climate factors over the lifetime of the development, it also provides linkages between residential areas and the wider green infrastructure network across Brightwell Lakes.
- 8.39. The East Suffolk council's landscape team have reviewed the submitted documents covering: Arboricultural Impact Assessment, Arboricultural Method Statement, Landscape Masterplan, Landscape Details Plans Landscape, and Schedule of quantities have advised that they are all acceptable. However, in light of the comments raised by Waldringfield Parish Council, further discussions will entail prior to determination to ensure the landscaping scheme is of the highest standard of quality.

9. Conclusion

- 9.1. This reserved matters proposal has been informed by the parameters established within the outline planning permission. The suite of submitted material demonstrates that Phase E1 of the development promotes a high-quality design that responds positively to the characteristics defined by established parameter and character plans. The scale, appearance, and layout of the proposal is considered policy compliant, with the aim of providing a well-integrated and sensitively designed scheme, in terms of connectivity and green infrastructure.
- 9.2. Whilst there are still outstanding comments to address and the fundamental component of the submitted scheme is considered acceptable.

10. Recommendation

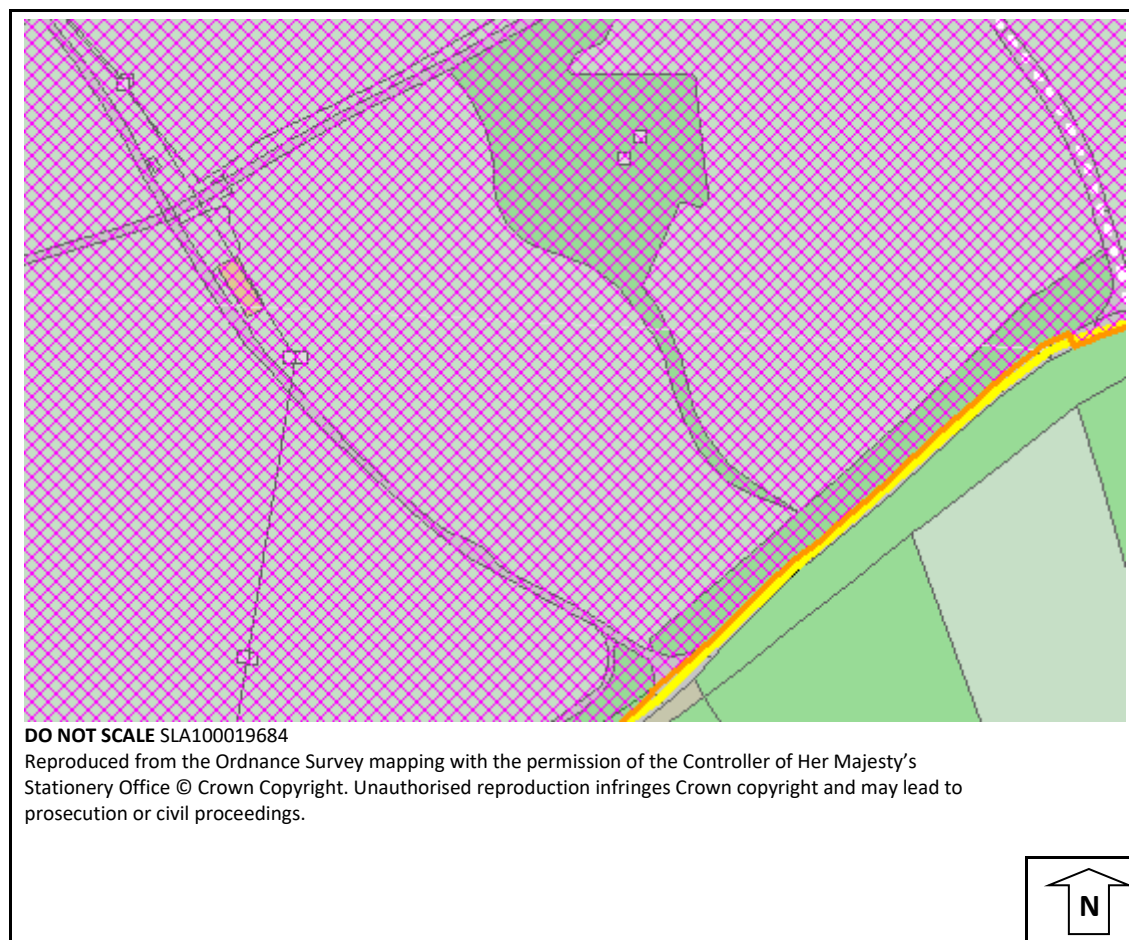
- 10.1. Authority to approve subject to all outstanding statutory holding objections and other matters being resolved, and agreement of conditions.

Conditions and informatives to be agreed upon receipt of all consultation responses and covered in the committee update sheet. However, based on the extent of conditions on the outline consent, conditions applied to the reserved matters application should be minimal.

Background information

See application reference DC/21/4004/ARM on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee South – 19 April 2022

Application no DC/21/4005/ARM

Location

Land to the south and east of Adastral Park

Expiry date 19 October 2021

Application type Approval of Reserved Matters

Applicant Taylor Wimpey

Parish Martlesham

Proposal Approval of reserved matters - the construction of three dwellings together with associated works, landscaping and infrastructure for Brightwell Lakes (Phase E1a) - on DC/20/1234/VOC.

Case Officer Rachel Lambert
01394 444574
rachel.lambert@east Suffolk.gov.uk

1. Summary

Proposal

- 1.1. Approval of reserved matters - the construction of three dwellings together with associated works, landscaping and infrastructure for Brightwell Lakes (Phase E1a) - on DC/20/1234/VOC.

Committee reason

- 1.2. In accordance with the scheme of delegation, the Head of Planning and Coastal Management has requested that the decision is to be made by members at the respective planning committee due to the significance of the Brightwell Lakes proposal. This is the first reserved matters application for the design of housing and it is considered important to place this before the Planning Committee. Future reserved matters application would not automatically be referred to the Planning Committee unless triggered through the Referral Panel process.

Recommendation

- 1.3. Authority to approve subject to resolving all outstanding matters and agreement of conditions.

2. Site description

- 2.1. The subject site forms part of the Brightwell Lakes strategic development site, which will be delivered in phases. This particular application relates to one of four parcels that have been submitted for reserved matters approval simultaneously, which represent the first phases of residential development to be delivered at Brightwell Lakes.

This area of the scheme is located north of Ipswich Road and south of the central areas of green infrastructure, with a site area measuring approximately 0.15ha. The site is bound by Phase E1 (ref. DC/21/4004/ARM) on the western, northern and eastern sides with a bridleway and green corridor to the south of the phase.

Planning history

- 2.2. The relevant planning history for the site includes the following:

- **DC/16/5277/SCO:** Request for EIA Scoping Opinion: Application for 2000 residential homes and associated infrastructure.

Permitted applications

- **DC/17/1435/OUT:** Original application
- **DC/18/4644/VOC:** Variation of DC/17/1435/OUT
- **DC/20/1233/OUT:** Alternative access road to that under DC/18/1644/VOC
- **DC/20/1234/VOC:** Variation to DC/18/4644/VOC
- **DC/21/3434/DRC:** Partial discharge of Condition(s) 18, 28b, 57 on application DC/17/1435/OUT

Applications pending consideration

- **DC/18/2959/DRC:** Full and Partial Discharge of Conditions of DC/17/1435/OUT in relation to conditions: 6, 8, 9, 11, 14, 24, 28, 29, 30, 41, 43, 58, 61 Through information submitted under Approval of Reserved Matters applications - DC/18/2774/ARM and DC/18/2775/ARM
- **DC/18/2774/ARM:** Reserved matters in respect of DC/17/1435/OUT - Site Entrance and Boulevard comprising the detail of the following elements:
 - The new junction with the A12
 - The entrance to the site, including the new entrance feature / acoustic bund along the A12 boundary
 - The new boulevard from the site entrance to the junction with the Eastern Spine Road
 - The new Western Spine Road and new Junction with the Ipswich Road, incorporating measures required by condition 43 of DC/17/1435/OUT
 - The Landscaping to the entrance and zone along the boulevard / spine road
 - The new Drainage to the boulevard and spine road, including pumping station off the Ipswich Road, in the Valley Corridor

○ The new incoming utility supplies along the route of the boulevard and spine road
This application has authority for approval from the Planning Committee pending final conclusion of details. This was on hold pending sale of the site to Taylor Wimpey but is due to be concluded in the near future.

- **DC/18/2775/ARM:** Reserved matters in respect of DC/17/1435/OUT: Green Infrastructure comprising the detail of the following elements:

- Main Green Infrastructure - SANG
- SANG Valley Corridor
- SANG Links to Southern Boundary
- Allotments and Community Orchards to area 5b

This application has authority for approval from the Planning Committee pending final conclusion of details. This was on hold pending sale of the site to Taylor Wimpey but is due to be concluded in the near future.

- **DC/21/4002/ARM:** Approval of reserved matters - the construction of 173 dwellings (including 80 affordable houses) together with associated works, landscaping and infrastructure for Brightwell Lakes (Phase W1) - on DC/17/1435/OUT

This application is pending consideration but has not yet been concluded for a recommendation.

- **DC/21/4003/ARM:** Approval of reserved matters - the construction of 22 dwellings together with associated works, landscaping and infrastructure for Brightwell Lakes (Phase W1a) - on DC/17/1435/OUT

This application is pending consideration but has not yet been concluded for a recommendation.

DC/21/4004/ARM: Approval of reserved matters - the construction of 119 dwellings (including 34 affordable houses), associated works, landscaping and infrastructure for Phase E1, together with details of Green Infrastructure relating to the adjoining part of the southern boundary (Ipswich Road) SANG - on DC/17/1435/OUT

This application is to be considered alongside this application by the Planning Committee South.

3. Proposal

- 3.1. This reserved matters application relates to Condition 1 of the outline planning permission – ref. DC/20/1234/VOC, which states:

Condition 1

The development hereby approved will be delivered in a phased manner in accordance with Conditions 2, 6, 7 and 9. Approval of the details of appearance, landscaping, layout and scale (hereinafter called "the reserved matters") for each phase shall be obtained from the Local Planning Authority in writing before development (except development for means of access and site reprofiling works) in the areas the subject of the reserved matters commences. Thereafter, the development shall be implemented in accordance with the approved reserved matters.

- 3.2. The site - Phase E1a - measures approximately 0.15ha in size and is located north of Ipswich Road. It is bounded by Phase E1 on the western, northern and eastern sides with a bridleway and green corridor to the southern extent of the wider phase. It comprises three dwellings with associated landscaping, car parking, access and other infrastructure.
- 3.3. The dwellings will be accessed by a private drive from the south-east corner of Phase E1 and will initially act as the sales/show home area for the wider Phase E1 development parcel.
- 3.4. It will form part of the frontage that addresses the southern green corridor, with the corner dwelling having a dual aspect to increase legibility and wayfinding across the site and increasing natural surveillance of the area. It provides a density of 20 dwellings per hectare, which is in accordance with the approved density parameter plan of the outline planning permission.
- 3.5. All three units, 2 x four-bedroom house and 1 x five-bedroom house, will be market housing, with affordable housing to be provided within the rest of Phase E1.
- 3.6. A number of planning conditions within the outline permission require the submission of details as part of/or prior to a reserved matters submission. Those that are addressed within this submission are listed below:
- Condition 8 – Character banding plan
 - Condition 10 – Access strategy
 - Condition 12 – Landscaping details
 - Condition 23 – Building materials
 - Condition 24 – Boundary treatment plan
 - Condition 25 – Recycling/bin storage plan
 - Condition 28 – Arboricultural impact assessment and tree survey
 - Condition 30 – Earthworks strategy plan
 - Condition 41 – Details of estate roads and footpaths
 - Condition 48 – Surface water drainage scheme
 - Condition 60 – Noise attenuation scheme
- 3.7. Other pre-commencement and prior-to-occupation conditions, as listed on the decision notice, will be subject to separate discharge of conditions applications.

4. Consultation

Third Party Representations

- 4.1. No third-party comments were received.

Statutory and non-statutory consultees

- 4.2. Due to the frequency of consultation throughout processing the application, all comments received are collated within one table – with the respective consultation start dates listed.

Consultee	Date consulted	Date reply received
Brightwell Parish Council	8 September 2021 13 September 2021 14 February 2022	19 September 2021
Summary of comments: "The Parish Council has no comments to make about this reserved matters application."		

Consultee	Date consulted	Date reply received
Bucklesham Parish Council	8 September 2021 13 September 2021 14 February 2022	4 November 2021 15 February 2022
Summary of comments: <u>15 February 2022</u> "No comment." <u>4 November 2021</u> "No comment."		

Consultee	Date consulted	Date reply received
East Suffolk CIL	8 September 2021 13 September 2021 14 February 2022	7 October 2021
Summary of comments: "A zero Liability Notice will be issued if the application is approved. Following this, notification of commencement of development is requested in order for a Demand Notice to be issued and any relevant land charge removed."		

Consultee	Date consulted	Date reply received
East Suffolk Design and Conservation	8 September 2021 13 September 2021 14 February 2022 24 March 2022	17 February 2022
Summary of comments: Comments incorporated within reporting.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	8 September 2021 13 September 2021 14 February 2022 24 March 2022	6 December 2021
Summary of comments: Comments incorporated within reporting.		

Consultee	Date consulted	Date reply received
Hemley Parish Council	8 September 2021 13 September 2021 14 February 2022	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Kesgrave Town Council	8 September 2021 13 September 2021 14 February 2022	27 October 2021 25 February 2022
Summary of comments: <u>25 February 2022</u> "Support" <u>27 October 2021</u> "The Planning & Development Committee wish to confirm they support Martlesham Parish Council on their constructive and detailed response to the above stated applications. The Committee would also like to highlight the observations and comments made by Martlesham Parish Council on; Construction and Deliveries Traffic Management Plan, Medical Facilities and Sustainable Transport, which are all areas that will also directly affect and impact residents of Kesgrave. We therefore we would very much welcome collaborative working between the Local Planning Authority, Suffolk County Council, the Developer and Parish/Town Councils."		

Consultee	Date consulted	Date reply received
Kirton Parish Council	8 September 2021 13 September 2021 14 February 2022	4 October 2021
Summary of comments: "Kirton & Falkenham Parish Council considered this application at its meeting in 20th September 2021 and objects to the proposals, having severe reservation about generated traffic that will put utmost strain on an already over capacity road network which relies on the main arterial roads (A12/A14) to allow cars and HGV's to travel to and from work etc. This is a peninsular, so alternative routes are unavailable as Ipswich is very quickly gridlocked. Noise, light and construction dust pollution will have a massive effect on wildlife and existing homeowners in what is a tranquil area. All surface water will inevitably flow into the Mill River and surrounding watercourses leading to potential flooding downstream."		

Consultee	Date consulted	Date reply received
Martlesham Parish Council	8 September 2021 13 September 2021 14 February 2022	22 October 2021 28 February 2022
Summary of comments: <u>28 February 2022</u> "Martlesham Parish Council (MPC) is pleased to note that the majority of trees along the Ipswich Road are to be retained. MPC would like to see East Suffolk Council (ESC) confirm that any trees		

earmarked to be removed are of poor quality. Furthermore, MPC would like to see measures put into place for dealing with watering any newly planted areas. Environmental Action Plan: Part 2 February 2022 MPC is pleased to note that further detail has been provided regarding wildlife enhancement measures. Appendix 6: MPC is pleased to note the measures proposed to ensure that lighting impact on wildlife during the construction phase is minimised and that the detailed lighting design has been produced in accordance with the relevant guidance. MPC is pleased to note the lighting design consultants have made 5 recommendations in order to minimise the effect on the southern boundaries of phases E1 and E1A. We note that:

- All lighting should be LED
- Rear shields should be used close to ecologically sensitive areas
- There should be careful consideration of column heights
- Lights should be mounted on the horizontal to avoid light spillage
- MPC would ask ESC to confirm that these recommendations are fully carried through in the detailed design proposals.

Coloured Layout PL-02-E1 Revision C MPC would like to understand the following:

- What measures will be put in place to prevent visitor parking becoming permanent parking?
- What are the arrangements for commercial van parking to ensure the overall visual amenity of the site?
- Bin collection points are now indicated, but it is unclear where the refuse storage areas are located.
- MPC would welcome detailed proposals for grey water storage and water harvesting, given that this is a water scarce area.

Detailed Soft Landscaping Proposals JBA-18/163-8,9,10,11 and 12 Revision C The revised landscaping proposals show areas to be seeded with wildflowers between the car parking and the joint cycling and walking track connecting Ipswich Road to the Boulevard. Given the density of parking provision and the narrowness of the parking access, it is unclear how this area is to be protected from unofficial parking. If a knee rail is to be provided, this is not shown in the key on the drawing. The overall visual and biodiversity impact of the proposed arrangement would be poor if these areas were to become a carpark and would lead to frustration on the part of residents and visitors.”

22 October 2021

“Overview

There is much to be welcomed in these proposals. However, the applications, which are required to prove conformity with the original outline planning permission, still lack the detail required by that original planning permission.

1. We have considered the 4 individual applications collectively and holistically.
2. Our response assumes all the pre-requisite information to the ARMS, as detailed in the Outline Planning Conditions, has been filed with East Suffolk Council (‘ESC’).
3. Our response should be read in the context of (i) these 4 applications represent only the first phase of a 17-year total build period for 2000 dwellings, (ii) our growing concern about the cumulative impact of these and all other major projects on the communities of Martlesham and Martlesham Heath as a Parish. We need to see a greater effort at an executive level across East Suffolk Council and Suffolk County Council to manage a coordinated response on these major projects which include:
 - The application for 300 houses i by the Suffolk Constabulary at its Martlesham Heath Headquarters
 - The Sizewell C application which will heavily and directly impact the A12 traffic flow at Martlesham
 - The Suffolk County Council proposed A12 improvements at Martlesham
 - The application for 47 dwellings on Black Tiles Lane ii in Martlesham
 - The Woodbridge Town FC Policy 12.25 for 120 dwellings
 - East Anglia One and Three, and the
 - McCarthy Stone Retirement Development iii
4. We believe an opportunity is being missed to create a flagship development in which the latest proven and innovative, viable, technological solutions are showcased on a scale befitting the current climate emergency and size of the development. We are very disappointed with the lack of imagination which goes against ESC’s own Environmental Guidance Note publication and the stated aspirations of the Developer.
- 2/10 5. Martlesham Parish Council (‘MPC’), along with East Suffolk Council, has declared a climate emergency. We have yet to see evidence of the Developer meeting commitments about the sustainable nature of this development, particularly with reference to their stated commitment to deliver:
 - a) Environmentally friendly house types and use

sustainable and reduced carbon footprint building methods; to incorporate building fabric first principles, bee bricks, hedgehog highways, water butts, soakaways, grey water use, etc b) Air source heat pumps or other energy efficient heating sources c) Onsite household recycling facilities d) Highspeed broadband appropriate to current and future recreational and working needs e) Reduced construction -related waste on site, and f) Build standards higher than the minimum required by Part L Building Regulations. 6. MPC would welcome further detailed information regarding the East Suffolk Council call for new buildings to be constructed to standards which exceed the minimum Buildings Regulation requirements and achieve sustainable BREEAM iv and Passivhaus standards. 7. The Developer must explain how this first phase housing will connect with existing facilities (e.g., Retail Park, shopping, medical facilities, local employment). This must be by means of connecting travel other than private cars along the A12 corridor and must be put in place before occupation of the first dwelling. 8. An air quality monitoring regime should be imposed by Planning Conditions to protect both current Martlesham residents and future Brightwell Lakes residents. The following are our more detailed comments: Construction and Deliveries Traffic Management Plan 1 We note Outline Planning Condition 18 requires an approved Construction Method Statement to be submitted in the interests of highway safety and to inform Brightwell Lake residents. We would welcome early sight of that document. 2. This development is of such significance to our Parish that we would like to see far greater involvement from Suffolk County Council Highways to ensure properly coordinated solutions to the timing of the A12 improvements, the Brightwell Lakes access works and the prolonged construction works to mitigate the general disruption, rat running and congestion that residents, old and new, will experience for the next 17 years. 3. To maintain the quality of life for all Martlesham residents, we would welcome any advisory literature produced by the Developer or the Developer's agent to be made available to all Martlesham residents going forward. We suggest this could be done through Martlesham Parish Council or through the appointment of a community liaison officer. We consider that the appointment of a community liaison officer might be an effective way to communicate details of the build as it takes place, and any implications for residents. 3/10 Connectivity 4. The Outline Planning Conditions require, before first occupation: a. Cross-site routes for cyclists and pedestrians to be identified and constructed b. Construction of the new routes to meet stated surface specifications v c. Cycle and footways. 5. MPC would welcome further detailed information regarding the connectivity plan for W1 W1a E1 and E1a for the first residents. We would also welcome further detail how the development connects with public transport and offers car share, and how the occupants of the first dwellings will walk or cycle to the Martlesham retail park and employment areas. If sustainable transport is to be encouraged, it is essential for the construction of accessible, safe, well-lit connecting footways and cycleways to local facilities from the outset. Medical Facilities 6. According to the timeline anticipated by the Developers, the first legal completion date is anticipated to be February 2024. This means that medical facilities to serve the first residents will be required to be in place within 2 years. The S.106 Agreement Schedule 9 Health Centre paragraph 1, requires the Developer "1.1 To (a) provide the Health Centre on Site, or (b) pay the Health Centre Contribution to the District Council in accordance with the terms of this Schedule." 7. Our own position on this matter is clearly stated in the Martlesham Neighbourhood Plan, paragraph 4.22: "the Parish Council will continue to work with all relevant parties to try to ensure that any new surgery provision which serves all or part of the community in the Neighbourhood Plan Area complements rather than displaces the existing one, or in the event that a new replacement health facility is required, that it is located as centrally as possible such that it has good sustainable access for all users including those who walk, cycle, or use mobility scooters." 8. Martlesham Parish Council would advise early and inclusive discussions about medical provision for the first residents of Brightwell Lakes, noting that the present Martlesham Heath Surgery is capable of expansion to meet future needs. Air Quality Control 9. MPC has 2 areas of concern (i) dust suppression during construction work, and (ii) air quality changes arising from the new road

scheme and increased stop /start traffic etc leading to increased levels of NOx pollution and particulates. 10. We would welcome further detail concerning any proposed mitigation. We suggest the first issue could be addressed with the installation of specific construction dust measurement stations, ideally at Lancaster Drive being the closest residential point to the A12 and the site. The second issue might be addressed with the re-instatement of a diffusion tube to measure NOx levels in the Lancaster Drive area. One was put in at Lancaster Drive a few years ago but has been removed. 4/10 11. Given the huge amount of activity (traffic, industrial and housing) focussed on Martlesham, the cumulative effect of the many major infrastructure projects affecting the Parish, Martlesham should feature as an air quality measurement and management area in its own right. 12. We wish to encourage effective gathering of information regarding particulate levels. 13. MPC would welcome Planning Conditions which address:

- A coordinated air quality monitoring and management system to be implemented before, during and post construction
- Martlesham to feature as an air quality measurement and management area in its own right
- Greater consideration given to applying the ESC Environmental Guidance Note and ESC Air Quality Strategy vi through Planning Conditions
- An obligation to regularly consult and update Martlesham Parish Council on air quality measuring
- The specific measurements are fed into the East Suffolk Council Air Quality Annual Status reports to measure trends, and
- To make available to the public, information on the air quality target levels and actual measurement levels of particulates in the area.

Housing Mix and Tenure 14. Whilst we note the overall one third target for affordable housing vii is achieved across the 4 applications, we would prefer a consistent percentage of delivery of affordable housing to be applied throughout the whole of the Brightwell Lakes project. This is for 2 reasons (i) to accommodate what is a constant level of demand for affordable housing, and (ii) to encourage social mixing and cohesion within each phase of the development, and as a whole. We would like to see a mechanism in place to preserve a stock of affordable housing over its 17 years build out period. 15. We express a deep concern that East Suffolk Council will not be applying the Government's First Homes Policy to this development viii . 16. The opportunity to include provision for sheltered and extra -care housing has not been identified in this phasing. MPC would welcome further detail about exactly how this is to be factored in to later phases. 17. Due to the demand for downsizing within an ageing population ix we would like to see smaller properties throughout the development delivering against a need as identified in paragraph 5.38 of the Local Plan: "overall there is a need for all sizes of property and that across all tenures there is a need for at least 40% to be 1 or 2 bedroom properties. Consultation feedback suggests a relatively high level of demand for smaller properties, particularly those to meet the needs of first time buyers or those looking to downsize. At present, around 30% of all properties in the plan area are 1 or 2 bedrooms, and therefore the need for 40% of new dwellings over the Plan period should not be underestimated. To ensure that smaller properties are delivered, and in particular recognising the issues around affordability and the potential demand for properties for downsizing due to the ageing population, a particular focus on smaller properties has been identified." 5/10 18. SCLP 5.9 states all developments with 100 or more dwellings, will be expected to provide a minimum of 5% self or custom build properties on site through the provision of serviced plots. The opportunity to include provision for self-build and/or custom build properties has not been identified in this phasing. MPC would welcome further detail about exactly how this is to be factored in during later phases. Building Design and Materials 19. We look forward to the Developer fulfilling its commitments: "When it comes to Brightwell Lakes, our ambition is to create a new community that has its own identity. Rather than a uniform design code there will be different character areas as you move through the development to create a sense of place. The open spaces, community buildings, and heritage assets will also help give the development several key points of reference. Three storeys will be the maximum storey height for phase one" 20. We welcome the design delivered through character bands, in particular the choice of materials used for the shared spaces with its block paving,

narrow streets and speed bumps, all of which should delineate shared spaces, and which should reduce traffic speeding within the development. 21. The Developer has advised us in correspondence: "Taylor Wimpey Homes are built to beyond current Building Regulations standards in terms of their u-value performance (heat retention). As such the homes reduce heat loss and reduce energy demand on heating, which is better for customers and the environment. By choosing a 'fabric first approach' the homes' envelope is improved. In instances where Building Regulations dictates, [our emphasis] renewable technologies such as Photo Voltaics (PV) can be added to the roof to generate electricity during the day which can be used towards powering the home. In addition, 'Waste Water Heat Recovery' can be used which is a means of pre-heating water with the water going down the plughole" and "At present, the infrastructure supporting ground-source heat pumps is not developed enough to support the new community at Brightwell Lakes. We will look to use emerging, efficient technologies to support the electricity needs of future homes. Taylor Wimpey is however looking to exceed building regulation requirements and those of the outline permission when it comes to the energy efficiency of the homes" 22. We welcome every effort to exceed regular build standards. The Developer's above stated approach appears to solely deliver innovative design where Building Regulations dictates. We note the Developer offers what can be done, not necessarily what must be done. We note the Developer refers to future housing. This development is a significant contributor to the future of housing in Martlesham. 23. We note x East Suffolk Council has stated new build developments should consider construction standards that exceed the minimum Building Regulation requirements achieving sustainable BREEAM (Building Research Establishment's Environmental Assessment Method) and Passivhaus energy saving standards. 6/10 Broadband Provision 24. We note high-speed broadband provision (fibre to the properties) is not mentioned in these applications. We recommend this is incorporated as it is essential to modern life, home working and local internet-based enterprise. Parking 25. MPC would welcome further detail about how electrical charging points and evolving electric and hydrogen vehicle technologies are to be provided. These aspects were raised during the Developer's webinar, 7th July 2021, and assurances were given on behalf of the Developer that these technologies were being investigated and sustainable solutions being sought. 26. We note visitor parking spaces are located opposite houses. Anecdotal evidence from Martlesham Heath suggests single visitor spaces, as incorporated here throughout Phase 1, tend to be "adopted" by the nearest resident which causes friction amongst residents. It would be better to cluster visitor spaces. 27. MPC would like to see allocated courtyard parking designed to avoid leaving a natural play area in the middle, with the potential for children playing football in the midst of parked cars. We would like to see smaller clusters of car parking spaces and ideally, provision of safe, small, play areas so that children can play close to and within view of their house or apartment without causing a nuisance to vehicle owners. 28. We are concerned that hard-surfaced courtyard parking spaces can potentially create an acoustic problem where sound reverberates off the surrounding buildings and the car park surface. We would welcome further mitigation detail on noise dampening surface materials. 29. Experience within our Parish suggests there is an increasing need for people to be able to park commercial vehicles at home. We would therefore like to see consideration being given to providing some convenient communal space for such vehicles. It is unclear whether the courtyard parking facilitates van parking and caravan parking (if indeed this is permitted). With the Covid pandemic encouraging staycations, unauthorised caravan and boat parking could be an issue in future. 30. We note the lack of private driveways. This has the potential to exacerbate on-road parking and detract from the parking plans envisaged. 31. MPC would therefore welcome the following parking planning conditions: • Where individual unallocated visitor spaces are provided, these should not be adjacent to individual houses, rather they should be in a separate cluster • Where car ports are provided instead of garages, alternative storage provision should be no smaller than say 2/3rd of a single garage in size, appropriate to the size of house • Courtyard parking spaces should be wide enough to

discourage parking across two spaces • More soft landscaping should be incorporated in the courtyard parking areas • There should be some communal parking spaces to facilitate larger vehicles • Incorporate vehicular charging points on street lighting columns, and • Regulate parking through restrictive covenants for the benefit of all the residents. 7/10 Noise Mitigation 32. We note Outline Planning Condition 60 and paragraphs 5.33 – 5.42 of the Developer’s Reserved Matters Planning Statement. We note that upgraded ventilation and glazing will be incorporated in the build design to make the dwellings fronting the A12 and Ipswich Road noise compliant, and that careful consideration has been given to internal room orientation and layout, and that the noise studies have been completed. 33. We ask that all noise should be tackled at source. Further, that the Developer’s studies on noise take in to account future traffic noise from the A12. We draw attention to the Sizewell construction period of 20 years (a decision whether to proceed is expected by 14th April 2022), with its predicted additional movements of up to 1400 HGVs and LGVs along the A12xi, ambient noise from an occupied site, the increased noise from the construction of the site and noise from the speedway track to the south of site W1 (clearly visible on online satellite views). The speedway noise carries over a wide area and will be intolerable for residents living close by. The hours of use appear to be unregulated. Currently noise from the speedway track can be heard throughout the Parish. 34. MPC would welcome the following planning conditions: • That any noise attenuation scheme takes in to account these additional noise sources and contains a mechanism to mitigate any noise test failures • That the Local Planning Authority liaises with Suffolk County Council to take this opportunity to upgrade the A12 using quiet road surface technology to abate the road noise from current and future traffic affecting the site. This has been done recently with sections of the A14, and • Noise measurement at source to monitor the noise of the A12 and Ipswich Road throughout and beyond the Phase 1 construction period. Sustainable Transport 35. Outline Planning Condition 26 was imposed to ensure residents have storage for bicycles as an integral part of a sustainable transport system. We welcome the provision of secure cycle stores within most garages or gardens, in addition to communal cycle stores for the apartments. It is unclear whether the communal cycle storage and garden cycle stores will be sensor-activated lit facilities. 36. MPC would welcome the following planning conditions: • Provision of cycle and mobility scooter storage in a timely manner preferably before first occupation • Dropped kerb provision at major intersections to assist pedestrians, cyclists and mobility scooter users to cross roads • Wherever possible, physical separation of cyclists, scooter and pedestrian routes from vehicular traffic and from one another, and • Links to the wider cycle network should be comprehensive and in place prior to first occupation of the first phase delivered be it Phase W1 W1a E1or E1a. 8/10 Refuse Strategy 37. We would like to see communal recycling facilities provided as the development progresses. 38. In each of the Design Compliance Statements, the Developer provides a refuse strategy plan. It is unclear whether these plansxii constitute the entire refuse strategy. If so, these do not provide sufficient detail to assess the adequacy of the strategy. If not, we would welcome clarification which documents do comprise the full strategy. 39. We say this because there does not appear to be a refuse storage plan as required by Outline Planning Condition 25. A lack of an adequate, appropriate, dedicated, refuse storage space for the days between refuse collection, can easily and greatly detract from the predicted street scene. 40. MPC would welcome the following planning conditions: • Establish and name the documents comprising the refuse strategy • Ensure the refuse storage plan works for private dwellings • State how the Developer intends to reduce waste on site • Mark out ‘wheelie bin storage’ spaces to discourage bins being left in parking spaces and on the street, and • Ensure the collection and storage plans comply with the new Environment Act and the 2021 Waste Management Plan for England xiii . Landscaping and ecology 41. In line with the current thinking on the preservation of dark skies xiv and ESC Policy SCLP 10.4, we note the site is adjacent to the Area of Outstanding Natural Beauty and the River Deben Special Protection Area, Site of Special Scientific interest and RAMSAR sites, and we would welcome early sight of the

development lighting plan. We invite the inclusion of the latest lighting technology for the courtyard lighting and street lighting to mitigate light pollution and to preserve the existing dark skies. 42. We note there will be a tree lined boulevard, said to provide a sense of enclosure with the help of density, scale and massing. xv Especially in the high-density areas of W1 and W1a behind the boulevard, more could be offered by way of landscaping. We question whether the current landscape plans will deliver the street scenes as depicted, front or rear. 43. We draw attention to Outline Planning Condition 12 which requires a planting schedule for private dwelling front, rear and unenclosed side gardens. We would welcome more native tree species being planted, including in gardens (provided they are appropriate to the size of garden and a suitable species). A variety of native, climate resilient, tree species will improve the back garden street scene and break up the courtyard parking scene. Back street scenes are important contributors to good design; they are equally important as the front street scenes, the estate entrance and boulevard design. 44. The Developer has advised us that “Beyond the home, Taylor Wimpey has a sustainability strategy for the introduction and safeguarding of wildlife which goes beyond Local Authority Requirements. Provision of increased numbers of Bat and Bird Boxes, Hedge Hog Highways (provision of holes in fences 9/10 to create a network of foraging routes) as well as a focus on biodiversity Net Gain amongst others” We welcome this ecological sustainability and wish early sight of the Developer’s biodiversity strategy and climate change targets as mentioned by the Developer in its presentation on Friday 15th October 2021. We wish to see the strategy being delivered in practice. We would also invite the inclusion of swift bricks in to the palette of build materials. 45. We note the phasing timings within Condition 9 of the Outline Planning Permission and request the Planning Authority monitors them. 46. MPC would welcome the following planning conditions: • The inclusion of a lighting policy befitting the special landscape character of the development • The inclusion of scattered orchards • Incorporating swift bricks • More tree planting, including those of a suitable species and appropriate to the size of garden, in more small planting spaces • More soft landscaping to improve the courtyard and back street scene, and • A full set of habitat conditions. Water Supplies 47. This is a water-scarce region. Therefore, we would like to know the strategy to preserve the water supply interests of current residents. We would like to draw attention to the fact that some residents and businesses within the Parish currently rely on ground water supplies from bore holes and wells. 48. We would welcome further detail of how it is proposed individual householders will collect and harvest their own water. Management of the community space 49. Ongoing management of the communal assets and space is important to the current community as well as the future community. Outline Planning Condition 20 requires the detail to be included in the Welcome Pack. We would welcome the detail of the management plans being made available at this Phase. The community spaces could be adopted by the Local Authority, or the Parish Council might consider doing so should the funding and conditions be agreed. Alternatively, a management company could be appointed, although residents would need the means and encouragement to take over the company. Conclusion 50. Thank you for taking our observations and recommendations into consideration. We trust they will be read in the spirit of constructive input with which they are intended. There is much to be welcomed in these proposals, and Martlesham Parish Council looks forward to working closely and collaboratively with the Developer and the Local Planning Authority.”

Consultee	Date consulted	Date reply received
Melton Parish Council	8 September 2021 13 September 2021 14 February 2022	9 September 2021
Summary of comments: “Melton Parish Council Planning and Transport Committee considered this application at its meeting on 8 September 2021 and has no comments to make.”		

Consultee	Date consulted	Date reply received
Newbourne Parish Council	8 September 2021 13 September 2021 14 February 2022	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Rushmere St Andrew Parish Council	8 September 2021 13 September 2021 14 February 2022	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	8 September 2021 13 September 2021 14 February 2022	2 December 2021
Summary of comments: “Archaeological work has been secured on the site through conditions on the outline consent (DC/17/1435/OUT), and a mitigation strategy. We therefore do not have particular comments on the reserved matters applications for the areas in question save that work is undertaken in accordance with the strategy/conditions. However, we would echo the comments provided by Historic England in response the consultation, regarding consideration/safeguarding of designated and non-designated heritage assets through the CMP etc.”		

Consultee	Date consulted	Date reply received
SCC Ecology	8 September 2021 13 September 2021 14 February 2022	9 September 2021 13 September 2021 14 February 2022
Summary of comments: “Unfortunately, we are unable to look at such applications in detail so we have set out our general advice below. Information submitted: We fully expect that any necessary Ecological Surveys and Reports have been carried out in accordance with BS42020 and CIEEM Report Writing Guidelines, by a Suitably Qualified Ecologist using best practice methodologies and at an appropriate time of year. Field and desk-top survey results must be adequate and up to date in accordance with Natural England Standing Advice, provide a summary of all species and habitats likely to be affected by the proposals, and any ecological constraints should be clearly identified. Likely ecological effects: The application must describe all likely impacts on Protected and Priority		

Habitats and Species, to include assessments on the significance of any potential impacts, whether they are capable of being mitigated and whether the mitigation hierarchy has been applied. Use of the Mitigation Hierarchy: It is essential that any work, including cutting back or removal of ecological features (such as – but not limited to - trees and hedgerows) follows the following protocol: Avoidance Mitigation Compensation Enhancement Avoidance: Strenuous efforts must be made in planning any project or development to avoid loss or damage to any ecological feature. These features are valuable in so many ways, not least in the ecosystem services that they offer. Mitigation: If removal or cutting back of any feature is the only option available, then harm must be mitigated by undertaking the appropriate surveys for, e.g., breeding birds, bat roosts or other Your Ref: DC/21/4005/ARM Our Ref: SCC/ECO/090921/SP Date: 09/09/21 Enquiries to SCC Ecology Email: ecology@suffolk.gov.uk 09 September 2021 East Suffolk Council Suffolk House Station Road Melton Woodbridge IP12 1RT essential bat habitat, floral interest and so on. Surveys must meet the appropriate guidelines for best practice (see, e.g., CIEEM website) and be carried out by suitably qualified and experienced personnel. The application must explain how mitigation will address the likely impacts of the proposal and identify key timing issues to protect biodiversity that may constrain the development. Mitigation proposals must be robust and likely to be effective. It is expected that detailed mitigation proposals will be secured through appropriate planning conditions e.g., a Construction Ecological Management Plan (CEMP) and the long-term management secured by way of a Landscape and Ecological Management Plan (LEMP). Compensation: The loss of any natural feature must be compensated for. This means that, for example, if there is no alternative to removal of a mature tree, at least three appropriate (suitable species and provenance) trees must be planted elsewhere, as close as possible to the removed feature, two such trees for an immature specimen and one-for-one for saplings. Enhancement: It is a SCC requirement that all projects and developments deliver Biodiversity Net Gain. The site must be surveyed to establish a baseline (and all data sent to Suffolk Biodiversity Information Service, SBIS) and a Landscape Plan provided showing how Biodiversity Net Gain will be achieved. Such a plan must also show full details of monitoring and maintenance (including replacement where necessary). By following the mitigation hierarchy set out above, it is to be hoped that developments will be delivered in the most sustainable way possible, always seeking to deliver the maximum gain for our wildlife and habitats as they are so vital to our health and wellbeing and an essential tool in tackling the declared climate emergency. Legislation: The application must justify how the proposals are in accordance with the relevant wildlife legislation, which is extensive and far reaching and the penalties for failing to abide by it are most serious. Biodiversity Net Gain We fully expect any proposed development to result in a Biodiversity Net Gain as stated in Section 15 of the National Planning Policy Framework (HM Government, February 2019). Conclusion/Recommendations: It is essential that the mitigation hierarchy protocol is followed, to protect and enhance biodiversity. We fully expect any proposed development to be compliant with all relevant legislation and to result in a Biodiversity Net Gain as stated in Section 15 of the National Planning Policy Framework (HM Government, February 2019)."

Consultee	Date consulted	Date reply received
SCC Highways Department	8 September 2021 13 September 2021 14 February 2022 24 March 2022	5 November 2021 2 March 2022
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	8 September 2021 13 September 2021 14 February 2022	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	8 September 2021 13 September 2021 14 February 2022 24 March 2022	27 October 2021
Summary of comments: Comments included within reporting.		

Consultee	Date consulted	Date reply received
Waldringfield Parish Council	8 September 2021 13 September 2021 14 February 2022	22 October 2021 1 March 2022
<p>Summary of comments:</p> <p><u>1 March 2022</u></p> <p>"I have been examining available landscape drawings looking for any sign of changes to increase biodiversity of the proposals. The only new drawing relevant to landscape appears to be: JBA Soft Landscape Proposals 24.01.22 amended to new layout. This shows part of the east site. It does not have a schedule of plants but I assume this is the same as on the previous version and all planting appears as before. My criticisms are: 1 Not enough trees: Canopy deficiency Small number of trees which are mostly narrowly fastigate trees offering little canopy. Tight planting of ornamental hedges round all housing necessitating frequent trimming. No groups of native trees and shrubs. The drawing only shows a part of the East site so I assume the remainder is unchanged. 2 No relevance to local species: biodiversity deficiency The planting schedule is all as before therefore all the comments I made in the response of 22/10/21 still apply. Please note that Taylor Wimpey 'Strategy' states: "All new sites have planting that provides food for local species throughout the seasons" as quoted in the document from ecologists SES Part 2 environmental action plan. This strategy is not complied with in that few of the planted species will provide food for native species. Natural England comments Also I would draw attention to the comments from Natural England which makes many of these points on page 2 of its letter of 11 October 2021, plus a lot more, under other advice, Landscaping, and which I wholly endorse. "2) Other advice In addition, Natural England would advise on the following issues. Landscaping The detailed landscape proposals indicate a large number of ornamental shrubs/trees which have little value for native wildlife. Ideally planting within residential areas would maximise benefits for biodiversity. Opportunities for enhancement might include: • Planting more trees characteristic to the local area to make a positive contribution to the local landscape. • Using native plants in landscaping schemes for better nectar and seed sources for bees and birds". This would require a re-think of the layout as in the current design no room is left for wildlife apart from narrow strips between hard areas. Biodiversity here seems to be providing a lot of boxes but little 'natural' habitat. 3 No trees or climbers within gardens and none (apparently) to be offered In conclusion The canopy effect will</p>		

be very sparse even if all the trees grow to maturity. The 5m circles indicated would not be achieved with these narrow growing species so they are misleading. There is no relationship between the coastal location in Suffolk, with low rainfall and extremely sharp drainage, and the proposed vegetation on site. These proposals could just as easily be in any county in England. There are few 'native species' included and these are clones or varieties not the native growing ones e.g. clones of field maple and birch. In all the plans are not relevant to current thinking regarding tree canopy to help modify climate and provide shade and belong in the days when stretches of massed ornamental shrubs were carpeted out in housing areas."

22 October 2021

"We would like to thank the officers from ESC and the representatives of the applicants for organising and attending the two virtual meetings held on October 15th. Both meetings were extremely helpful. Most of the issues we wish to raise apply to each/all of the applications listed above and this response is sent in respect of each of the 4 ARMs. Our comments are based primarily on assessing the information included in these applications against conditions in the Outline Planning Permission DC/17/1435/OUT. We have arranged our comments by topic. 1. Access The applications include statements that are ambiguous and in some cases contradictory, here are some examples: "The main access to the Site is from Ipswich Road located on the southeast. A further vehicular access is proposed from the Boulevard Spine Road which links to the main access via the proposed primary road." (DCS Phase E1, §3.13). (Our emphasis). It is not clear from the above paragraph whether the reference to the "Site" relates to the entire Brightwell Lakes site or just the area of phase E1. Also it doesn't specify if the access to Ipswich Rd is the East Ipswich Rd access or the West Ipswich Rd access. "The main vehicular route into Phase E1 is located on the south-east providing access to Ipswich Road and the wider highway network. A secondary access is to be created from the Spine Road ..." (Phase E1 Planning Statement, §3.3) (Our emphasis). In more recent discussions with the applicants we have been informed that "Once occupied, residents will only be able to access the site via the new A12 junction and the Eastern Ipswich Road access points." (Our emphasis.) Is this the entire Brightwell Lakes site or just the area of phase E1? "Alongside new point of access which in the short term will provide a temporary exit route for construction traffic but over the lifetime of the development be converted into an emergency access point only." (Phase E1 Planning Statement, §5.59) (Our emphasis). Subsequent discussions with the applicants indicated that the above paragraph is referring to West Ipswich Rd access but this is not clear from the statements in the ARMs. Is this to be seen as VOC of Condition 43, or is it an error? We would ask that the ARMs are amended to ensure that there is complete continuity and consistency across all the statements on the matter of the access routes within the ARMs in order to comply with outline planning consent conditions and avoid misunderstandings/confusion. The outline planning permission is clear that the primary access point is to be a new traffic signal controlled 3 way junction on the A12 between the existing Foxhall Road and BT roundabouts. Two secondary access points are proposed onto the Ipswich Rd. 2. Charging Points for Electric Vehicles The move towards electric vehicles (EVs) has accelerated considerably since the outline planning consent in 2018. The UK Government intends to pass legislation (which will come into law in 2022) which will mandate EV charging points on all new buildings: "We will publish our consultation response on requiring all new residential and non-residential buildings to have a charge point, and we intend to lay legislation later this year," (Department for Transport Minister Rachel Maclean. <https://earth.org/uk-to-be-first-country-to-require-new-homes-to-have-built-in-ev-chargers/>) We are not planning lawyers but this would seem to override the now outdated planning condition 64. "Prior to the submission of the 1000th dwelling for layout reserved matters approval, an electric vehicle charging strategy shall be submitted" (Planning Condition 64). Even without the anticipated new legislation this planning condition has been overtaken by the rapid development of technology and sales and is now in

conflict with: “ESC Policy SCLP7.2. c) Proposals involving vehicle parking will be supported where they take opportunities to make efficient use of land and they include: c. Appropriate provision for vehicle charging points and ancillary infrastructure associated with the increased use of low emission vehicles;” This is referred to in the both the E1 and W1 Planning Statements, §4.18. However, there is no mention in any of the four ARMs of charging points for electric vehicles, either attached to the houses or in the parking courtyards, or on the street. Given that all new cars sold from 2030 onwards are to be EVs, it is essential that all homes and all parking courtyards have EV charging points. If the charging strategy (let alone the actual charging points) is delayed until plans for 1,000 houses have been submitted, that will be far too late. What would happen to the plots that have already been built? Either they would be left without public charging points, or charging points would have to be retro-fitted, which would be disruptive and expensive. We appreciate there are complications with management companies and a rapidly changing technology, and that charging points are covered by building regulations rather than planning, but feel that a general statement of strategy from both ESC and the applicants would be helpful.

3. Street Lighting There is no mention of street lighting and the need to avoid light pollution. There are some welcome statements in the Environmental Action Plan, Appendix 6: CEMP Ecology Method Statements, Protection from lighting disturbance, but this is solely about the construction phase (CEMP = Construction Environmental Management Plan). Following subsequent discussions with the applicants we understand that the details of the external lighting will now be submitted as an addition to the ARMs to comply with condition 61 “As part of each layout reserved matters application, details of external lighting to be installed ... shall be submitted to and approved” (Planning Condition 61) We would ask that consultees are given the opportunity to comment on these later submissions.

4. Construction Phases Apart from the ecological constraints described in the CEMP, there doesn’t seem to be anything about how the construction phases will work. How will the building materials, lorries, diggers, etc. access the site? What volume of construction traffic is predicted along the Ipswich Rd for the two main phases (E1 and W1)? Is the A12 access to be used for construction traffic? We appreciate that prior to any development taking place a Construction Method/Management Statement will be submitted for approval (Planning Condition 18), however it would be useful to have answers to these questions this stage, as they will have a profound impact on the traffic on the Ipswich Road and therefore on the residents of Waldringfield. We would like assurance that the public footpaths running along the south sides of both sites, E1 and W1 will remain open during construction.

5. Car Parking Since the tertiary roads within the phases are so narrow, it is essential that sufficient off-street and on-street parking laybys are provided, to prevent parking in the roadside, potentially blocking the road. We would ask for the parking provision to be broken down and shown by ARM areas rather than for the whole site. The off-street parking courts in the private parking areas appear to be isolated from the dwellings they are serving, and in many cases these areas are bordered by garden fences/hedges etc and so are not overlooked by the residents of the dwellings. We are concerned that, because of this layout, getting from the parking bay to the front door could be intimidating and possibly dangerous at night, particularly for women. We would wish to see the detailed lighting plan for these areas included in the plans to be submitted under item 3 above.

6. Energy Efficiency There appears to be no mention of the energy efficiency of the houses. Given that the Government is legally obliged to reduce the UK’s greenhouse gas emissions by 68% by 2030, and that housing contributes 18% of the UK’s emissions, it is essential that all new homes are built to the highest possible standards of energy efficiency. Will the houses have loft insulation? Cavity wall insulation? Double or even triple glazing? Solar PV panels? Heat pumps?

7. Phasing and Timing Although a phasing map is provided, there are no accompanying dates or even approximate timings. Some timings have been provided elsewhere, for example in the slides which were presented to the Brightwell Lakes Community Forum in June 2021, but without this information in the ARMs it is difficult to get a clear picture of how these four phases fit in to the bigger picture. We ask to be

provided, as part of the ARMs, a timing sequence of the start and completion dates of: • Ipswich Rd access West • Ipswich Rd access East • A12 junction • ‘Spine’ road (boulevard) • Phases W1, W1a, E1 & E1a • SANG (various areas) 8. Previously submitted but undetermined ARMs We understand from subsequent discussions with the applicant and ESC that the applicants are currently reviewing/amending the two extant ARMs DC/18/2774/ARM (infrastructure) and DC/18/2775/ARM (SANG), and that these revisions will shortly be submitted to ESC. We ask to be notified and invited to comment on the changes. 9. Phase E1a The Phase E1 Landscape Masterplan (JBA18/163-SK02) clearly shows the E1a area covering 9 houses, whereas all the other plans show E1a covering a much smaller area of just 3 houses. We have learnt in subsequent discussions that E1a will now consist of just 3 show houses. 10. Landscaping & Arboriculture WPC’s Tree Warden has submitted comments on the landscaping and arboriculture aspects separately, and WPC fully endorses these.”

“Waldringfield tree warden’s comments on the submission for Brightwell Lakes Phases E1, W1, E1a and W1b

1 Overall concept The phases here detailed are residential developments, the first four areas of the several required to complete the site. The layout of these is necessarily quite tight incorporating houses and flats, garages and parking spaces, cycle storage, footpaths and roads. There are few opportunities left for landscape planting of trees, hedges, shrubs and herbaceous material, and grasses. However where these exist they have not been used to their full advantage.

2 Wildlife corridors Although mention has been made of wildlife corridors in past documents these now seem to consist almost entirely of the peripheral bridleways which are already in existence for the main part and the necessary open spaces or SANGs including the main one around the lake not yet fully designed. There is no attempt to take the wildlife corridor into the housing development where it might link up with gardens. In these layouts gardens do not back onto open areas but very largely onto other gardens meaning they are surrounded by tall (1.8m) grey closeboard fencing. The back gardens are turfed. There are no trees or climbers in the gardens whatsoever native or otherwise (see condition 12).

3 Proposed Trees Proposed trees are spaced 15m apart along both sides of main access roads. Trees within the development are a mere sprinkle. There are no groups of trees of different sizes and species. There are many dwellings within the development where there will not be a single tree visible from a window until residents (hopefully) start to plant them.

4 Tree canopy on maturity On the planting plan all proposed trees of whatever species or initial planting size are shown as circles of diameter 5m. It is not known at what stage of their development they are meant to be illustrated. However many are very narrowly fastigate trees. These are suited to restricted spaces such as city courtyards. There is a lot of the upright growing field maple *Acer campestre* Streetwise. This is predicted to reach a diameter of 3m after 25 years (using data from Hillier Nurseries). *Carpinus betulus* Franz Fontaine will reach 2.5 crown diameter, ornamental cherry *Prunus Amanogawa* only 1m wide after 25 years. Fastigate birch may make 1.5m wide spread and *Pyrus Chanticleer* (ornamental pear) 3m. Therefore all of these will be much narrower columns than shown on plan. Only *Acer Elsrijk* may reach 6m after 25 years and Liquidambar is predicted to reach 5m diameter. The others would be much smaller than the circles shown on the plans, half as big or less in some cases. These severely upright trees cast less shade, and are mostly without the contrast of more spreading forms as shown on the optimistic illustrative sections. They will not provide much leafy mass to complement the buildings. The exception Silver Birch is a native tree but shortlived. It has a limited lifespan of 60-80 years. There are very few shown although these are very good for wildlife supporting many insect species.

5 Species of trees selected The cultivar of Field Maple Streetwise is a clone. Therefore although providing food for wildlife in the seeds and leaves they are identical genetically which would mean a disaster if a disease struck. All the cultivars are genetically identical so similarly the cultivars of Hornbeam would be identical with each other. Among the tree species represented there are no oak, which is the main forest tree in this area in the woods bordering the larger overall site to the

north and west. There is no hazel, no willow, no holly and in fact there are no native shrubs whatsoever. It seems that the wildlife travelling through will not find much sustenance. There are no pines to tie in visually with the existing tree belt of Austrian Pine, with one exception.

6 Survival of trees This area has had severe droughts in the past few summers and these very tall rootballed specimen trees are going to need plenty of watering. Generally, smaller trees survive better. No watering system is specified. Either an underground fitted irrigation system or a water bag to deliver water over a period may be necessary to combat drought and see the survival of these trees. Examples exist nearby of tall specimen trees planted and subsequently dying in numbers (e.g. Silver Birch at BT Adastral Park) Liquidambar is a fine tree from North America. It prefers a well drained but moist soil.

7 Shrubs: maintenance All ornamental, these are planted in 1m wide bands around the housing. They are maintained by the contractor in the first year. After this there is no management plan that we know of so far. Do the residents clip them? There are topiary yews and bay in pairs at several of the entrances. Are these maintained by the resident or visiting contractors? This seems rather a quirky idea. If contractor, they may end up like the planting at nearby Martlesham Heath Retail Park which is all cut by hedge trimmer to the same height, often removing flowers and berries. Most of these shrubs will outgrow their position if not carefully maintained.

8 Use of poisonous shrubs There are quite a lot of varieties of spindle (*Euonymus*) in the planting which is close to footpaths and house frontages. The native spindle is highly poisonous in all parts. These foreign relatives of it are also marked as injurious, may cause skin irritation. It is used very widely throughout the site in many cases close to where pedestrians will walk and ultimately the residents may decide to cut these themselves and would have to handle the foliage.

9 Non-native shrubs The Taylor Wimpey Environmental Strategy states that 'all new sites (will) have planting that provides for local species throughout the seasons'. None of the many thousands of shrubs or hedges is a native species. While many have flowers and berries which may support our wildlife – *Choisya* and *Hebe* for example are good for bees when in flower – generally they are planted for their decorative foliage and do not provide 'food and shelter' for wildlife throughout the site. While not expecting a design with entirely British wild plants it is as though these have been excluded entirely.

10 Basin (in E1) This damp area receiving drainage from the swales is to be sown with a wetland wildflower and grass mix. It could be enhanced by adding a few groups of shrubby willows, dogwood and/or alder. This would increase its wildlife potential greatly.

11 Swales These are part of the Suds system and could provide useful habitat if they are maintained with the longer grass and flowers cut on a less frequent programme as described. The swales, about 8m long, are meant to be surrounded by shorter grass it would appear. I have not found a section drawing showing the depth and slopes of the swales.

12 Private gardens These are to be turfed and surrounded by fencing with no further planting.

13 Suggestions for greening the site A number of fairly easy things could be done to improve the appearance and wildlife potential of the new residential areas:

13.1 Residents with gardens could be offered a choice of small trees to plant in their gardens, such as Rowan, Crab Apple, Cherry Plum or varieties of domestic apple which would attract birds and bees into their gardens at the very least and soften the overall effect of the stark closeboard fencing.

13.2 Residents could also be offered a climber to go on their fence with a trellis attached for them (less work than clipping topiary) such as a climbing rose, clematis or honeysuckle, or an ornamental ivy, which they could select from. These would all provide nesting sites and soften the appearance of so many fences.

13.3 Street trees which are 15m apart could be at least doubled in number and do not have to be entirely fastigate. The narrow forms suit tight spaces, they are not necessary where the trees have plenty of space all around them. Whitebeam, Rowan, Crab apple, Wild Pear and larger growing trees such as Wild Cherry, Small Leafed Lime, Oak and Scots Pine could be placed where space permits.

13.4 Native hedges could be incorporated in some areas including fruiting plants for wildlife such as hawthorn, elderberry, dogrose, cherry plum, dogwood, holly, which all grow in the area.

14 In conclusion The plans are disappointing on a number of fronts. Wildlife and nature seem to have been far from the minds of whoever drew up

the plans. The canopy effect will be very sparse even if all the trees grow to maturity. There is no relationship between the coastal location in Suffolk, with low rainfall and extremely sharp drainage, and the proposed vegetation on site. These proposals could just as easily be in any county in England. There are very few native species included.”

Consultee	Date consulted	Date reply received
Woodbridge Town Council	8 September 2021 13 September 2021 14 February 2022	7 October 2021 2 March 2022 8 March 2022

Summary of comments:

8 March 2022

“It was agreed to make No Comment on this application.”

2 March 2022

“It was agreed to make No Comment on this application.”

7 October 2021

“In July 2017 Woodbridge Town Council recommended refusal of application DC/17/1435/OUT due to concerns about the suitability of the site for development and the likely negative impact to the already congested A12 at Martlesham which is the primary access route for Woodbridge residents and visitors travelling to and from the south and west. Four years on, with extensive further retail and commercial development east of the A12 north of this development at Martlesham Heath Business and Retail Park, we have reviewed that position in the light of the four applications DC/21/4002-4005/ARM . Woodbridge Town Council consider that the mitigation proposals contained within the applications for managing and minimising traffic flows to and from, as well as within this development are inadequate both in terms of extent and timetabled implementation strategy during the stages of development of the land south and east of Adastral Park. Our concerns are exacerbated by the expected increase in traffic movements on the A12, up to around 2036, as published by the Applicant for Sizewell C at the for Sizewell C DCO Examination. Woodbridge Town Council ask that, if ESC is minded to approve the applications, ESC require prior to approval further details on how the Applicant will encourage non-vehicular and public transport movements of residents between the development and the retail/commercial facilities at Martlesham Heath Business and Retail Park. We consider the Applicant proposals do not currently positively encourage walking and cycling and there is no provision for direct off A12 bus services to the facilities. We consider the application requires as a minimum a detailed strategy for mitigation against a potential increase in short distance car journeys to retail and commercial facilities Woodbridge Town Council are deeply concerned by the lack of detail in the application on the above and other aspects, notably drainage as highlighted by Suffolk County Council. The Committee echoes the comments of Kirton and Falkenham Parish Council. The Climate and Ecological Emergency Committee have commented to the Planning Committee that they have the following ecological and environmental concern alongside the matter of sustainable transport strategy as mentioned above; - We would ask that if ESC is minded to approve the applications a condition is included to extend the period until the end of July for which protection is provided to nesting birds in the development areas, - We further recommend, if ESC is minded to approve the applications, that a condition is added that no artificial interference to nesting birds such as the pre netting of trees and hedgerows would be permitted on the development areas. In general, we

are deeply concerned by the lack of detail in the application and therefore, with all of the above considered, recommend REFUSAL of this application.”

Consultee	Date consulted	Date reply received
SCC Rights of Way	N/A	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	24 March 2022	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Police - Design Out Crime Officer	24 March 2022	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	21 February 2022	11 March 2022
Summary of comments: No objection subject to conditions.		

5. Publicity

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

Category	Published	Expiry	Publication
Archaeological Site	16 September 2021	7 October 2021	East Anglian Daily Times

6. Site notices

6.1. The application has been the subject of the following site notice:

General Site Notice	Reason for site notice: May Affect Archaeological Site Date posted: 20 September 2021 Expiry date: 11 October 2021
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7. Planning policy

7.1. National Planning Policy Framework (NPPF).

7.2. The development plan comprises the East Suffolk Council – Suffolk Coastal Local Plan (adopted on 23 September 2020) (“local plan”) and any adopted neighbourhood plans. The relevant policies of the development plan and supplementary planning documents are listed in the section below and will be considered in the assessment to follow.

- SCLP5.8 - Housing Mix (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP5.10 - Affordable Housing on Residential Developments (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP7.1 - Sustainable Transport (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP7.2 - Parking Proposals and Standards (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP8.2 - Open Space (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP9.2 - Sustainable Construction (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP9.5 - Flood Risk (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP9.6 - Sustainable Drainage Systems (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP9.7 - Holistic Water Management (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP10.1 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP10.2 - Visitor Management of European Sites (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP10.3 - Environmental Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP10.4 - Landscape Character (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

- SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP11.3 - Historic Environment (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP11.7 - Archaeology (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- The Historic Environment Supplementary Planning Document (2021)

8. Planning considerations

Principle of development

- 8.1. The principle of development has been established via the hybrid planning permission, which approved in part the construction of *'for up to 2000 dwellings, an employment area of 0.6ha (use class B1) primary local centre comprising use class A1, A2, A3, A4, A5, B1, C3, 02) secondary centre (comprising possible use classes A1, A3 and A4), a school, green infrastructure (including Suitable Accessible Natural Green space (SANGs) outdoor play areas, sports ground and allotments/community orchards), public footpaths and cycleways, vehicle accesses and associated infrastructure.'*
- 8.2. The outline planning permission set parameters for how the development should be achieved, which included:
 - up to 2000 dwellings;
 - an employment area of c. 0.6ha (use Class B1);
 - a primary local centre (comprising use Classes A1, A2, A3, A4, A5, B1, C3, D1 and D2);
 - a secondary centre (comprising possible use Classes A1, A3 and A4);
 - a school;
 - green infrastructure (including Suitable Accessible Natural Greenspace (SANGs), outdoor play areas, sports ground and allotments/community orchards);
 - public footpaths and cycleways;
 - vehicle accesses; and,
 - associated infrastructure.
- 8.3. This reserved matters submissions should build upon these established principles, as well as the approved plans and documents of the outline permission, to shape the detail and form of development within this specific parcel.
- 8.4. The details under considered in this submission relate to the following – as set out by the outline permission:
 - **Appearance:** Aspects of a building or place which affect the way it looks, including the exterior of the development, including *the alignment, height and materials of all walls and fences and other means of enclosure*

- **Landscaping:** The improvement or protection of the amenities of the site and the area and the surrounding area, including a landscape plan, proposed planting, the means of forming enclosures, the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels, and means of future maintenance.
- **Layout:** Includes buildings, roads, footpaths and cycleways, routes and open spaces within the development and the way they are laid out in relations to buildings and spaces outside the development.
- **Scale:** Includes information on the size of the development, including the height, width and length of each proposed building, and density.
- **Other:** Character banding, access strategy, landscaping details, building materials, boundary treatment, recycling/bin storage, arboricultural impact and tree survey, earthworks strategy, details of estate roads and footpaths, surface water drainage and noise attenuation.

Building height and density

- 8.5. The outline planning permission establishes the building heights for entire Brightwell Lakes scheme, under the approved drawing 'Environmental Statement - Parameter Plan 2: Building Heights', which has regard to the impact of development on the nearby existing development, public rights of way, the Suffolk Coast Area of Outstanding Natural Beauty (AONB), surrounding landscape character and visual receptors.
- 8.6. The site falls under 'Height Zone 3', which can include buildings up to 3 storeys (with a maximum building height of +14m to ridge level above proposed ground level), and buildings up to 4 storeys (+16.0m) for landmark buildings in key locations. The residential development proposed for Phase E1a comprises three two-storey dwelling houses, which are compliant with the defined parameters.
- 8.7. It also accords with the Residential Density Parameter Plan of the outline permission, which prescribes 'low density' development, of between 20-30 dwellings per hectare.

Density

- 8.8. The principles of site-wide development densities were approved by a density parameter plan. In this particular location, development along the Spine Road frontage will comprise a higher density to provide a sense of enclosure, with other parts of the phase being slightly lower density. Overall, this particular phase will provide an average density of 27 dwellings per hectare.

Character

- 8.9. A full explanation of the design ethos for the residential development at Phase E1a, and how the proposals have evolved and informed by the approved documents and parameters of the outline permission, is set out within the accompanying Design Compliance Statement. The design principles for the development have sought to respond effectively to principles set out in the approved Design and Access Statement and the approved Character Banding Plan. They were further evolved through the course of the reserved matters pre-application stage, through discussions with Officers, which informed various revisions to the design of the development.

- 8.10. The Character Banding Plan approved under the outline planning permission, identifies Phase E1a as falling under the 'Ipswich Road Edge' character area. The proposed frontage of the proposal faces the southern green corridor, existing tree-belt and Ipswich Road.
- 8.11. Key characteristics of the Character Area applicable to the Phase E1a site include:
- Building frontages overlooking and facing onto the green buffer to create a safe environment;
 - Low density residential buildings;
 - Dwellings up to 2 storeys;
 - Shared surface treatment to create a pedestrian friendly environment with minimal traffic in close proximity to the green buffer and associated ecological features.
- 8.12. The proposed house typology is formed of two storey detached dwellings, comprising high quality materials including contemporary grey buff brick combined with off white render and grey slate colour tiles. All private drives are to be block paved Plot frontages will be either fully narrow planted with ornamental shrub or shrub/hedge and grass and will incorporate smaller trees such as Prunus 'Amanogawa'. Boundary treatments include light grey stained timber fencing and low hedges along the front and side elevations of plots fronting onto public spaces, hedges and low-level planting will also be used in appropriate locations to add character to the streetscene.

Layout

- 8.13. The proposed layout of the development is informed by the site's constraints and opportunities, in particular the surrounding landscape features, site edges and neighbouring phases (e.g., the all-through school to the east). The applicant notes that the layout is informed by the approved Parameter Plans and has evolved further following discussions with the local planning authority at pre-application stage.
- 8.14. East Suffolk Council's design and conservation team have reviewed the submission and have advised the following in relation to E1 and E1a collectively:

"As you know, I provided you with detailed comments on the original applications in November last year, following which we met with the agent to review them on December 7th 2021. Although supportive of the applications in general and in most detail, I did highlight specific areas of concern, where a minor revision was merited, and areas of omission that I judged needed addressed.

The current applications include the applicant's response – the submitted Planning Statement Addendum indicates so. I provided combined comments for each application, as they relate to a single parcel, and will do so here. I shall, therefore, provide you with comment here only on those matters of concern and omission that I drew your attention to originally. I shall omit any preamble as unnecessary.

Lack of streetscenes to the boulevard and school frontage

I note that we have now received a streetscene drawing for the boulevard frontage which is helpful. This is a key elevation to the SANG and illustrates the approach proposed to this part of the boulevard which is the principal route through the Brightwell Lakes development. The drawing shows that the frontage will have a uniform design approach in terms of housetypes, materials (red brick) and elevational treatments, including for the

gabled plots. And that this frontage will contrast somewhat with the rest of the parcel (with its use of buff brick and white render). I consider this a positive approach, as it does enough to signal the key importance of the frontage to the SANG without compromising its integrity (or belonging) with the rest of the parcel behind. This is a successful outcome, but we wouldn't have known about it had we not asked for it to be illustrated. This drawing incorrectly shows a timber fence between plots 61 and 62 – the boundary treatment plan shows that this will be a 1.8m brick wall.

Lack of site sections

This original comment of mine has been addressed by the inclusion of a streetscene (D-D) which provides an illustration of the main access point into the parcel off the Ipswich Road access road. This – plus other streetscenes – does confirm what we were advised at our December meeting that the topography of this parcel does not include any significant slopes and is relatively level. The D-D streetscene is helpful and shows what I consider to be a pleasant, lower density layout of slightly dispersed character (that is, with good gaps between dwellings on the streetscene) and all of that is fine to go along with. What I do consider unfortunate, however, is the flank elevations of the same housetypes that present onto this street – see plots 43, 109 and 112. I do find these kind of what I call 'turn-out' elevations depressing, by which I mean, no design consideration has gone into their appearance – the windows just appear where they suit the plan layout with no thought to whether the resultant elevation is attractive or not. I'm not sure why I should really have to point this out, frankly, but it's the sort of indifferent streetscene effect we really want to avoid.

Front door designs

I note that the housetype designs have now been amended to include a more contemporary front door design that better relates to the character of the house designs across this parcel. Of course, the front door is a detail, only, but I welcome that this has been revised in response to my comments and the outcome is satisfactory.

Visitor parking provision

I note that the layout has been amended in relation to parking provision to comply with adopted standards (the County's, I assume), including for visitors. This confirmation is welcome. The submitted parking plan clearly shows the visitor parking annotated and being on-street. There looks to be good provision for it pepper-potted throughout the layout.

Boundary treatments abutting roads

I note that the revised boundary strategy now includes for all boundaries abutting roads and forming part of the streetscene to now be brick walls (instead of fencing). This is very welcome and will enhance the design quality of the layout considerably. I have checked the submitted Boundary Treatment Plan and advise that we require the following further amendments to be made: 1.8m brick walls in place of timber fencing between plots 1 and 2; 61 and 62. Inclusion of knee rails – I note that the same revised boundary strategy now includes for the use of knee rails to provide a boundary between private drives or the back edge of footpaths along the SANG, bridle way and also the boulevard. This was a suggestion, only, that I had made having seen the same arrangement to good effect elsewhere and I welcome this addition to the design here, which will enhance it. I am uncertain, however, why these are shown to be in metal, when all other knee rails that I

have seen used elsewhere are in more attractive timber – why not that here? Timber is much easier to repair when damaged, as these features easily are by reversing vehicles.

Materials schedule and specification

I have reviewed the submitted Materials Plan with particular focus on brick type specifications and those for roof coverings. I can confirm that these are acceptable and that some of the brick choices are of a particularly good quality – such as the Wienerberger, Forterra and Ibstock. I note that the drawing specifies these bricks and roof coverings with the caveat ‘or similar’. I understand the need to include such a caveat, due to materials supply issues that are still affecting the construction industry. We wouldn’t normally agree such an open-worded specification, but we will need to acknowledge some flexibility here.

Would it be possible to add an Informative to any consent to require agreement by exchange of correspondence (for the record) where any change in the specified material is proposed? This will allow us to then still have some control over final choices.

- 8.15. Following initial comments raised, the applicant has updated boundary treatment plans (E1-SP05 Rev. E) to amend the timer fence between Plots 1 and 2 and Plots 61 and 62 to brick walls. Additionally, the annotation on the plans have been amended to confirm that the knee rails will be timber, rather than metal.
- 8.16. The revisions to boundary treatments and knee rail materials are accepted. However, the elevational treatment is as an area of unresolved concern. Whilst the point about plan layout is acknowledged, there are other ways to enhance the appearance of an elevation using materials, details or other architectural treatments, to create interest.

Housing provision

- 8.17. The E1a parcel provides three dwellings, comprising 2 x four-bedroom houses and 1 x five-bedroom house.

Housing mix

- 8.18. Given the spatial extent of the Brightwell Lakes proposal, and the manner in which the development will come forward in phases, it was agreed that it is appropriate to consider the proposed housing mix in the context of the wider site as a whole, rather than calculated per individual parcel. Due to varying site sizes, characteristics, uses and constraints, it is acknowledged an individual parcel may not necessarily achieve the required housing mix within its defined site. The delivery of the required housing provision will be assessed collectively throughout the development of each phase.
- 8.19. For context, the proposed mix across all four parcels (E1, E1a, W1 and W1a), which are pending consideration is as follows:

Table 1: Overall housing mix across Phases E1, E1a, W1 and W1a

Mix	Parcels W1 & W1a		Parcels E1 & E1a		Total	
	# of units	%	# of units	%	# of units	%
Private						
1 bed	3	2.6%	0	-	3	1.5%
2 bed	13	11.3%	6	6.8%	19	9.3%
3 bed	93	80.9%	34	38.6%	127	62.6%
4 bed	6	5.2%	36	41%	42	20.7%

5 bed	0	-	12	13.6%	12	5.9%
Affordable						
1 bed	38	47.5%	8	23.5%	46	40.3%
2 bed	42	52.5%	2	5.9%	44	38.6%
3 bed	0	-	14	41.2%	14	12.3%
4 bed	0	-	10	29.4%	10	8.8%
Overall – 317 dwellings (114 affordable [35.9%])						
1 bed	41	21%	8	6.6%	49	15.4%
2 bed	55	28.2%	8	6.6%	63	19.9%
3 bed	93	47.7%	48	39.3%	141	44.5%
4 bed	6	3.1%	46	37.7%	52	16.4%
5 bed	0	-	12	9.8%	12	3.8%
Total	195		122		317	

Ecology

- 8.20. To accord with the requirements of Condition 14 (Environmental Action Plan) and Condition 15 (Environmental Statement) of the outline planning permission, a Part 2: Environmental Action Plan (EAP Part 2) and an updated Ecological Impact Assessment containing the results of updated surveys, have been prepared to support the submission and also relates to Phase E1a, W1 and W1a.
- 8.21. East Suffolk Council's ecologist has reviewed the Updated Ecological Assessment (SES, July 2021) and the Part 2: Environmental Action Plan Reserved Matters Phases E1, E1a, W1 and W1a (SES, July 2021) and is satisfied with the conclusions of the consultant.
- 8.22. In the absence of appropriate mitigation measures, the proposed developments will result in adverse impacts (of a range of severities) on a suite of ecological receptors including:
- Recreational disturbance impacts on national and international designated sites (all four phases);
 - Loss of Open Mosaic habitats (Phase W1 and W1a);
 - Impacts on retained semi-natural habitats from pollution events and lighting (all four phases);
 - Loss of rare flora including annual beard-grass, dittander, mossy stonecrop, clustered clover, corn spurrey, smooth cat's-ear and corn marigold (Phase W1 and W1a);
 - Spread of Japanese knotweed (Phase E1 and E1a);
 - Impacts on badgers during construction (all four phases);
 - Loss/disturbance of bat tree roost (all four phases);
 - Loss/fragmentation of bat foraging and commuting habitats (all four phases);
 - Loss of breeding and wintering bird habitats (particularly for breeding skylark and linnet) (all four phases);
 - Loss of invertebrate habitats (Phase W1 and W1a);
 - Loss of reptile habitat, killing/injury of animals (all four phases);
 - Impacts on hibernating common toad and hedgehog (all four phases).
- 8.23. However, the updated ecological assessment details measures which are adequate to mitigate the identified impacts. These include implementation of 25.1Ha of SANG (under planning application DC/18/2775/ARM); a financial contribution to the Suffolk Coast RAMS; production and implementation of a Construction Environment Management Plan

(CEMP) to control construction related impacts (including pollution controls, construction noise and lighting; construction impacts on individual species etc.); production and implementation of a Landscape and Ecology Management Plan (LEMP) to ensure long term beneficial management of the SANG and other areas of greenspace (as part of the Part 2: Environmental Action Plans); implementation of ecologically sensitive lighting; translocation of turves/plants of notable plant species to the SANG area; eradication of Japanese knotweed from the site; sensitive external lighting design; mitigation for removal of trees with bat roost potential; creation of new bat foraging/commuting habitats as part of SANG and new greenspace/landscaping; timing to avoid works impacting on nesting birds and mitigation measures to avoid impacts on reptiles.

- 8.24. Although the loss of open mosaic habitats will not be able to be fully mitigated, compensation will be achieved through the creation and long-term management of some such habitat, as well as other ecologically desirable habitats, as part of the SANG. The Updated Ecological Assessment also identifies that there will be an adverse impact on breeding skylark as a result of the loss of suitable nesting habitat from the overall development area, although the significance of this is predicted to be time limited due to the relatively recent increase in nesting activity at the site due to the reduction in quarrying and agricultural operations. However, this impact could be further reduced by the creation of offsite skylark nest plots or nearby arable land. This is something which should be explored by the applicant as the development phases progress to determine whether additional mitigation is deliverable.
- 8.25. The Updated Ecological Assessment also includes a suite of ecological enhancement measures, including provision of integrated bat boxes in at least 5% of new dwellings, provision of integrated bird boxes into at least 80% of new dwellings, provision of bug hotels in at least 20% of new dwellings, landscape planting using wildlife friendly species and the provision of 'hedgehog highway' holes in the bottoms of new garden walls and fences. These measures are set out in the Part 2: Environmental Action Plan Reserved Matters Phases E1, E1a, W1 and W1a document.

Flood risk

- 8.26. Suffolk County Council as the lead local flood authority have reviewed the following submitted documents and recommend approval, subject to conditions:
- Stantec, Technical Note, Surface and Foul Water Drainage Strategy for Phases E1 and E1A – Revision B, 332210596-2001-TN003B, 16/02/2022

Note: It should be noted that Table 2 of the above Technical Note contains some errors regarding infiltration rates. However, the correct rates are stated and used in supporting plans and calculations.

Highways

- 8.27. Access arrangements for the wider development were established at outline stage and are not for consideration under this submission, these are identified via the A12 and Ipswich Road, which link into the Central Boulevard Spine Road - a tree lined street and running through the centre of the site. The proposed layout for each phase is informed by the internal access arrangements and connectivity with the wider site.

- 8.28. The primary access to this parcel is via Ipswich Road, with a secondary access created from the Spine Road. It will involve a combination of enhanced and improved points of entry, which were previously associated with the previous quarry activities. Across the parcels of development, the road structure changes from primary, to secondary to tertiary roads, which branch out towards the core and edges of the development.
- 8.29. A parking and cycle strategy plan is included with this application, and has been designed in line with the requirements of the Suffolk Guidance for Parking – it incorporates the following features:
- Ensure vehicular parking is not a dominant feature in the public realm.
 - Private drives provide access to small number of units along the green edges.
 - Shared surfaces and private drives will have a pedestrian priority.
 - Urban frontages along the primary roads provide appropriate scale, height and enclosure to address the importance of these streets.
 - Streetscapes integrated with landscaping proposals to mitigate the visual impact of car parking.
 - Provision of on-plot parking, or off-plot parking located in a manner that provides a close and visible relationship with the dwelling.
 - Avoidance of parking courts wherever possible.

Public rights of way

- 8.30. Brightwell Lakes has a number of Public Rights of Way crossing the site which provides connections for users of footpaths and bridleways between the communities surrounding the site. Consequently, a key focus within the outline planning permission is the connectivity through the site for pedestrians, cyclists, horse riders and those using other forms of non-vehicular means of travel.
- 8.31. Enhancing the network of Public Rights of Way by ensuring the non-vehicular traffic in the form of walking and cycling is given priority on key routes such as the Central Boulevard Spine Road and the main points of access into Brightwell Lakes. Through providing priority access for non-vehicular movements, residents and visitors to the site will be encouraged to use sustainable modes of transport as their preferred choice for journeys at Brightwell Lakes.
- 8.32. The initial holding objection from the Highway Authority, along with comments raised in regard to the proposed design details, is yet to be fully resolved. The local planning authority is working proactively to ensure key revisions are accounted for to secure a well-designed scheme in accordance with policy and outline requirements. It is expected that this will be reported on further in the Committee update sheet.

Landscaping and open space

- 8.33. Strategic areas of open space are provided across the wider site, as part of the extensive green infrastructure provision, with a green corridor adjoining this parcel along its western edge. Additionally, pocket areas of public open space have also been incorporated into the layout of the site and have been designed and located in order to supplement key vistas, ensure natural surveillance and create green links with the surrounding green infrastructure.

- 8.34. Detailed landscape proposals have been prepared for the first phases of development at Brightwell Lakes, as illustrated on the Landscape Masterplan and Detailed Landscape Proposals for Phase E1a. These are also supported by a Measured Works Schedule to ensure that the necessary planting and landscape works are undertaken correctly.
- 8.35. Existing vegetation is retained and enhanced with native skyline and native character trees within the open spaces, site boundaries and wildlife corridors, which aims to help the proposed development blend into the wider landscape. The landscape proposals around the boundaries of the site have been prepared and designed to ensure that they provide an appropriate mix of species which are natural to the local environment and are resilient to climate factors over the lifetime of the development, it also provides linkages between residential areas and the wider green infrastructure network across Brightwell Lakes.
- 8.36. The East Suffolk council's landscape team have reviewed the submitted documents covering: Arboricultural Impact Assessment, Arboricultural Method Statement, Landscape Masterplan, Landscape Details Plans Landscape, and Schedule of quantities have advised that they are all acceptable. However, in light of the comments raised by Waldringfield Parish Council, further discussions will entail prior to determination to ensure the landscaping scheme is of the highest standard of quality.

9. Conclusion

- 9.1. This reserved matters proposal has been informed by the parameters established within the outline planning permission. The suite of submitted material demonstrates that Phase E1a of the development promotes a high-quality design that responds positively to the characteristics defined by established parameter and character plans. The scale, appearance, and layout of the proposal is considered policy compliant, with the aim of providing a well-integrated and sensitively designed scheme, in terms of connectivity and green infrastructure.
- 9.2. Whilst there are still outstanding comments to address and the fundamental component of the submitted scheme is considered acceptable.

10. Recommendation

- 10.1. Authority to approve subject to all outstanding statutory holding objections and other matters being resolved, and agreement of conditions.

Conditions and informatives to be agreed upon receipt of all consultation responses and covered in the committee update sheet. However, based on the extent of conditions on the outline consent, conditions applied to the reserved matters application should be minimal.

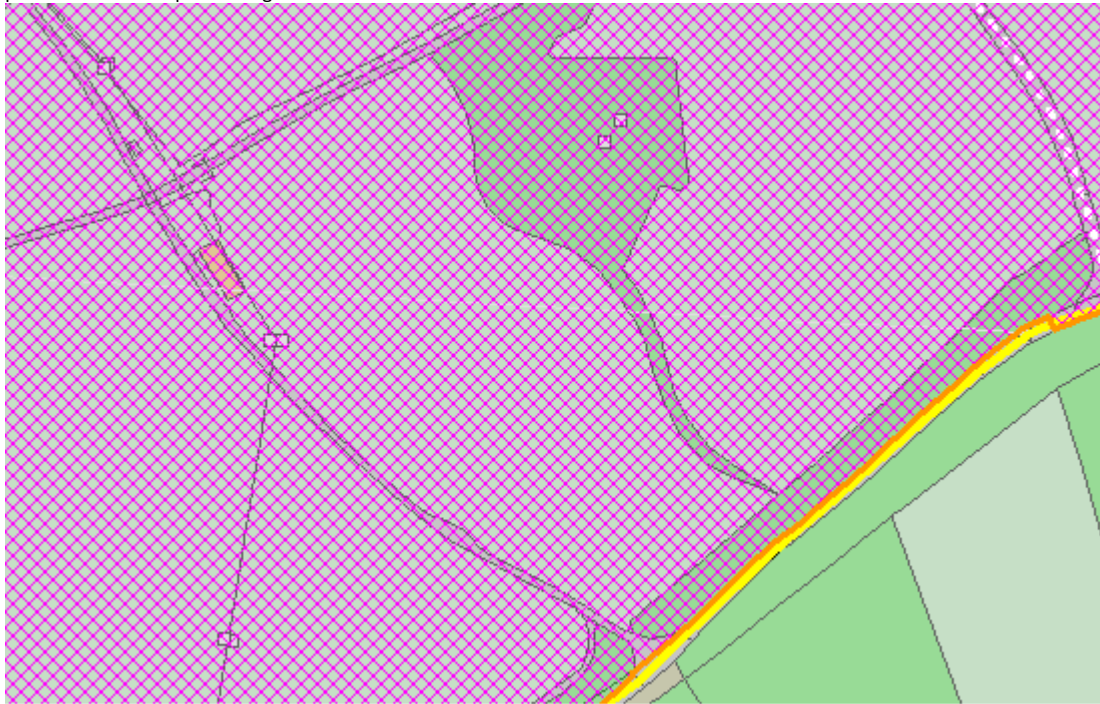
Background information

See application reference DC/21/4005/ARM on [Public Access](#)

Map

DO NOT SCALE SLA100019684

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Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee South – 19 April 2022

Application no DC/20/5279/OUT

Location

Land adjacent to Reeve Lodge
High Road
Trimley St Martin
Suffolk

Expiry date 29 March 2021 – EOT agreed

Application type Outline Application

Applicant Pigeon Capital Management 2 Ltd and A. Talman, R.E. Stennet.

Parish Trimley St Martin

Proposal Outline planning application with some matters reserved (access to be considered) for a phased scheme for the erection of up to 139 new homes (including provision of up to 46 affordable homes), land for a two-form entry primary school with pre-school, open space, SUDS, meadow and informal path on land south of Gun Lane, and all associated infrastructure provision.

Case Officer Rachel Lambert
01394 444574
rachel.lambert@eastsuffolk.gov.uk

1 Summary

Proposal

- 1.1 The subject site is allocated within the East Suffolk Council – Suffolk Coastal District Plan as a sustainable location for the development of approximately 150 dwellings, a primary school and open space (Policy SCLP12.65).
- 1.2 This application seeks outline planning permission will all matters reserved except access, for a phased scheme for: the erection of up to 139 new homes, including provision of up to 46 affordable homes; land for a two-form entry primary school with pre-school; open space; sustainable urban drainage; meadow and informal path on land south of Gun Lane; and all associated infrastructure provision.

Reason for committee

- 1.3 In accordance with the scheme of delegation, the Head of Planning & Coastal Management has requested that the application is deferred to Members, due to the scale of development and wider public interest.

Recommendation

- 1.4 Authority to approve subject to agreement of conditions and the completion of a s106 legal agreement.

2 Site

- 2.1 The site is located to the south west of Trimley St Martin, with a portion of land to the south that falls within Trimley St Mary. Both settlements are identified as a 'large villages' under Policy SCLP3.2, due to their wide range of facilities including shops, a primary school and a community hall. The site is located close to the A14 and Felixstowe, providing access to a wider range of services, facilities and employment opportunities.
- 2.2 The site is arable farmland and is bordered on the west to open countryside with the railway line beyond, and to the east by High Road and existing properties. A railway line (running from Felixstowe to Ipswich) lies to the west, with a recent scheme of 66 new homes to the north, which includes a mixture of terraced, semi-detached and detached properties and also includes some 2.5-storey buildings.
- 2.3 The main site area lies north of Gun Lane and measures approximately 7 hectares, with a parcel of land to the south of Gun Lane that measures approximately 1.5 hectares. These two parcels are intersected by a restricted byway known as Gun Lane (RB3), which runs roughly east to west from High Road. A second Public Right of Way, Footpath 4, crosses the northern corner of the site. A further parcel of 1.2 hectares is located to the south-west of the allocation site, which lies within the applicant's control but is not included within the application.
- 2.4 The site is located within Flood Zone 1. It is not located within any Air Quality Management Area; is not covered by any statutory environmental designations; and contains no Tree Preservation Orders (TPO) or other landscape designations.
- 2.5 The nearest listed properties are located on High Road, approximately 45 metres to the east of the site. The nearest statutory site is the Orwell Estuary, which is located 1.4km west and comprises the following statutory designations: Stour and Orwell Estuaries Ramsar site, designated mainly for wetland birds and also saltmarsh vegetation and species; Stour and Orwell Estuaries Special Protection Area (SPA), and Orwell Estuary Site of Special Scientific Interest (SSSI). The nearest non-statutory designated site is Morston Hall Wood County Wildlife Site, located 0.94km to the west.

Planning history

- 2.6 Relevant planning history for the site includes the following:

DC/20/5239/EIA - EIA screening opinion for outline planning permission (all matters reserved except access) for the erection of up to 139 new homes (including provision of up to 46 affordable homes), land for a two-form entry primary school with pre-school, open

space, SUDS and all associated infrastructure provision.

Having regard to the above considerations, it was concluded that the proposed development is not considered to result in likely significant effects on the environment over and above that that can be controlled and managed through the planning application process and therefore an Environmental Statement is not required.

3 Proposal

3.1 This application seeks outline planning permission with some matters reserved (access to be considered) for a phased scheme for:

- the erection of up to 139 new homes (including provision of up to 46 affordable homes);
- land for a two-form entry primary school with pre-school;
- open space;
- sustainable urban drainage;
- meadow and informal path on land south of Gun Lane;
- vehicular access from the roundabout that forms the junction between High Road and Howlett Way; and
- associated infrastructure provision.

3.2 It is proposed that the development is accessed from the roundabout that forms the junction between High Road and Howlett Way, via the creation of a new fifth arm. A central spine road will provide access to the wider site, with an additional series of minor access roads and private driveways.

3.3 Whilst the proposal seeks permission for 'up to 139 homes' the precise quantity and layout of the residential aspect of the scheme will be determined at the reserved matters stage. The layout provides is illustrative and provides an indication as to how each parameter fits within the site area, allowing for areas of open green space, together with new planting and land for a two-form entry primary school with pre-school.

Residential

3.4 The submitted design and access statement notes the residential aspect will be predominantly two-storey dwellings, limited to no more than three storeys, and will comprise a mix of housing types (apartments, detached and semi-detached homes), forming predominantly one, two and three-bedroom properties. It also provides for 'up to 46' affordable homes, and five percent custom/self-build properties, with at least fifty percent of all dwellings meeting part M4(2) of the Building Regulations. Additionally, the proposal includes two, part M4(3) wheelchair accessible, three-bedroom bungalows.

School

3.5 An area comprising 2.2 hectares located to the western extent of the site, forms the school aspect. It is strategically positioned off the main spine road and away from the roundabout access to traffic impacts on High Road or Howlett Way, with two accesses to the school site are provided.

3.6 The local catchment primary school is Trimley St Martin Primary School – as noted within the submission, the strategy for primary school provision is to retain a single primary

school for the village by relocating the existing school and delivering a new larger school. A new early years setting is to be delivered alongside the new primary school on this site.

Access and connectivity

- 3.7 A three-metre shared foot and cycleway is provided along the spine road, providing a link between High Road and the school site entrances. Further cycle and pedestrian links will link onto Gun Lane through the residential core of the site, as well Footpath 4, which intersect the northern extent east-west and connect High Road with the neighbouring residential development.
- 3.8 It is proposed that the right of way is to be maintained as a green corridor, which will transect through the residential aspect west of the spine road, continuing westward through a new area of open space, which forms part of proposed attenuation basin (measuring approximately 0.8 hectares).

Landscape features

- 3.9 The aforementioned open space will provide two infiltration/SUDS basins either side of the footpath, the basins will be designed with 1:4 side-slopes (max.) and will provide usable amenity space and an area for new planting/biodiversity enhancement. In addition to the attenuation basin, a swale feature will also be provided along one side of the spine road. These features, together with permeable paving will form the proposed drainage strategy.
- 3.10 As described, pockets of open space and new planting will be provided at the site frontage/adjacent to High Road, with planting along the boundaries of the school site and all other edges of the wider site. The area south of Gun Lane, is included within the application and is proposed as an area of open amenity space. Additional planting will be provided along either side of Gun Lane, creating a green corridor along the southern edge of the residential scheme.
- 3.11 Application documents submitted with the application include the following:

Plans for determination

- Site Location Plan;
- Existing Site Levels Plan;
- Parameters Plan.

Plans for indicative purposes only

- Illustrative Site Layout Plan;
- Illustrative Affordable Housing Plan;
- Illustrative Parking Plan;
- Illustrative Self-build / Custom-build Plan;
- Illustrative Landscape Masterplan.

Statements and reports

- Statement of Community Involvement - Pigeon;
- Heath Impact Assessment – Pigeon;
- Sustainability Statement – Pigeon;
- Landscape and Visual Assessment – Liz Lake Associates;
- Transport Statement - TPA;

- Framework Travel Plan - TPA;
- Flood Risk Assessment and Drainage Strategy - TPA;
- Utilities Report – TPA;
- Heritage Statement (incorporating Archaeological Desk Based Assessment – RPS;
- Geophysical Survey Report – Sumo Survey;
- Phase 1 Geo-environmental Statement - Geosphere;
- Air Quality Assessment – Redmore Environmental;
- Ecological Assessment – Hopkins Ecology;
- Habitats Regulations Assessment – Hopkins Ecology;
- Noise Impact Assessment – Professional Consult; and
- Arboricultural Impact Assessment – Corsican Associates.

4 Consultees

4.1 A total of 16 third-party objections were received (including those from Kirton Trimley Community Action Group), which raised the following matters:

- principle of development
- housing mix / lack of bungalows
- impact on highway network/safety
- provision of parking within the wider area
- loss of agricultural land
- impact in existing infrastructure (e.g., sewer system, village hall etc.)
- environmental impacts (pollution)
- increase flood risk
- impact on existing services (e.g., healthcare)
- loss of residential amenity
- access to school reliant on car for those living in Kirton
- school site size not sufficient for required facilities
- reliance on gas for energy means
- cumulative effects on village and wider environment
- concern of “creeping normality”
- air quality impacts/concerns re. proximity to railway line

4.2 Due to the frequency of consultation throughout processing the application, all comments received are collated within one table – with the respective consultation start dates listed. Where the consultee comments do not alter in response to the most recent revisions the latest ‘date reply received’ date is noted.

Consultee	Date consulted	Date reply received
Cllr Richard Kerry	5 January 2021 13 August 2021	27 January 2021
<p>Summary of comments:</p> <p>Objection raised – “Trimley St Martin PC have made some very valid points in their comprehensive submission which I support. I fully understand the need for new homes and the sound reasoning for it. We as a Council are promoting and using heat pumps in our new builds there is no excuse for not using the latest technology available we must insist that new technology is used. This project must reflect local need for homes which will enter the affordable rental market. Planners should in the first instance should object to this application the questions asked by the PC can and should be</p>		

addressed, SCC Highways need to come to the table instead of paying the usual lip service to developments in this village all existing and future sites in the local plan must be factored in with regard to highways and projected vehicle movements.”

Consultee	Date consulted	Date reply received
Anglian Water	6 January 2021 13 August 2021	18 August 2021
Summary of comments: No objection – see informatives.		

Consultee	Date consulted	Date reply received
Disability Forum	5 January 2021 13 August 2021 16 September 2021	31 August 2021
Summary of comments: “The Suffolk Coastal Disability Forum is pleased to note from the Design & Access Statement that 50% of the dwellings will meet the 'accessible and adaptable' standard Part M4(2) of the Building Regulations and that 2 bungalows will meet the wheelchair standard Part M4(3). All dwellings should be visitable and meet Part M4(1) of the Building Regulations. Care should be taken to ensure that the whole site is inclusive of all people. Every effort should be made to ensure all footpaths are wide enough for wheelchair users, with a minimum width of 1500mm, and that any dropped kerbs are absolutely level with the road for ease of access. Surfaces should be firm, durable and level. No loose gravel, cobbles or uneven setts should be used.”		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	5 January 2021 13 August 2021	2 February 2021 6 September 2021
Summary of comments: Internal consultee – comments included within reporting.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	5 January 2021 13 August 2021	27 January 2021
Summary of comments: Internal consultee – comments included within reporting.		

Consultee	Date consulted	Date reply received
SCC Andy Osman Emergency Planning	5 January 2021 13 August 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
SCC Fire and Rescue Service	8 January 2021 13 August 2021	8 January 2021 13 August 2021
Summary of comments: Fire hydrants required – condition(s) and informative(s) apply.		

Consultee	Date consulted	Date reply received
Highways Agency	11 May 2021 13 August 2021	11 May 2021 2 September 2021
Summary of comments: “Offer no objection (see reasons at Annex A) ...We have now reviewed the Transport Assessment and that has confirmed that the impact of this proposed development will not be severe on the Strategic Road Network.”		

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	5 January 2021 13 August 2021	5 January 2021
Summary of comments: Internal consultee – comments included within reporting.		

Consultee	Date consulted	Date reply received
Kirton Parish Council	12 February 2021 13 August 2021	12 February 2021 7 September 2021
Summary of comments: “Kirton & Falkenham Parish Council has no comments on this application.”		

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	5 January 2021 13 August 2021	22 January 2021 3 September 2021
Summary of comments: No objection subject to financial contribution via CIL.		

Consultee	Date consulted	Date reply received
Police - Design Out Crime Officer	13 August 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Network Rail Property (Eastern Region - Anglia)	5 January 2021 13 August 2021	2 February 2021 1 September 2021

Summary of comments:

“Network Rail is pleased to approve the above-mentioned application as the risk to the railway and/or infrastructure is minimal. However, our only concern is there is a level crossing within 200m of the boundary but no indication of its current or proposed use for the development. In general, given the recent spate of trespass incidents on the railway and the proximity of the development to the railway line, the question of measures to prevent trespass should be raised – particularly as a new school is proposed. Besides physical means such as fencing, it would be reassuring to know what educational measures are undertaken in schools/colleges in the area. We recommend that the developer considers these points for future planning.”

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	5 January 2021 13 August 2021	22 January 2021 5 October 2021

Summary of comments:

Summary of infrastructure requirements included within reporting.

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	5 January 2021 6 May 2021 13 August 2021	13 January 2021 6 May 2021 17 August 2021

Summary of comments:

No objection subject to conditions – comments included within reporting.

Consultee	Date consulted	Date reply received
SCC Flooding Authority	5 January 2021 13 August 2021 4 November 2021	27 January 2021 26 August 2021 29 November 2021

Summary of comments:

No objection subject to conditions.

Consultee	Date consulted	Date reply received
SCC Highways Department	5 January 2021 13 August 2021	25 January 2021 8 December 2021

Summary of comments:

No objection subject to conditions and s106 obligations.

Consultee	Date consulted	Date reply received
SCC Rights of Way	5 January 2021 13 August 2021	8 January 2021 3 September 2021
Summary of comments: Comments included within reporting.		

Consultee	Date consulted	Date reply received
Suffolk Police Designing Out Crime Officer	5 January 2021 13 August 2021	1 February 2021 No response
Summary of comments: Serious concerns raised – comments included within reporting.		

Consultee	Date consulted	Date reply received
SUSTRANS	5 January 2021 13 August 2021 15 September 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	5 January 2021 20 May 2021 13 August 2021	26 January 2021 20 May 2021 No response
Summary of comments: No objections subject to conditions.		

Consultee	Date consulted	Date reply received
Trimley St Martin Parish Council	5 January 2021 13 August 2021	26 April 2021 8 September 2021
<p>Summary of comments: Objection</p> <p><u>14 December 2021</u></p> <p>"At their meeting on 7 December, Trimley St Martin Parish Council resolved to submit this additional comment on the application as a result of an issue which has caused some concern in the community. The applicant's revisions to the outline application include a reference to the availability of the children's playground located at the end of Goslings Way. The relevant paragraph in the summary of changes reads as follows: "The creation of a green corridor through the Site which links the new meadow area with the originally proposed public open space to the north of the school site. Along this green corridor, a pocket park including a Local Area of Play for children and the route connects the scheme to the adjoining play area within the neighbouring scheme to the north west of the school site. This will provide a pleasant, landscaped route through the scheme with trees and planting which will encourage local wildlife into the scheme." The</p>		

Goslings Way play area it is not managed by the Parish Council. Like all the open space on the scheme it is maintained by a management company and the cost of this is met by Goslings Way and Nigel Way residents. It is important to recognise that the proposals for the site adjacent to Reeve Lodge indicate that an additional burden would be placed on this play area and in these circumstances it would be appropriate for the developer to contribute to the maintenance costs to avoid an increased burden being placed on the Goslings Way/Nigel Way residents.”

8 September 2021

“Trimley St Martin Parish Council discussed this application at their meeting on 7th September. The PC welcomes the inclusion of the additional land in the application, but would like to see part of that additional space allocated for use as an open, mown recreational space which could sit alongside the wildflower meadow and help meet the needs of older children and teenagers. It will be essential that the use of the land for ecological and recreational needs is protected by inclusion in the s106 agreement. Other concerns identified in the Parish Council response of 27 January 2021 are reiterated.”

26 April 2022

“As you may be aware, concern about the impact of development on traffic flow and air quality in Trimley St Martin runs high; as a result Trimley St Martin Parish Council resolved to seek a third party review of the transport assessment for the proposed development of the site adjacent to Reeve Lodge. The third party review has now been completed by Vemco Consulting and was accepted by the Parish Council Planning Committee at their meeting on 22 April. A copy of the review is attached for your attention. You will see from the report that the consultants identified some errors in the execution of the assessment, but the primary concerns relate to the design proposals for the 5th arm of the Howlett Way/High Rd roundabout, the need to remodel future year scenarios to reflect the necessary changes, and the need to review and revise the accident analysis. Full details are provided in the summary and actions section of the review which starts on page 22.”

Consultee	Date consulted	Date reply received
Trimley St Mary Parish Council	26 January 2021 13 August 2021	27 January 2021 6 September 2021

Summary of comments:
Objection

23 February 2022

“There will be a significant impact on the residents of Trimley St Mary as a result of this proposed development, primarily in relation to transport. The Parish Council take the view that the traffic flow calculations and predictions have been under-assessed and the numerous anomalies in the Transport Assessment fundamentally undermines it. For example:

- The roundabout is referred to as both 4 arm and 5 arm however traffic flow modelling has been based on 5 arm – there was virtually no traffic from the rail compound during the survey, in reality the roundabout is 4 arm and should be modelled as such. The existing agricultural access is also ignored.
- No account is taken of traffic that may be generated from the proposed Howlett Way and other ongoing developments and the proposed changes to the roundabout contradict the

proposals from that application. There needs to be modelling and a proposed mitigation based on all developments combined. The High Rd is an extremely busy road and entering it from one of the many side roads is now challenging during busy periods. Further development will only exacerbate this issue. Studies have presented analysis that assures planners that some 90% of local traffic will use the A14 to travel to Felixstowe, this is completely unfounded. Whilst it is possible to accept that the A14 does carry a significantly higher volume of traffic than the High Rd, local traffic tends to choose the High Rd for numerous reasons. A recent roadside origin survey showed that, on average, 76% of traffic exited towards Felixstowe via the High Rd. The vast majority of local traffic will continue to use the High Rd and the cumulative volume of increased traffic from the new developments will result in a constant stream of traffic. There are already bottlenecks that regularly causes traffic incidents. There is no provision for cyclists to safely traverse the busy junction that will be created by the site. All Trimley St Mary (indeed all Felixstowe) road cycling traffic must pass through this roundabout. This is a significant volume of cyclists. Data shows that, during the Spring/Summer months, there were in excess of 4,500 cycling trips per month, in Winter there were 1,840. The cycleway along the whole length of the High Rd is in need of repair and repainting and cannot be used safely. More detail is needed to describe how the safety of these cyclists will be provided for. Observation of parking outside Trimley St Martin School makes clear the demand for vehicular access during drop-off/pick-up times, demand generated by the new school could impact traffic passing through the roundabout. There is no turning facility provided and Table 5.3 shows an excess of 54 vehicles at the school at 9am. Parents will both park and turn in the narrow residential roads causing local obstruction and hampering emergency access. While the document attempts to present a scenario where more children walk to school due to its location nearer to the centre of the population, the school also serves Kirton and many pupils who now walk will revert to driving. A more detailed study of the current and predicted origin of pupils at the school must be included to form a proper assessment of the traffic flow and impact of the school.

- SEWERAGE: The system is almost at capacity with Anglian Water imposing time constraints on recent and planned developments for pumping out of storage tanks into the main system, there has been no response to the planning application to date from Anglian Water and the parish council has concerns over the capability of AW to deal with demand.
- SPORTING PROVISION: Recreational facilities at the proposed school should be of sufficient size and standard to be made available to the local community outside of school hours and help fulfil the lack of facilities within Trimley St Martin.
- LAND EAST OF GUN LANE: It is important that this area of land be protected from development and to help address the need to avoid coalescence between Trimley St Mary and Trimley St Martin. The Parish Council proposes that the land be given to Trimley St Mary Parish Council for recreational purposes along with a sum of money via a S106 agreement to both extend the allotments and provide recreational space. Landscaping and provision of car parking will provide both an attractive access to the AONB and walks to the south and enhance the eastern border of the proposed development."

22 February 2022

"There will be a significant impact on the residents of Trimley St Mary as a result of this proposed development, primarily in relation to transport. The Parish Council take the view that the traffic flow calculations and predictions have been under-assessed and the numerous anomalies in the

Transport Assessment fundamentally undermines it.

For example:

The roundabout is referred to as both 4 arm and 5 arm however traffic flow modelling has been based on 5 arm – there was virtually no traffic from the rail compound during the survey, in reality the roundabout is 4 arm and should be modelled as such. The existing agricultural access is also ignored.

No account is taken of traffic that may be generated from the proposed Howlett Way and other ongoing developments and the proposed changes to the roundabout contradict the proposals from that application. There needs to be modelling and a proposed mitigation based on all developments combined. The High Rd is an extremely busy road and entering it from one of the many side roads is now challenging during busy periods. Further development will only exacerbate this issue. Studies have presented analysis that assures planners that some 90% of local traffic will use the A14 to travel to Felixstowe, this is completely unfounded. Whilst it is possible to accept that the A14 does carry a significantly higher volume of traffic than the High Rd, local traffic tends to choose the High Rd for numerous reasons. A recent roadside origin survey showed that, on average, 76% of traffic exited towards Felixstowe via the High Rd. The vast majority of local traffic will continue to use the High Rd and the cumulative volume of increased traffic from the new developments will result in a constant stream of traffic. There are already bottlenecks that regularly causes traffic incidents. There is no provision for cyclists to safely traverse the busy junction that will be created by the site. All Trimley St Mary (indeed all Felixstowe) road cycling traffic must pass through this roundabout. This is a significant volume of cyclists. Data shows that, during the Spring/Summer months, there were in excess of 4,500 cycling trips per month, in Winter there were 1,840. The cycleway along the whole length of the High Rd is in need of repair and repainting and cannot be used safely. More detail is needed to describe how the safety of these cyclists will be provided for. Observation of parking outside Trimley St Martin School makes clear the demand for vehicular access during drop-off/pick-up times, demand generated by the new school could impact traffic passing through the roundabout. There is no turning facility provided and Table 5.3 shows an excess of 54 vehicles at the school at 9am. Parents will both park and turn in the narrow residential roads causing local obstruction and hampering emergency access. While the document attempts to present a scenario where more children walk to school due to its location nearer to the centre of the population, the school also serves Kirton and many pupils who now walk will revert to driving. A more detailed study of the current and predicted origin of pupils at the school must be included to form a proper assessment of the traffic flow and impact of the school.

SEWERAGE: The system is almost at capacity with Anglian Water imposing time constraints on recent and planned developments for pumping out of storage tanks into the main system, there has been no response to the planning application to date from Anglian Water and the parish council has concerns over the capability of AW to deal with demand.

SPORTING PROVISION: Recreational facilities at the proposed school should be of sufficient size and standard to be made available to the local community outside of school hours and help fulfil the lack of facilities within Trimley St Martin.

LAND EAST OF GUN LANE: It is important that this area of land be protected from development and to help address the need to avoid coalescence between Trimley St Mary and Trimley St Martin. The Parish Council proposes that the land be given to Trimley St Mary Parish Council for

recreational purposes along with a sum of money via a S106 agreement to both extend the allotments and provide recreational space. Landscaping and provision of car parking will provide both an attractive access to the AONB and walks to the south and enhance the eastern border of the proposed development.”

Consultee	Date consulted	Date reply received
NHS England Midlands and East	5 January 2021 13 August 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Economic Services - N. Rickard 50+ Dwellings	6 January 2021 13 August 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Drainage Board	29 January 2021 13 August 2021 16 September 2021	29 January 2021 No response
Summary of comments: No objection.		

Consultee	Date consulted	Date reply received
East Suffolk CIL	13 August 2021	13 September 2021

Summary of comments:
 “This application seeks Outline planning application with some matters reserved (access to be considered) for a phased scheme for the erection of up to 139 new homes (including provision of up to 46 affordable homes), land for a two-form entry primary school with pre-school, open space, SUDS, meadow and informal path on land south of Gun Lane, and all associated infrastructure provision and if approved, will be liable for CIL for the whole of the permitted residential, currently chargeable at the Low Zone rate, on approval of the final reserved matters associated with the development or phase. Rates can be found at <http://www.eastsuffolk.gov.uk/planning/developer-contributions/communityinfrastructure-levy/> The GIA of any existing buildings that have been in lawful use for a continuous period of 6 months in the 3 years preceding the day planning permission first permits development may be deductible where they are to be re-used, demolished or where the use is a use that can lawfully continue without a further planning permission. If the intention is to phase this application, to result in the phasing of the CIL liability phasing must be expressly permitted in the description and by phasing plan to enable the CIL liabilities to be separated. If not phased, the CIL liability will be payable for the whole development following commencement. The CIL liability would be calculated following approval of reserved matters The owner must ensure CIL Form 2: Assumption of Liability and CIL Form 6:

Commencement Notice are submitted and acknowledged at least one day prior to commencement in order to benefit from the Council's instalment policy and avoid potential surcharges. If the owner intends to apply for relief or exemption, it must be granted prior to commencement of the development. Affordable housing relief may be granted for any on site affordable housing where the criteria in the CIL Regulations is met. Forms can be found at www.planningportal.co.uk/cil."

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	13 August 2021	No response
Summary of comments: Internal consultee – comments included within reporting.		

Consultee	Date consulted	Date reply received
East Suffolk Planning Policy	13 August 2021	16 September 2021
Summary of comments: Internal consultee – comments included within reporting.		

Consultee	Date consulted	Date reply received
East Suffolk Design and Conservation	13 August 2021	No response
Summary of comments: No response required.		

Consultee	Date consulted	Date reply received
Natural England	13 August 2021 15 September 2021	3 September 2021 6 October 2021
Summary of comments: No objection subject to appropriate mitigation being secured.		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	16 September 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
SCC Cycling Officer	16 September 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Suffolk Preservation Society	16 September 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
SCC Coasts and Heaths Project	16 September 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
The Ramblers Association	16 September 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Waste Management Services - East Suffolk Norse	16 September 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Felixstowe Society	16 September 2021	No response
Summary of comments: No response.		

5 Publicity

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

Category	Published	Expiry	Publication
Major Application	19 August 2021	10 September 2021	East Anglian Daily Times

Category	Published	Expiry	Publication
Major Application	14 January 2021	4 February 2021	East Anglian Daily Times

6 Site notices

General Site Notice	Reason for site notice: Major Application In the Vicinity of Public Right of Way Date posted: 13 August 2021 Expiry date: 6 September 2021
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General Site Notice	Reason for site notice: Major Application In the Vicinity of Public Right of Way Date posted: 8 January 2021 Expiry date: 29 January 2021
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7 Planning policy

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Suffolk Coastal Local Plan (covering the former Suffolk Coastal Area) was adopted on 23 September 2020.
- 7.2 The National Planning Policy Framework (NPPF) represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant, this includes the presumption in favour of development. If decision takers choose not to follow the NPPF, where it is a material consideration, clear and convincing reasons for doing so are needed.
- 7.3 Paragraph 47 of the NPPF states “Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.”
- 7.4 Paragraph 10 of the NPPF reinforces that the heart of the Framework is based on a presumption in favour of sustainable development, with Paragraph 11 further confirming that Plans and decisions should apply a presumption in favour of sustainable development and for decision making this means approving development proposals that accord with an up-to-date development plan without delay; or
- 7.5 Development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. The development plan comprises the East Suffolk

Council – Suffolk Coastal Local Plan (“local plan”) and any adopted neighbourhood plans. The relevant policies of the development plan are listed in the section below and will be considered in the assessment to follow:

- SCLP5.8 - Housing Mix (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP5.10 - Affordable Housing on Residential Developments (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP7.1 - Sustainable Transport (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP7.2 - Parking Proposals and Standards (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP8.2 - Open Space (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP9.2 - Sustainable Construction (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP9.5 - Flood Risk (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP9.6 - Sustainable Drainage Systems (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP9.7 - Holistic Water Management (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP10.1 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP10.3 - Environmental Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP10.4 - Landscape Character (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP11.3 - Historic Environment (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

- SCLP11.7 - Archaeology (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP12.65 - Land adjacent to Reeve Lodge, High Road, Trimley St Martin (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

7.6 The following Supplementary Planning Guidance (SPG) relating to the former Suffolk Coastal area, is also identified as relevant to the determination of this application:

- SPG 2 – Affordable Housing (July 2004)
- SPG 15 – Outdoor Playing Space (April 2001)

8 Planning considerations

Principle of development

8.1 The site identified within the local plan as an allocated site for the accommodation of new residential development and for primary school/early years provision (Policy 12.65). The principle of development on the site is therefore established.

8.2 Policy SCLP12.65 (Land adjacent to Reeve Lodge, High Road, Trimley St Martin) reads as follows:

8.59ha of land adjacent to Reeve Lodge, High Road, Trimley St Martin is identified for the development of approximately 150 dwellings, a primary school and open space.

Development will be expected to accord with the following criteria:

- A mix of housing should be provided on the site including housing for older people and the provision of self-build plots;*
- Provision of affordable housing on site;*
- Provision of 2.2ha of land for a primary school and early years provision;*
- Provision of open space for people of all ages;*
- Provision of appropriate landscaping and boundary treatments to provide a 'soft' western edge to the development and to minimise impacts on the AONB, provision of open space and landscaping so as to prevent the coalescence of the Trimley Villages;*
- Provision of a Landscape and Visual Impact Assessment to inform the landscape strategy for the site;*
- An ecological survey will be required, and any necessary mitigation provided;*
- A site-specific Flood Risk Assessment will be required, and any necessary mitigation provided;*
- Evidence is required to demonstrate there is adequate provision for treatment at the Water Recycling Centre or that this can be provided;*
- Provision of pedestrian/cycle links through the site, including connectivity into the surrounding countryside;*
- Proportionate archaeological assessment will be required;*
- Confirmation of adequate capacity in the foul sewerage network or action to upgrade to create the required capacity; and*
- Any planning application should be supported by evidence which assesses the quality and quantity of sand and gravel resources on site in order to determine whether on-site resources should be used on-site during development.*

- 8.3 Each of the policy requirements and other associated material planning considerations are addressed in turn throughout the report.

Housing provision

Criterion a: A mix of housing should be provided on the site including housing for older people and the provision of self-build plots, and provision of affordable housing on site.

- 8.4 As guided by Policy SCLP5.8 (Housing Mix), new residential developments should provide a mix of housing tenures, types and sizes appropriate to the site size, characteristics and location, reflecting where feasible the identified need, particularly focusing on smaller dwellings (one and two bedrooms). An alternative dwelling mix will only be permitted where it is demonstrated that more current evidence of need should apply or where the required mix would fundamentally compromise the viability of the development, taking into account other requirements of the development.
- 8.5 This application seeks outline permission for 'up to' 139 new homes at 26.8 dwellings per hectare (dpa). Whilst the quantity of dwellings is less than the 'approximately 150 dwellings' suggested in the allocation policy, the density is higher compared the proposed 23.5 dpa density (taking into account the 2.2 hectares for school provision). This is broadly in accordance with the policy objectives and is considered acceptable subject to compliance with all other respective policies.

Indicative housing mix (including affordable housing)

- 8.6 Of the 139 homes proposed, 93 are market homes and 46 are affordable homes. The market housing provision prioritises two and three-bedroom dwellings, whilst the affordable housing the distribution is more evenly split, with two-bedroom dwellings comprising a larger proportion. As noted by the applicant, at least fifty percent of all the new homes will be to part M4(2) of the Building Regulations, in accordance with Policy SCLP5.8 (Housing Mix). The proposed scheme also provides five percent of the new homes to be custom/self-build properties, in accordance with Policy SCLP5.9 (Self Build and Custom Build Housing).
- 8.7 With regard to meeting the needs for housing for older people, the proposal includes ground floor apartments and two-part M4(3) wheelchair accessible three-bedroom bungalows to help meet the need for this particular type of accommodation.
- 8.8 A condition of consent will apply to ensure a reserved matters application includes the required provision, or in exceptional circumstances, demonstrate that provision is either unfeasible or unviable and that the development incorporates alternative measures to enhance accessibility and adaptability where possible.

Table 1: Proposed housing mix for 139 dwelling development in relation to district-wide policies

Number of bedrooms	Percentage of district wide need (Policy SCLP5.8)	Percentage proposed within application
1-bedroom apartment	12%	12.2% (17 units)
2-bedroom house	29%	33.8% (47 units)
3-bedroom house / dormer bungalow	25%	46.8% (65 units)

4-bedroom house	33%	7.2% (10 units)
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Affordable housing

- 8.9 As guided by Policy SCLP5.10 (Affordable Housing on Residential Developments), proposals of this scale (10+ dwellings) will be expected to make provision for 1 in 3 units to be affordable dwellings, and to be made available to meet an identified local need, including needs for affordable housing for older people. Of these affordable dwellings, 50% should be for affordable rent / social rent, 25% should be for shared ownership and 25% should be for discounted home ownership.

Table 2: Proposed affordable housing provisions

Affordable housing provision – 33.1% (46 units)		
Number of bedrooms	Percentage of district wide need (Policy SCLP5.8)	Percentage proposed within application
1-bedroom apartment	12%	28.3% (13 units)
2-bedroom house	29%	39.1% (18 units)
3-bedroom house	25%	28.3% (13 units)
3-bedroom dormer bungalow	33%	4.4% (2 units)

- 8.10 When it comes to design the scheme at reserved matters stage, all homes must be in small clusters, indistinguishable and well-integrated within the scheme with on plot parking and minimum garden sizes, and a mix of flats, houses, maisonettes and bungalows across all affordable housing tenures will be sought to meet the housing needs of local people in the district.
- 8.11 It is noted that there are two three-bedroom dormer bungalows proposed, these should be delivered for affordable rent tenure with wet rooms; and all affordable dwellings should meet the following size standards: one-bedroom, two persons; two-bedroom, four persons; three-bedroom, five persons; and four-bedroom, six persons.

Self-build and custom-build housing

- 8.12 As guided by Policy SCLP5.9, proposals for self-build or custom-build plots will be supported where in compliance with all other relevant policies of the local plan. This can be achieved through the delivery of allocated sites, such as this, or via various 'windfall' developments.
- 8.13 Self-build projects are defined as those where someone directly organises the design and construction of their own home, where as custom-build, homes are where a person works with a developer as an individual or a group to help provide their own home (the developer may help to find a plot, manage the construction and arrange the finance for the new home). The latter is more of a hands-off approach, but the home is tailored to match the individual's requirements.
- 8.14 The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) does not distinguish between self-build and custom housebuilding and provides that both are where an individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals. In considering whether a home is a self-build or

custom build home, relevant authorities must be satisfied that the initial owner of the home will have primary input into its final design and layout. Off-plan housing, homes purchased at the plan stage prior to construction and without input into the design and layout from the buyer, are not considered to meet the definition of self-build and custom housing.

- 8.15 A key element of self and custom build schemes is the flexibility to design and build homes to individual requirements however it is important that an element of coherence in the design and appearance of the overall site is maintained. A Design Code is required a reserved matters stage, which address matters such as building heights, massing, position on plot, plot coverage, materials palette, landscaping, parking, and waste management, establishes the design principles for the scheme to which each plot should adhere and provides greater certainty for self and custom builders that their individual designs will be granted permission.
- 8.16 Overall, the indicative schedule of housing mix is considered in accordance with 'criterion a' of the allocation policy, as well as Policies SCLP5.8 and SCLP5.9. Final details of the unit types and sizes is reserved for future determination - any reserved matters application will need to comply with the relevant policy on housing mix. Affordable housing and self-build/custom-build housing provisions will be delivered in line with the s106 agreement, which will state triggers for how and when the homes will be delivered.

Primary school and early years provision

Criterion c: Provision of 2.2ha of land for a primary school and early years provision.

- 8.17 The previous Felixstowe Peninsula Area Action Plan had identified the need for a new primary school (including an early years setting) in the area due to forecast shortfalls in capacity over the timeframe of the respective plan. East Suffolk Council has been exploring possibilities with the County Council and this site offers a central location relative to the existing and proposed residential allocations with the villages of Trimley St Martin and Trimley St Mary and performs best in terms of accessibility by walking. This site provides an opportunity to accommodate a new primary school, and 2.2 hectares of land will need to be provided as part of the provision of a new primary school, which would have scope to accommodate two-form entry in the future. Policy suggests that the school should be located in the western part of the site forming part of a focal point for the community, with community use of school facilities investigated, and new early years setting located alongside the school.
- 8.18 The illustrative layout shows the proposed scheme meeting these specific policy requirements and is considered acceptable in respect of an outline planning permission. Further design detail and consultation will be required from Suffolk County Council as the likely future applicant at reserved matters stage to ensure the delivery of a high-quality scheme, which takes into account matters raised by third-party responses regarding access and its supplementary use for community purposes. Schools and other community buildings need to be the focal point of a community and be exemplar in their design. East Suffolk Council expects high quality design of our new schools recognising that many education projects are subject to extensive value engineering to meet very tight budgets set by the Department for Education. Good design for learning environments need to be a considerable extra cost but it does require careful thought and influence by those who will use new schools. East Suffolk expects new school designs to be subject to a review by the

Suffolk Design Review Panel at pre-application stage to ensure extra attention is given to quality design outcomes.

Open space

Criterion d: Provision of open space for people of all ages.

- 8.19 Policy SCLP8.2 (Open Space) of the local plan, supports the provision of open space and recreational facilities and their continued management across the plan area. This is mainly to encourage active lifestyles and to increase participation informal and informal recreation for all sectors of the community, and also to support biodiversity, promote effective water management and to enhance the public realm. The residential development will therefore be expected to contribute to the provision of open space and recreational facilities in order to benefit community health, well-being and green infrastructure.
- 8.20 The policy preamble states that national standards recommended by Fields in Trust promotes a requirement for 2.4 hectares of open space (play areas and playing fields) per 1,000 people, which enables residents of all ages to participate in sport and play. This calculation is used as a standard and is applied when considering applications for new open space and recreational facilities, apart from when local evidence and provision demonstrates the need for an alternative approach. This reflects the standard set out in the Suffolk Coastal SPG15: Outdoor Playing Space (2001), which also expects housing developments to provide a minimum standard of 2.4 hectares per 1000 population.
- 8.21 For the purposes of calculating the public open space requirement for a given scheme, Paragraph 3.3 of SPG 15 sets out the following formula for reasonable occupancy rates within the district, based on the number of bedrooms per dwelling:
- One-bedroom dwellings: 1.5 persons
 - Two-bedroom dwellings: 2.0 persons
 - Three-bedroom dwellings: 2.5 persons
 - Four-bedroom dwellings: 3.0 persons
- 8.22 Applying this formula to the scheme equates to a requirement of 0.75ha of open space, based on an assumed occupancy of 312 persons ($312/1000 \times 2.4 \text{ hectares} = 7,488 \text{ m}^2$), which the proposal far exceeds with the incorporation of 1.2 hectares of open space to the south of Gun Lane, with further open space located in the north west extent of the site, adjacent to the existing Trimley St Martin Play Area and the settlement edge at Goslings Way.
- 8.23 The public open space will be provided as a multi-functional greenspace providing space for informal recreation, with links to the wider countryside via public footpath FP4, as well as biodiversity enhancements. The location of the public open space adjacent to the existing play area at Goslings Way, will also ensure that residents have access to formal play opportunities, with the Goslings Way play area is located adjacent to the site – directly accessible via public footpath FP4.

Landscaping

Criterion e: Provision of appropriate landscaping and boundary treatments to provide a 'soft' western edge to the development and to minimise impacts on the AONB, provision of open space and landscaping so as to prevent the coalescence of the Trimley Villages; and

Criterion f: Provision of a Landscape and Visual Impact Assessment to inform the landscape strategy for the site.

- 8.24 The submitted Landscape and Visual Impact Assessment concludes that the conversion of an agricultural field to residential development will inevitably lead to moderate to slight adverse effects on the landscape as a resource in its own right, and on landscape character. However, the presence of existing built-up settlement edge, the retention of existing hedgerows and field boundary trees, and appropriate new tree planting moderates this inevitable conclusion.
- 8.25 Provision of open green space (existing field) to the south of Gun Lane contributes to the separation of the two Trimley villages, as does new planting alongside Gun Lane. Land adjacent to the site is reserved for school provision is also bounded by new native species buffer planting. A landscape masterplan has been included and it has been informed by the Suffolk Coastal landscape character assessment and Settlement Fringe Sensitivity Study and in this respect it is anticipated to be especially effective in moderating effects and contributing to local landscape character.
- 8.26 The submitted material has been reviewed by the East Suffolk Council arboriculture and landscape manager, who has advised that the submitted landscape masterplan is acceptable. Also included is a comprehensive tree survey and arboricultural impact assessment, which shows that the indicated development layout can be achieved without any meaningful impact on existing trees and hedges which can be retained and can continue to contribute to local landscape character.
- 8.27 A number of conditions are to be appended to a consent, including: a fully detailed landscape scheme covering both hard and soft landscape works be submitted and approved prior to commencement of construction, a comprehensive landscape management plan be submitted covering the early years of planting established together with longer term recommendations for ongoing management, a tree protection plan and arboricultural method statement be submitted and approved before commencement on site.

Ecology

Criterion g: An ecological survey will be required, and any necessary mitigation provided.

- 8.28 An Ecological Assessment has been undertaken by Hopkins Ecology, with a preliminary appraisal undertaken in 2018 to identify constraints and opportunities to inform site design, with a further survey undertaken in August 2020.
- 8.29 It notes that the site comprises an arable field with partial boundary hedgerows and verges of improved grass sward, with a standard tree in one hedgerow; the tree is located on the site boundaries and within an area proposed as green space in the scheme design. Whilst the hedgerows qualify as Hedgerow Habitat of Principal Importance, it is advised that they are generally poor-quality examples. Protected species potentially or likely to be present

are roosting bats in a single tree with moderate roost potential and nesting birds.

- 8.30 The submitted material and additional amendments have been reviewed by the East Suffolk Council senior ecologist, with no objection raised subject to mitigation measures and appropriate conditions. This includes submission of an Ecological Enhancement Strategy, addressing how ecological enhancements will be achieved on site. Expectations of this would include integral swift nest bricks incorporated to a total number equivalent to the number of dwellings and appropriately positioned across the site. The incorporation of swift nest bricks is an established way to enhance biodiversity within a development and provide net gain. There are records of Hedgehog, a UK and Suffolk Priority Species, in the surrounding area. To maintain connectivity for this species, we recommend maintaining hedgehog permeable boundaries (with gaps of 13x13cm at ground level) as part of this development to maintain connectivity for the species.
- 8.31 The open space south of Gun Lane includes the provision of an informal walking route connecting the Gun Lane public right of way and the development. This amendment to the scheme is welcomed and addresses previous comments on delivering adequate mitigation measures to ensure the development does not result in an adverse effect on integrity (AEOI) of any European designated sites through in-combination increases in recreational disturbance.
- 8.32 The development will provide:
- Approximately two hectares of high quality public open space;
 - Onsite walking routes (including through and around the areas of public open space) with connections to public rights of way creating circular walking routes of various lengths away from European designated sites;
 - Provision of signage/leaflets to promote recreational routes away from the European designated sites;
 - Onsite dog waste bins; and
 - A financial contribution of £16,942.71 (139 dwellings x £121.89) to the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS).
- 8.33 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 an appropriate assessment of the implications of the project for the site(s) in view of those sites' conservation objectives and having consulted Natural England and fully considered any representation received, the authority may now agree to the development under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).
- 8.34 The below mitigation measures shall be secured by conditions, as proposed below:
- A biodiversity enhancement strategy, detailing how the enhancements made within the Ecological Assessment (Hopkins Ecology, December 2020) are to be incorporated within the development, including their locations.
 - A landscape and ecological management plan detailing how the habitats and open spaces onsite are to be appropriately managed for biodiversity.

- A biodiversity lighting strategy in accordance with current guidelines.

Flood risk

Criterion h: A site-specific Flood Risk Assessment will be required, and any necessary mitigation provided.

- 8.35 Due to the scale of the site, a Flood Risk Assessment and Drainage Strategy report has been prepared by Transport Planning Associates ('TPA') in support of the scheme.
- 8.36 The site is identified as being in Flood Zone 1, where there is less than 0.1% annual probability of river or sea flooding. As described within the report, the assessed flood risk from surface water is considered very low, although there are some areas highlighted as being at medium risk. This means that each year these medium risk areas have a chance of flooding of between 1% and 3.3%. However, the flood risk assessment identifies that this risk can be suitably mitigated by using the proposed sustainable features to accommodate the volume from these areas by increasing the storage capacity of the proposed drainage system.
- 8.37 Suffolk County council as the lead local flood authority have reviewed the following submitted documents and recommend approval of this application subject to conditions:
- Transport Planning Associates, Flood Risk Assessment and Drainage Strategy*, 1808-54/FRA/01 E, 17/12/2020 - **Note: The Drainage Strategy aspect of this document has been superseded by the below Technical Note and Plan 2.*
 - Transport Planning Associates, Technical Note – Surface Water Drainage Strategy, 1808-54/TN/03 E, October 2021
 - Transport Planning Associates, Preliminary Drainage Strategy Layout, 1808-54/SK100/Q, 18/11/2021.

Infrastructure

Criterion i: Evidence is required to demonstrate there is adequate provision for treatment at the Water Recycling Centre or that this can be provided; and

Criterion l: Confirmation of adequate capacity in the foul sewerage network or action to upgrade to create the required capacity.

- 8.38 There are no surface water public sewers around the site – however, Anglian Water asset plans show that there is 225mm foul sewer running along High Road. The site falls within the catchment of Felixstowe Water Recycling Centre and the foul water drainage strategy for the proposal involves a new connection to the existing foul sewer, which Anglian Water has confirmed has adequate capacity to treat the anticipated flows from the development.
- 8.39 Anglian Water's response notes the following:

Assets

"Anglian Water has assets close to or crossing this site or there are assets subject to an

adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence."

Wastewater treatment

"The foul drainage from this development is in the catchment of Felixstowe Water Recycling Centre that will have available capacity for these flows."

Used water network

"This response has been based on the following submitted documents: Flood Risk Assessment. The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection."

Access and connectivity

Criterion j: Provision of pedestrian/cycle links through the site, including connectivity into the surrounding countryside.

- 8.40 Suffolk County Council as the highways authority has reviewed the proposal and associated documentation and recommend approval subject to conditions and financial provisions secured via a s106 legal agreement. The proposals have been considered alongside and been influenced by the draft East Suffolk Cycling and Walking Study. Particularly taking into account opportunities to connect through the site as part of a wider Ipswich to Felixstowe cycle corridor promoted in that draft strategy.

Transport Assessment Wider Network Impact

- 8.41 It has been previously established via internal discussions that the Garrison Way junction cannot be improved capacity wise. Therefore, in order to mitigate this impact, the highways authority intend to request a S106 contribution towards sustainable travel highway improvements from both this development and the neighbouring Howlett Way proposal, proportionate to the scale of development proposed.
- 8.42 A cycle scheme has been worked up and costed and proportionately divided against allocated site numbers to mitigate the findings in the Transport Assessment and to encourage sustainable transport modes and lessen the impact upon this junction. The scheme costs as per December 2021 are £124,300. This site proposes 139 dwellings, and the neighbouring site proposes 340 total is 479. Therefore: $\text{£}124,300 / 479 = \text{£}259.50$. $\text{£}259.50 \times 139 = \text{£}36,071$ for this site to potentially mitigate its impact on Garrison Lane et al.
- 8.43 The traffic generation methodology is acceptable as set out in technical note 04.

Internal layout indicative site layout

- 8.44 Although an outline application, the following comments should be noted in advance of the reserved matters proposal to prevent future objection to the proposal:

- **School:** Accesses into the school will need to fully formed junction type accesses with footway/ cycle route access into the school; it is noted that visitor parking is proposed near to the junction which will obscure the visibility, and this arrangement will not be accepted in reserved matters. Comment from SCC Education team regarding the development roads being used as a loop road requires consideration as this may result in a nuisance for residents and potentially a safety issue - similarly with school run parking. Amendments to the layout and parking restrictions on the development roads may be required.
- **Trees:** Noted from the landscape plan that trees are shown close to adoptable roads and potentially within visibility splays. Amendments are likely to be required. For example: Service/maintenance strips should be provided where no adoptable footways/cycle ways are present. There should be suitable to carry modern services. And be free from planting. Without suitable service strip provision SCC will not adopt as highway.
- **Parking:** The parking should accord to the current Suffolk Parking Guidance. Including well dispersed visitor parking and cycle parking. There should be no triple tandem parking on adoptable roads and no half spaces in front of tandem parking to prevent over hanging the carriageway or parking on the footways. The highways authority reserve the right to provide further comments on the proposed layout at approval of reserved matters stage.
- **External layout access roundabout layout:** The proposed access arrangements and crossing proposals shown in appendix C. of technical note 04, plan PL101 Rev A are broadly acceptable. These will be subject to a recommended planning condition with delivery via S278 agreement below prior to first occupation.
- **Pedestrian and cycle access:** The drawing within appendix E is acceptable, however all pedestrian links should be upgraded where possible to cycle links to meet NPPF and LTN 1/20 and this will be required in section 38 and 278 stages.

8.45 Detail at reserved matters stage will ensure that the scheme accords with all relevant aspects of the Suffolk Guidance for Parking - Technical Guidance (2019) and Policy SCLP7.2 (Parking Proposals and Standards) or subsequent documents replacing those.

Rights of way

8.46 As the site affects two public rights of way, Footpath 4 and Restricted Byway 3. Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

8.47 The rights of way team at Suffolk County Council were formally consulted. Their comments are noted below:

- This development will create high levels of use of RB3 towards the new rail crossing
- The new rail crossing has been designed to be accessible by all including on foot, on cycle, and by horse riders.

- RB3 forms a section of a proposed new off-road cycling route linking NCR51 and Felixstowe which is being looked at by a partnership of East Suffolk Council, Suffolk County Council and local councils.
- This new off-road route would provide a safe alternative to cycling along Trimley High Street which in sections lacks adequate cycling facilities.
- This route will provide off-road and direct access to the countryside for health and wellbeing benefits. It is likely to be a very popular dog walking route.
- This route will provide an off-road commuting route into Felixstowe, and especially towards Felixstowe Docks.
- Further consultation is required in respect of proposed planting along and around FP4 and RB3 to ensure that both rights of way remain unobstructed.

8.48 Due to points raised, SCC Rights of Way propose that improvements to RB3/Gun Lane are to be delivered as a s106 obligation (**£59,0000**) or as a Section 278 agreement under the Highways Act 1980. This is pending negotiation with the applicant.

Archaeology

Criterion k: Proportionate archaeological assessment will be required.

- 8.49 This large site was identified as having has very high archaeological potential in view of its topographic location and position on light soils, which were favoured for early occupation. An aerial photographic report was undertaken prior to work at the former Mushroom Farm, to the north/west of the site, but which included the proposed development area. This identified cropmark evidence indicative of multiperiod archaeological activity in the western half of the proposed development site, recorded in the County Historic Environment Record as TYN 122 and TYN 125. The subsequent work at the Mushroom Farm did identify fairly dense (for the period) Bronze Age and Iron Age pits and ditches (TYN 126 and 132).
- 8.50 Whilst a geophysical survey undertaken at this site failed to corroborate the aerial photography data, a trial trenched archaeological evaluation has now been undertaken at the site and defined numerous archaeological features, of likely prehistoric date, in almost every trench. This survey showed the aerial photography evidence to be fairly accurate in terms of defining the main areas of archaeological activity, although a large number of additional features were also recorded that were not visible as cropmarks (either due to their size or to masking factors). As such, extensive additional archaeological remains are likely to survive across much of the site and the proposed development will cause significant ground disturbance that will damage or destroy known below ground heritage assets.
- 8.51 Whilst there are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets, in accordance with the National Planning Policy Framework (Paragraph 199), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

Sustainable construction

Criterion m: Any planning application should be supported by evidence which assesses the quality and quantity of sand and gravel resources on site in order to determine whether on-site resources should be used on-site during development.

- 8.52 The site is located within a Minerals Consultation Area as defined by Suffolk County Council as the Minerals Planning Authority. Therefore, any planning application should be supported by evidence which assesses the quality and quantity of sand and gravel resources on site in order to help judge whether on-site resources should be used on-site during development, as directed by the policy, this may help reduce the amount of material transported on and off-site during development.
- 8.53 A preliminary site investigation has indicated that the site underlain by sand and gravel deposits, which may potentially be suitable for use on-site. Further testing will therefore be required prior to any commencement of development to confirm whether these deposits are viable to extract and whether they can be used on-site as part of the proposed scheme. This minerals analysis will be secured through a suitably worded planning condition requiring the submission of a material management plan prior to commencement.
- 8.54 In line with policy requirements, the proposed scheme should achieve higher energy efficiency standards that result in a 20% reduction in CO2 emissions below the Target CO2 Emission Rate (TER) set out in the Building Regulations. Exceptions should only apply where they are expressed in the Building Regulations or where applicants can demonstrate, to the satisfaction of the Council, that it is not viable or feasible to meet the standards. Optional technical standard in terms of water efficiency of 110 litres/person/day should also be achieved.
- 8.55 Detail is to be submitted by way of a sustainability statement to address the requirements outlined under Policy SCLP9.2 (Sustainable Construction), which is to be secured by a pre-commencement condition.

Environmental quality

- 8.56 The ESC environmental protection team have formally reviewed the supporting documents/assessments and raise no objection subject to conditions. Comments raised are noted within the respective matters – listed below.

Land contamination

- 8.57 Upon review of the submitted Phase 1 Contaminated Land Assessment, a full suite of respective conditions, including the provision of a Phase 2 assessment prior to/concurrent with the submission of reserved matters is proposed to adequately mitigate any potential adverse effects.

Noise

- 8.58 The submitted Noise Impact Assessment identifies and assess surrounding noise generating activities that may have the potential to affect the proposed scheme. The assessment determines pre-development baseline noise conditions at the site and the main sources of environmental noise are the Felixstowe to Ipswich Railway line and road traffic noise.

- 8.59 The assessment had to make a number of assumptions due to the unusual transport patterns as a result of the Covid 19 pandemic – however, the conclusions of the report are that suitable noise conditions can be achieved across the site with good acoustic design and noise mitigation.
- 8.60 Prior to the reserved matters stage, it will be necessary for the noise report to be updated and, importantly, for the noise climate to be considered during the site design and layout. Good acoustic design will be essential to this development which sits between a rail line and a busy road, and some mitigation in the form of barriers, glazing and acoustic ventilation are likely to be required to both some of the dwellings and the school. The potential for impact of noise from the school will need to be considered, and again, good acoustic site design will be important.

Air quality

- 8.61 The Redmore Environmental Assessment (number 3965 Rev. 2, dated 16 December 2020) concludes that the impact on local air quality is not significant, however the following comments are made:

- **AQ biomass boiler:** If a biomass boiler is proposed for the school then a biomass boiler information request form should be submitted to the local planning authority for approval of the boiler and proposed stack height. 2
- **Control of dust during construction:** The recommendations within the air quality assessment should be incorporated into a Construction Management Plan.
- **Sustainable travel:** A significant number of developments are proposed in the Felixstowe and Trimley area, while each individually may not impact significantly on local air quality, when combined there is the potential for impact.

The EPUK document Land-Use Planning & Development Control: Planning For Air Quality (January 2017(v1.2) recommends major developments (in terms of planning - i.e. greater than 10 dwellings or greater than 1000m² of commercial floorspace) are subject to measures to help reduce the impact on local air quality.

All major developments should be targeted as there very few developments which will show a ORRB direct impact on local air quality, but all developments will have a cumulative effect. The NPPF also states that 'local parking standards for residential and non-residential development, policies should take into account... e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.' Paragraph 110 of the NPPF states that 'applications for development should... be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.'

It is therefore recommended that electric vehicle charge points are required across the development to include domestic charging points, visitor charging points and school parking charge points.

A travel plan for the site should be developed and submitted to ensure that other sustainable and active travel methods are encouraged. Reason To promote and

facilitate the uptake of electric vehicles on the site in order to minimise emissions and enhance local air quality in line with the National Planning Policy Framework (NPPF).

Construction phases(s)

- 8.62 A Construction Management Plan should be submitted to, and approved by, the local planning authority. This should contain information on how noise, dust, and light will be controlled so as to not cause nuisance to occupiers of neighbouring properties. The recommendations in the air quality assessment for dust control should be incorporated into the document.

Design quality

- 8.63 This outline application seeks to establish whether the scale and nature of a proposed development would be acceptable to the local planning authority before a fully detailed proposal is put forward, allowing fewer details about the proposal to be submitted. Once outline permission has been granted, approval of the details ("reserved matters") is required before any development or associated work can start.
- 8.64 In this instance, only the means of access, which covers accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site, is being considered within the outline application. Therefore, the following details will be agreed at later stage under a reserved matters application:
- **Appearance:** Aspects of a building or place which affect the way it looks, including the exterior of the development.
 - **Landscaping:** The improvement or protection of the amenities of the site and the area and the surrounding area, this could include planting trees or hedges as a screen.
 - **Layout:** Includes buildings, routes and open spaces within the development and the way they are laid out in relations to buildings and spaces outside the development.
 - **Scale:** Includes information on the size of the development, including the height, width and length of each proposed building.

Designing out crime

- 8.65 Suffolk Constabulary have viewed the available plans, and whilst it is noted that this is an outline planning application and more in-depth details will follow, they raise an extensive list of comments with the proposed design with regards to Section 17 of the Crime and Disorder Act. These need to be fully addressed within a reserved matters submission to ensure the scheme is appropriately designed.

Primary school and pre-school

- 8.66 Further assessments will be needed at reserved matters stage to check on site suitability, which in turn informs the appropriate site layout. With regard to the community use, Suffolk County Council have advised that it is unlikely that there will be any community use of the school facilities due to the nature of the buildings and play areas which are smaller in scale; primary school facilities do not lend themselves to use by the community like high school facilities would. This should continue to be explored further as the school design develops as it is not uncommon for primary schools to share facilities with the community and benefit from that.

- 8.67 Further design detail and consultation will be required from Suffolk County Council as the likely future applicant at reserved matters stage to ensure the delivery of a high-quality scheme, which takes into account matters raised by third-party responses regarding access and its supplementary use for community purposes. Schools and other community buildings need to be the focal point of a community and be exemplar in their design. East Suffolk Council expects high quality design of our new schools recognising that many education projects are subject to extensive value engineering to meet very tight budgets set by the Department for Education. Good design for learning environments need to be a considerable extra cost but it does require careful thought and influence by those who will use new schools. East Suffolk expects new school designs to be subject to a review by the Suffolk Design Review Panel at pre-application stage to ensure extra attention is given to quality design outcomes.
- 8.68 The new school site must be rectangular in shape, free of contamination, compaction, cleared of any previous land use and no spoil introduced after surveys have been conducted by SCC before transfer. The cost of all archaeological surveys and remedial work will be met by the owner, and due to the early need for the school site, the applicant will be required to provide the following services to an agreed location(s) with SCC on the school site: water plus drainage/outlet to the local sewer system; electric; gas; ICT connections; access by pedestrians and motor vehicles; considerations for noise pollution; and discharge the school surface water into the SUDS system abutting the school site to the north serving the residential development.
- 8.69 Suffolk County Council have reviewed the Landscape Plan, Parking Plan and the Design and Access Statement and make the following comments:
- Within the Landscape Plan trees and hedges (mixed native hedgerows) are proposed within the schools site boundary. It is suggested that these are removed or noted as for illustrative purposes only. The final positions and types of vegetation will be dependent on the final proposal (RM application) that SCC design for the school site.
 - Within the Parking plan a number of spaces are shown along the north/south spine road. Although a reserved matter, if these are not designated then they will likely get used at school pick up/drop off times and as school overflow parking during the day if needed – suggest max waiting time of 20 mins for school drop off and pick up times as we have elsewhere with new schools.
 - There is potential for parents to use the loop around the new development rather than trying to turn around at the southern end of the loop road, which will need consideration from the highways officer.
 - The Design & Access Statement states the school will provide on-site drop-off areas with two accesses providing the potential for a separate in/out arrangement. However, the school will not necessarily use the in/out to facilitate on site drop off but gives the school the option to use the car park flexibly if needed.
 - The Design & Access Statement notes the schools window openings would need to be restricted due to noise from the High Road. Depending on the orientation it is likely to be recommended that an acoustic-grade trickle ventilator is installed into the window

frame for certain room uses where there is either full or partial line of sight to the High Road. However, the orientation of the building would likely be mainly east/west facing with the hall/kitchen towards the northern end which would minimise this risk. SCC would also undertake an acoustic survey once the designs are completed which would be able to mitigate further this issue.

- 8.70 The County Council will require proportionate developer contributions for build costs for the new school from this proposed development, which will need to be secured by way of a planning obligation as it falls outside the district council's CIL funding approach set out in the Infrastructure Funding Statement. Land for the school provision is to be secured via a s106 agreement and include transfer and purchase price of £100,000 / acre. Trigger to call upon the school land will need to work with SCC starting on site for September 2023 – however, should the main access road and transfer of school site not be completed by September 2023, to enable school construction, proportionate sum of s106 contributions to temporary classrooms will need to be called upon, which is to be written into the s106 agreement.

Infrastructure

- 8.71 Infrastructure requirements needed to support and service the proposed development must be considered in the proposed development, with the expectation that the scheme contributes towards infrastructure provision to meet the needs generated. Off-site infrastructure will generally be funded by the Community Infrastructure Levy, and on-site infrastructure will generally be secured and funded through Section 106 planning obligations. Further work is due to take place this year to review a 10 year trajectory of housing delivery and population growth for Felixstowe and the Trimleys and to map the essential infrastructure delivery points. This includes appraising the timing of plans needing to be developed and delivered for education and health infrastructure across the wider area and factoring in the CIL contributions needed to deliver those.

Fire safety

- 8.72 Suffolk County Council strongly recommends the installation of automatic fire sprinklers and the Suffolk Fire and Rescue Service requests that early consideration is given during the design stage of the development for both access for fire vehicles and the provisions of water for firefighting. Fire hydrant requirement will be covered by an appropriate planning condition, which will allow SCC to make final consultations at the reserved matters stage.

Healthcare

- 8.73 The CCG have advised that the nearest GP surgeries do not have sufficient capacity for the additional growth resulting from this development and cumulative development growth in the area. Therefore, a developer contribution via CIL would be sought to mitigate the impact, as this development is not of a size and nature that would attract a specific s106 planning obligation. A proportion of the required funding for the provision of increased capacity by way of extension, refurbishment, digital solution or reconfiguration at The Grove Medical Centre and/or Haven Health, servicing the residents of this development, would be sought from the CIL contributions.
- 8.74 Should the level of growth in this area prove this to be unviable, the relocation of services would be considered, and funds would contribute towards the cost of new premises, thereby increasing the capacity and service provisions for the local community. In line with the Government's presumption for the planning system to deliver sustainable

development and specific advice within the National Planning Policy Framework and the CIL Regulations, which provide for development contributions to be secured to mitigate a development's impact, a financial contribution is sought.

- 8.75 Assuming the above is considered in conjunction with the current application process, NHS England would not wish to raise an objection to the proposed development and Ipswich and East Suffolk CCG is satisfied that the basis of a request for CIL contributions is consistent with the Infrastructure List produced by East Suffolk Council.

CIL contributions

- 8.76 The table below would form the basis of a future bid to the District Council for CIL funds if planning permission is granted and implemented. This will be reviewed on receipt of a reserved matters application consultation.

Service requirement	Contribution per dwelling	Capital contribution
Education – Secondary	£3,762.95	£523,050.00
Education – Sixth Form	£855.22	£118,875.00
Libraries	£216.00	£30,024.00
Waste	£56.00	£7,784.00
Total	£4,890.17	£679,733.00

9 Conclusion

- 9.1 The subject site is allocated within the East Suffolk Council – Suffolk Coastal District Plan as a sustainable location for the development of approximately 150 dwellings, a primary school and open space (Policy SCLP12.65).
- 9.2 Paragraph 2 of the NPPF (2021) states that “Planning Law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise”. That section of the law is contained in S38(6) of the Planning and Compulsory Purchase Act 2004.
- 9.3 The starting point is therefore the adopted Development Plan (Suffolk Coastal Local Plan). The application site is allocated under Policy SCLP12.65 whereby the level and type of development proposed meets the criteria noted within that policy.
- 9.4 Only means of access is being considered in detail within this outline application, which covers accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site. Details relating to appearance, landscaping, layout and scale will be agreed at a later stage under a "reserved matters" application - along with further aesthetic detail and sustainability requirements. While there are elements of the proposal that require further detail through reserved matters applications, the fundamental components relating to the outline application, including access and the approximate quantum of housing, do not make the detail or the principle of development objectionable.
- 9.5 Having regard to the additional information provided within the accompanying technical

reports and plans, it is considered that there are no concerns of such a significant magnitude that should result in the principle of the proposal being unacceptable. Matters relating to highways, flooding, ecology, landscape and environmental protection are to be sufficiently mitigated, methods of which are to be secured by way of condition and through the detailed design reserved matters stage. Whilst any impacts upon facilities and public services can be mitigated through Community Infrastructure Levy finance.

- 9.6 Overall, the proposed development will not result in any adverse impacts in relation to landscape and biodiversity, heritage, design and amenity, highways, or flood risk, which would demonstrably outweigh the benefits of the scheme. Subject to the agreement of planning conditions; and the completion of a S106 legal agreement, the development is considered sustainable and in compliance with the local plan and national planning policy.

10 Recommendation

- 10.1 Authority to approve subject to agreement of conditions and the completion of a s106 legal agreement.

Section 106 – draft heads of terms

- 10.2 The proposed Heads of Terms (pending agreement) are as follows:

- Provision of affordable housing at up to 33% of overall provision across a defined tenure mix to be agreed with the Council in accordance with Policy SCLP5.10
- Arrangements for the transition of the land identified for education use to Suffolk County Council for the purpose of the construction of a new primary school and associated pre-school, as well as respective financial contributions.
- Arrangements for management and maintenance of the public open space to be transferred to a management company.
- Financial contribution to mitigate in-combination effects on European designated sites in accordance with the Suffolk Recreational Avoidance and Mitigation Strategy.
- Financial contribution for a Travel Plan.
- Financial contribution to upgrade the nearest bus stops.
- Financial contribution to add into the service provision in the area would also help to make the site more viable by enabling increased links to Woodbridge/Martlesham as well as Ipswich & Felixstowe.
- Financial contribution for offsite mitigation: resurfacing Gun Lane (RB3) and in relation to Garrison Lane junction.

Draft conditions

1. Application for approval of reserved matters shall be made not later than the expiration of three years beginning with the date of this permission.

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

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

2. This permission is an outline planning permission issued in accordance with the Town and Country Planning (General Development Procedure Order (2010)) and before work on the development is begun, approval of the details of the following, herein called the "reserved matters", shall be obtained from the local planning authority:

- The quantity, type and layout of buildings within the proposed development;
- The precise height, width and length of individual buildings;
- The appearance of buildings (including proposed materials);
- Access details within the site for vehicles, cycles and pedestrians; and
- Landscape and open space proposals.

Reason: As provided for in the Town and Country Planning (General Development Procedure Order (2010)) no such details having been given in the application.

3. Prior to the first application for approval of reserved matters and informed by the submitted indicative masterplan and its parameters, a Design Brief for the site be submitted and approved in writing. This shall include a set of Design Principles including:
 - a. the principles for determining the design, form, heights and general arrangement of external architectural features of buildings;
 - b. the principles of the hierarchy for roads, pedestrian and cycle routes and public spaces and arrangements for car parking;
 - c. the principles for the design of the public realm and green infrastructure;

The Design Brief shall include a two-dimensional layout drawing that shows:

- a. the broad arrangement of development blocks including indications of active frontages;
- b. density ranges;
- c. maximum building heights;
- d. character areas;
- e. the location and general extent of public open space, including Play Areas;
- f. existing landscape features to be retained; and
- g. proposed structural planting.

Submissions for the approval of the reserved matters shall accord with the approved Design Brief.

Reason: To secure a high-quality design and layout of the development.

4. Prior to the submission of the first reserved matters application, a Self-Build Design Code shall be submitted to and approved in writing by the local planning authority. The Design Code shall explain its purpose, structure and status, and set out the mandatory and discretionary elements where it will apply, including who should use it and how to use it. It shall include a set of design principles as part of the wider design strategy:

Urban design principles

- views, vistas and focal points
- street and driveway surfaces
- public realm
- layout (including active frontages)

Building design and self-build/custom choice detail

- form of buildings
- plot design and layout
- building heights
- elevational principals
- materials and colours
- architectural features and key details
- sustainability

Parking and servicing

- quantum and arrangement of car parking
- location of bins and utilities
- cycle parking requirements

Landscaping

- surface materials
- location and extent of green infrastructure
- street furniture and lighting
- biodiversity
- structural planting

All subsequent reserved matter applications shall accord with the details of the approved design code and be accompanied by a statement that demonstrates compliance with the code.

Reason: To ensure high quality design and coordinated development in accordance with Policy SCLP11.1 (Design Quality) and to facilitate continuity through cumulative phases of development in accordance with Policy SCLP5.9 (Self Build and Custom Build Housing) of the East Suffolk Council – Suffolk Coastal Local Plan (2020).

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

Reason: To ensure that the works are completed in an appropriate order.

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

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

7. Prior to the commencement of development, the implementation of a programme of archaeological work shall be secured in accordance with a Written Scheme of Investigation, which has been submitted to and approved in writing by the local planning authority. The scheme of investigation shall include an assessment of significance and research questions; and:
 - a. The programme and methodology of site investigation and recording
 - b. The programme for post investigation assessment
 - c. Provision to be made for analysis of the site investigation and recording
 - d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - e. Provision to be made for archive deposition of the analysis and records of the site investigation
 - f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
 - g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the local planning authority.

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

8. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the local planning authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 7 and the provision made for analysis, publication and dissemination of results and archive deposition.

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

9. No other part of the development hereby permitted shall be occupied until the new access has been laid out and completed in all respects in broad accordance with drawing PL101 Rev A. Thereafter it shall be retained in its approved form.

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

10. No part of the development shall be commenced until details of the proposed off-site highway improvements indicatively shown on drawing PL101 Rev A have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed under section 278 in its entirety prior to occupation.

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

11. Prior to commencement of development (including any demolition, ground works, site clearance or other operational works), a construction management plan shall be submitted to and approved in writing by the local planning authority. It shall include but is not limited to the following matters:

- parking and turning for vehicles of site personnel, operatives and visitors;
- provision of public car parking during construction;
- loading and unloading of plant and materials;
- piling techniques (if applicable);
- storage of plant and materials;
- provision and use of wheel washing facilities;
- programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works;
- site working and delivery times;
- a communications plan to inform local residents of the program of works;
- provision of boundary hoarding and lighting;
- details of proposed means of dust suppression;
- details of measures to prevent mud from vehicles leaving the site during construction;
- haul routes for construction traffic on the highway network;
- monitoring and review mechanisms;
- details of delivery times to the site during construction phase;
- details of the measures to protect footpaths/cycleways from motorised vehicles accessing them; and
- control of dust during construction (as per recommendations within the Air Quality Assessment)

Thereafter, the approved construction management plan shall be adhered to throughout the construction of the development.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway, to ensure minimal adverse impact on the public highway during the construction phase, and to reduce the potential impacts of noise pollution and additional vehicular movements in this area during the construction phase of the development.

12. All noisy construction activities (i.e., those audible beyond the site boundary) should be restricted to the following hours to minimise the potential for nuisance:

- Monday - Friday: 07h30 – 18h00;
- Saturday: 08h00 – 13h00; and

- Sundays/Bank Holidays: No noisy working.

These restrictions also apply to deliveries/collections from site.

Reason: In the interests of amenity and the protection of the local environment.

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

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

14. No development shall be commenced until an estate road phasing and completion plan has been submitted to and approved in writing by the local planning authority. The estate road phasing and completion plan shall set out the development phases and the standards of construction that the estate roads serving each phase of the development will be completed to and maintained at. Development shall only take place in accordance with the approved estate road phasing and completion plan.

Reason: In the interests of highway safety, to ensure that the estate roads serving the development are completed and thereafter maintained during the construction phase to an acceptable standard.

15. Prior to the occupation of any dwelling details of the travel arrangements to and from the site for residents of the dwellings, in the form of a Travel Plan shall be submitted for the approval in writing by the local planning authority in consultation with the highway authority.

The Travel Plan should be based on the submitted Framework Travel Plan (dated December 2020), comments in the Suffolk County Council Highways response (dated 22nd January 2021) and current national Travel Plan guidance, and also contain the following:

- Baseline travel data based upon the information provided in the submitted Transport Assessment, with suitable measures, objectives and targets to reduce the vehicular trips made by residents across the whole development, with suitable remedial measures identified to be implemented if these objectives and targets are not met.
- Appointment of a Travel Plan Coordinator to implement the Travel Plan in full and clearly identify their contact details in the Travel Plan.
- A suitable approach to monitoring the vehicular trips generated by residents in accordance with the Suffolk Travel Plan Guidance.
- A suitable approach to monitoring the Travel Plan annually on each anniversary of the approval of the Full Travel Plan and provide the outcome in a revised Travel Plan, or as agreed with the local planning authority in consultation with the highway authority, to be submitted to and approved in writing by the local planning authority for a minimum of five years using the same methodology as the baseline monitoring.
- A suitable marketing strategy to ensure that all residents on the site are engaged in the Travel Plan process.
- An indicative Travel Plan budget that demonstrates that the Travel Plan will be suitably funded.

- A copy of a resident's travel pack that includes a multi-modal voucher to incentivise residents to use sustainable travel in the local area.

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

Reason: In the interest of sustainable development as set out in the National Planning Policy Framework and relevant local planning authority policies.

16. Concurrent with the first reserved matters application, details of the infrastructure to be provided for electric vehicle charging points shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: In the interests of sustainable travel provision and compliance with local plan sustainable transport policies.

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

The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include: Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-

- i. Temporary drainage systems
 - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
 - iii. Measures for managing any on or offsite flood risk associated with construction
- The scheme shall be fully implemented as approved.

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

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

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

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

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

19. Prior to commencement of the hereby approved development, a detailed sustainability and energy statement shall be submitted to and approved in writing by the local planning authority. The statement shall detail how the dwellings hereby permitted achieve current sustainability standards with regard to water, materials, energy, ecology and adaptation to climate change. Development shall be undertaken in accordance with the approved statement, unless otherwise approved in writing by the local planning authority.

Reason: To ensure a sustainable standard of design interest of addressing climate change to secure sustainable development in accordance with Policy SCLP9.2 of the East Suffolk Council – Suffolk Coastal Local Plan (2020).

20. Prior to first occupation of the hereby approved development, details of all measures that have been completed as stated in the sustainability and energy statement (approved under Condition 19), shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the finished development implements the approved sustainable measures to comply with Policy SCLP9.2 of the East Suffolk Council – Suffolk Coastal Local Plan (2020).

21. Prior to first occupation of the hereby approved development, evidence of energy performance and water efficiency standards shall be submitted to, and approved in writing by, the local planning authority.

The dwelling(s) within the hereby approved development should achieve the optional technical standard in terms of water efficiency of 110 litres/person/day, as measured in accordance with a methodology approved by Building Regulations Approved Document G. Exceptions should only apply where they are expressed in the Building Regulations or where applicants can demonstrate, to the satisfaction of the Council, that it is not viable or feasible to meet the standards.

Reason: To ensure that the finished dwelling(s) comply with Policy SCLP9.2 of the East Suffolk Council – Suffolk Coastal Local Plan (2020) and to ensure Building Control Officers and Independent Building Inspectors are aware of the water efficiency standard for the dwelling(s).

22. An application for the approval of the reserved matters shall include provision for 50% of all dwellings to meet the Requirements of M4(2) (or M4(3)) of Part M of the Building Regulations for accessible and adaptable dwellings. Drawings and/ or documents shall list which units/ plots meet the M4(2) (or M4(3)) standards.

Reason: To ensure the development complies with Policy SCLP5.8 of the East Suffolk Council – Suffolk Coastal Local Plan (2020).

23. No development shall commence until precise details of a scheme of landscape works (which term shall include tree and shrub planting, grass, earthworks driveway construction, parking areas patios, hard surfaces etc, and other operations as appropriate) at a scale not less than 1:200 have been submitted to and approved in writing by the local planning authority.

Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.

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

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

25. No development shall commence until there has been a management plan for maintenance of the associated landscaped areas and the open space, submitted to and approved in writing by the local planning authority. The maintenance plan should include, long term design objectives, management responsibilities and a scheme of maintenance for both the hard and soft landscaped areas for a period of 20 years. The management plan should include details of the arrangements for its implementation. The development shall be carried out in accordance with the approved management plan.

Reason: To ensure the access drive and landscaping areas are properly maintained in the interest of visual amenity.

26. None of the trees or hedges shown to be retained on the approved plan shall be lopped, topped, pruned, uprooted, felled, wilfully damaged or in any other way destroyed or removed without the prior written consent of the local planning authority. Any trees or hedges removed, dying, being severely damaged or becoming seriously diseased within five years of the completion of the development will be replaced during the first available planting season, with trees or hedges of a size and species, which shall previously have been agreed in writing by the local planning authority.

Reason: To safeguard the contribution to the character of the locality provided by the trees and hedgerow.

27. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Assessment (Hopkins Ecology, December 2020) and the Skylark Survey 2021 (Hopkins Ecology, August 2021) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

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

Reason: To ensure that nesting birds are protected.

29. Commensurate with the first reserved matters application, a "lighting design strategy for biodiversity" for the development shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- identify those areas/features on site that are particularly sensitive for biodiversity likely to be impacted by lighting and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

- b. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

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

30. Commensurate with the first reserved matters submission, a landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority. The content of the LEMP shall include the following:

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

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

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

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

Reason: To ensure that the development delivers ecological enhancements.

32. Commensurate with the first reserved matters submission, details of the mitigation measures identified by the Habitats Regulations Assessment process shall be submitted to and approved in writing by local planning authority. These shall include details of onsite public open space and walking route provision, connections to adjacent public rights of way, provision of dog waste bins and provision of signage and leaflets identifying walking routes away from

European designated sites. All identified measures shall be implemented in accordance with the approved details.

Reason: To ensure that the measures necessary to mitigate recreational disturbance impacts on European designated sites are delivered.

33. If any phase of the development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within three years from the date of the planning consent, the approved ecological measures shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to establish if there have been any changes in the presence and/or abundance of protected and/or UK Priority species present on the site, and identify any likely new ecological impacts that might arise from any changes.

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

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

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

A Phase 2 intrusive investigation(s), to include:

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

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

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

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

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

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

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

36. Prior to any occupation or use of the approved development the RMS approved under Condition 35 must be completed in its entirety. The local planning authority must be given two weeks written notification prior to the commencement of the remedial works.

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

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

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

38. In the event that contamination which has not already been identified to the local planning authority is found or suspected on the site it must be reported in writing immediately to the local planning authority. No further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety. An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the local planning authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and

remediation criteria. The approved RMS must be carried out in its entirety and the local planning authority must be given two weeks written notification prior to the commencement of the remedial works. Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the local planning authority.

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

Informatives:

1. The local planning authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework (2019) and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. It is recommended that a check of the buildings and vegetation for nesting birds is undertaken prior to work commencing. Nesting birds are protected by the Wildlife and Countryside Act (1981). It is therefore recommended that any works take place outside the nesting season. If birds are encountered advice should be sought from a suitably qualified ecologist on how best to proceed.
3. The applicant is advised that the proposed development will require approval under the Building Regulations. Any amendments to the hereby permitted scheme that may be necessary to comply with the Building Regulations must also be approved by the local planning authority in order that any planning implications arising from those amendments may be properly considered.
4. The applicant is advised that the granting of planning permission for the hereby approved development does not override any other legislation, private access rights or land ownership issues which may exist. The onus rests with the owner of the property to ensure they comply with all the necessary legislation (e.g. building regulations and acts relating to environmental protection) and it is the applicants/developers responsibility to ensure that comply with all the necessary legislative requirements, and obtain all the necessary consents/permits.
5. The applicant is advised that the proposed development is likely to require the naming of new street(s) and numbering of new properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. Contact the Property Information Team (01394 444261), which is responsible on behalf of the Council for the statutory street naming and numbering function.
6. This consent is also the subject of a Section 106 legal agreement which must be adhered to.
7. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost

under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

8. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
9. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
10. Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.
11. Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.
12. The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.
13. Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2006 Edition, incorporating 2010 and 2013 amendments Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for firefighting, in which case those standards should be quoted in correspondence. Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2006 Edition, incorporating 2010 and 2013 amendments.
14. Suffolk Fire and Rescue Service recommends that fire hydrants be installed within this development on a suitable route for laying hose, i.e. avoiding obstructions. However, it is not possible, at this time, to determine the number of fire hydrants required for firefighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.
15. Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision

of an automatic fire sprinkler system. (Please see sprinkler information enclosed with this letter).

16. The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team.
17. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

The County Council must be contacted on Tel: 0345 606 6171. For further information go to: <https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb/> or: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/> County Council drawings DM01 - DM14 are available from: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/standarddrawings/> A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

18. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing. For further information please visit: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>
19. The Local Planning Authority recommends that developers of housing estates should enter into formal agreements with the Highway Authority under Section 38 of the Highways Act 1980 in the interests of securing the satisfactory delivery, and long-term maintenance, of the new streets. For further information please visit: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/> Please note that this development may be subject to the Advance Payment Code and the addition of non-statutory undertakers plant may render the land unadoptable by SCC Highways for example flogas and LPG.
20. Acceptance of the road layout by the highway authority during the planning process does not guarantee meeting the Section 38 of the Highways Act 1980 adoption criteria. It is recommended that the applicant refers to the current adoption criteria: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/>

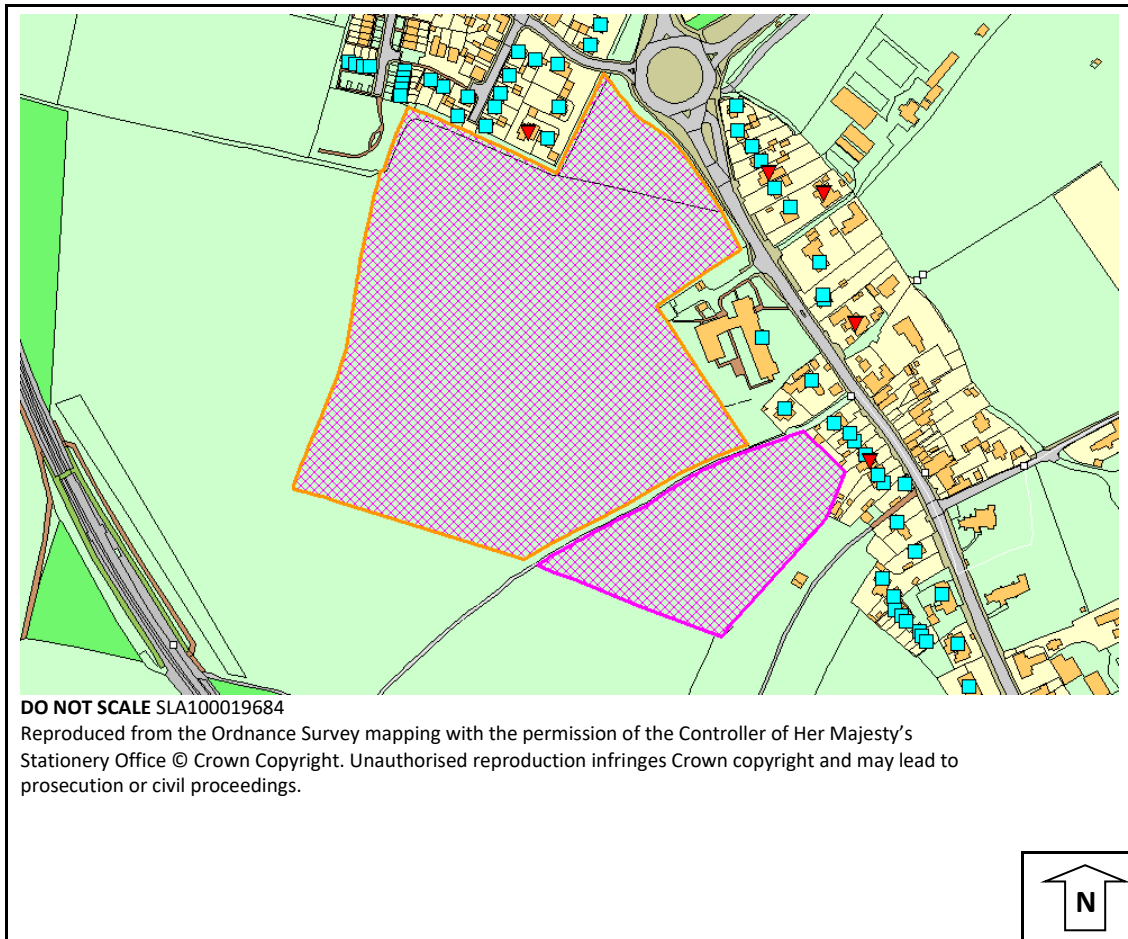
21. Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991.
22. Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.
23. Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment may be subject to payment of a surface water developer contribution.
24. Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act.
25. Any works to a main river may require an environmental permit.
26. This planning permission contains condition precedent matters that must be discharged before the development approved is commenced, or any activities that are directly associated with it. If development commences without compliance with the relevant condition(s) you will not be able to implement the planning permission & your development will be deemed unauthorised. An application under Section 73 of the Town & Country Planning Act 1990 will be required to amend the relevant condition(s) before development continues. You are strongly recommended to comply with all conditions that require action before the commencement of development.
27. The proposed development referred to in this planning permission is a chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act (2008) and the CIL Regulations (2010) (as amended).

Please note: the Council will issue a Liability Notice for the development once liability has been assumed. Liability must be assumed prior to the commencement of development. Failure to comply with the correct process as detailed in the regulations may result in surcharges and enforcement action and the liable party will lose the right to pay by instalments. Full details of the process for the payment of CIL can be found at <http://www.eastsuffolk.gov.uk/planning/community-infrastructure-levy/>





Background information

See application reference DC/20/5279/OUT on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee South – 19 April 2022

Application no DC/21/0757/FUL

Location

Land North of The Street
The Street
Kettleburgh
Woodbridge
Suffolk
IP13 7JP

Expiry date 17 May 2021

Application type Full Application

Applicant By George Homes Ltd

Parish Kettleburgh

Proposal Construction of 16no. new dwellings including 5no. affordable homes, with new shared vehicular access, driveways, cartlodes and garages.

Case Officer Natalie Webb
07825 754344
natalie.webb@eastsuffolk.gov.uk

1. Summary

- 1.1. This application seeks full planning permission for the construction of 16 dwellings, (including five affordable homes) a new shared vehicular access, driveways, cart lodges and garages on land north of The Street, Kettleburgh, IP13 7JP.
- 1.2. The site is approximately 0.75ha of agricultural paddock land, located at the centre of the parish of Kettleburgh. There is an existing access from The Street, which is located in the south-eastern corner. Public Right of Way 19 runs north to south along the western boundary. The site lies within the settlement boundary of Kettleburgh and is not within any designated areas. There are no listed buildings within the immediate vicinity of the site which are impacted by the proposal.
- 1.3. The site is located within the Suffolk Coastal Local Plan Policy SCLP12.53 for the development of approximately 16 dwellings.

- 1.4. The proposed development is supported by officers as a sustainable form of development in accordance with the Development Plan, along with the updated NPPF. The development is fully within the confines of allocation SCLP12.53 and the development as proposed has met the criteria noted within that policy and other specific policies within the Local Plan. Through the course of the application, considerable attention has been given to surface water drainage and highways safety leading to various amendments in order to satisfy the Lead Local Flood Authority and Highway Authority.

Reason for Committee:

- 1.5. The application is presented to the Planning Committee as the Parish Council have raised objections to the proposal, their full comments can be seen in the consultation section of this report and have been revised following revisions of the scheme. The Head of Planning and Coastal Management has requested that the decision is to be made by members at the respective planning committee as the proposal is a major housing development on an allocated site and thus warrants consideration by the Planning Committee, due to its scale, allocated status and the level of public interest in the proposal.

Recommendation:

- 1.6. The application is recommended for AUTHORITY TO APPROVE subject to the signing of a section 106 legal agreement to secure necessary planning obligations; along with the required planning conditions summarised in the recommendation section of the report.

2. Site Description

- 2.1. The site is approximately 0.75ha of agricultural paddock land, located at the centre of the parish of Kettleburgh. The site is square in shape and lies between existing residential development to the east and west. To the north and south are predominately agricultural fields, although the site does not extend beyond the existing building line. The site is bounded by varying degrees of tree, hedge and scrub vegetation on all sides. The Kettleburgh village sign is also located along the southern boundary, adjacent to the highway.
- 2.2. The land levels within the site are higher than the highway (inclining to the north). Similarly, the land levels on the southern side of The Street also decline towards the highway. The site is located within the 'Rolling Estate Claylands', in the Suffolk Landscape Character Assessment. The site is also noted to be within a 'River Valley Landscape' within the Suffolk Coastal Landscape Character Assessment and Settlement Sensitivity Assessment.
- 2.3. The site is not located within an Area of Outstanding Natural Beauty and is not within any designated areas. There are no listed buildings within the immediate vicinity of the site which are impacted by the proposal, the nearest being 'Stone Cottage' (Grade II Listed) further to the north east of the site and 'Pear Tree Cottage,' 'Little Manor' and 'Forge House (Grade II Listed) which are located on the junction of The Street with Low Street to the west.

- 2.4. There is an existing access from The Street, which is located in the south-eastern corner, although this will not be utilised as part of the proposed development. Public Right of Way 19 runs north to south along the western boundary, although there is not direct access to the footpath from the site.
- 2.5. Some public transport exists within the village with buses connecting Kettleburgh to Framlingham, Otley College and Ipswich. There is currently no footway in this part of the village, which connects the site to the rest of the village, including The Chequers Inn Public House to the south or the formal bus stop located adjacent to Church Road to the north of the site.
- 2.6. The site lies within the settlement boundary of Kettleburgh which is identified as a 'small village' within the Suffolk Coastal Local Plans settlement hierarchy Policy SCLP3.2.
- 2.7. The site is located within the Suffolk Coastal Local Plan Policy SCLP12.53 for the development of approximately 16 dwellings.

3. Proposal

- 3.1. The proposals seeks full planning permission for the construction of 16 dwellings, (including five affordable homes) a new shared vehicular access, driveways, cart lodges and garages.
- 3.2. The development will include a range of single-storey and two-storey dwellings, in a mix of flats, terraced, semi-detached and detached properties.
- 3.3. The size of the properties range from 1-4 bedrooms. Five of the dwellings will be affordable dwellings, which are noted as plots 1 – 5 on the proposed layout. The materials proposed include a mix of red concrete roman pantiles, natural slate, buff and soft red brickwork, Hardie plank horizontal boarding (colour to be confirmed).
- 3.4. All properties will have off street parking and the majority of properties have an attached or detached garage or car port. Visitor parking has been included within the provisions where local car parking standards have been met.
- 3.5. A new access is proposed onto The Street towards the south-western corner. A flush pedestrian access is proposed around the access, adjacent to the highway and adjoins the public right of way to the southwest. The footway also continues within the site, behind the hedgerow adjacent to the highway and reconnects to the highway in the southeast corner. The existing hedgerow on the southern boundary will in part need to be cut back and replanted further within the site to provide safe visibility splays. The Kettleburgh Village Sign is also to be repositioned more centrally within the site.
- 3.6. Revised plans and documents have been submitted throughout the consideration of the application to overcome concerns raised by officers and consultees. The most notable change is the reduction from 17 dwellings as initially proposed, to 16 (through the loss of the original plot 14 in the north-eastern corner). Other changes include:

- Plots 10 and 11 from the south-eastern frontage have been relocated to where plots 1-3 were on the western entrance of the access. This was to provide smaller terraced properties adjacent to the existing terraced dwellings, overcome the highways concerns of the second access which would have served plot 11 (now plot 5) and to reduce frontage parking alongside the entrance of the access.
- Following the above new plots 1 and 2 parking have been relocated to the northwest set behind the repositioned plots 10 and 11. Parking is predominately set to the north or side of the houses to remove the parking dominant frontage on the approach into the site.
- Plots 15 and 16 have been amended following the removal of plot 14. Reducing the garages on the frontages and setting them beside the dwellings at cart lodges, so that the dwellings have more of an active frontage and aren't dominated by a large double garage.
- The garages on plots 6-9 have been paired up rather than being built separately, so there is now what appears as two double garages rather than four singles.

3.7. Subsequent plans have also been received to overcome outstanding concerns and where applicable the revised plans and documents are referred to under the relevant headings of the officers report and within the consultee responses below.

4. Third Party Representations

4.1. A total of 38 representations were received during the consideration of the application and through various consultations, 36 of which object to the application on the following grounds:

Design or Layout:

- Overdevelopment of the site, a smaller number of dwellings would be more appropriate.
- Kettleburgh has a mix of varied age and characters of properties. An estate in the same style in that location would be out of character with the existing village and destroy the spread-out appearance.
- Inappropriately dense level of development for the village.
- The development would destroy the open aspect of the village.
- The layout does not follow the surrounding character of development or wider landscape character.
- The height and size of the development is inappropriate and the rise to the land will make it overbearing and it will look out of proportion to the rest of the village.
- The site should be levelled to reduce impact – dominance/overbearing.

Highways or Transport:

- The houses will increase the traffic on an already busy village main street used as a thoroughfare by plenty of non-resident school and business traffic.

- With little public transport, no shops, and few places of employment in the village, the development would bring a significant increase in the amount of traffic on the local roads.
- Insufficient alternative transport methods serving the site.
- These roads were not designed for the amount of traffic that currently travels on them; let alone more.
- Speed limits within the village do not extend to all residences in the parish, and fast traffic outside the restricted area is already a problem.
- Insufficient visibility from site due to changing land levels and parked cars on the highway adjacent to the site.
- Insufficient parking for the proposed dwellings and visitors of the site.

Flood Risk or Drainage:

- The lay of the land has the potential to cause substantial flooding and alter water course both lower in the Street and from the large ditch to the northeast and the ponds in the higher fields.
- The proposed drainage system doesn't appear to be sufficient for the site.
- There are existing problems with surface water run off from the site and flooding on the highway in this location.
- This development is within 20m of a watercourse, is within an area at risk of flooding, will increase the risk of flooding, does not have a 'Sustainable Drainage Plan' and will cause more sewage spills into the Deben.

Residential Amenity:

- The site occupies a rising topography. The field adjacent to the Street being circa 1.5m higher than road height. The site rises by a further 1-1.5m to the extent of the northern boundary. The development has potential to impact daylight, sunlight and privacy.
- Noise disruption from the construction.

Other Matters:

- This many houses will inevitably create more light pollution, either through owners wishing to light their own property or just through internal lighting spilling out.
- Impact to wildlife and loss of habitat.
- Not enough capacity of the foul waste sewage system to adequately cope with the extra load arising from the development.
- Lack of services and facilities within the parish to serve the development.
- Inaccuracies with submitted information, including the proximity to water courses and whether the site is at risk from flooding.
- Green space should be provided for children.
- Village sign should be retained in current position.
- Land stability in the north east may require some form of reinforcement.

- 4.2. Whilst the above points were predominately raised on the initial consultation, a number of further representations received through re-consultations noted that the revised plans/information has not overcome the above reasons for objection.
- 4.3. In addition, one representation of support was received; no reasons were provided for the support. The above is a summary of responses received; full representations can be viewed on the Council's public access page.

5. Consultees

Parish/Town Council

FIRST CONSULTATION

Consultee	Date consulted	Date reply received
Kettleburgh Parish Council	2 March 2021	29 March 2021

Summary of comments:

The Council is aware that there is a presumption of development on this site under Local Policy SCLP 12.53, but on behalf of the village residents is determined to ensure that development is properly provided for in terms of infrastructure facilities, is safe, and is in accordance with the size, location and character of the village. Further to this last point, this Council continues to dispute Kettleburgh's designation in the settlement hierarchy as 'Small Village', having in 2018 made a compelling case to be designated as 'Countryside'.

Council Objects Strongly to the above planning application in its current form, which if approved would result in an inappropriate, dominating development sloping above a countryside village.

The time for consideration needs to be extended because:

- the applicant did not properly take advantage of the Pre-planning advisory process leading to an ill-considered application; and
- there has been no community engagement - local residents had not been notified by letter or posted notices up to the 26th.

Quality of Application

It is common that schemes that require detailed integration into the wider landscape are developed in consultation with a Chartered Member of the Landscape Institute (CMLI). We believe that the applicant has an obligation to engage with a CMLI at stage 2 RIBA for this scale of development. Had they appointed a qualified consultant for this application, they would have identified the multiple conflicts associated with the current site plan, the lack of detail provided in the submission, incorrect flood risk determination and risk of landslip.

Assuming that a CMLI is engaged for revision to the application, we would expect to see as a minimum, a coordinated site plan that resolves the complex site engineering including drainage levels and retaining walls, traffic, parking and fire access, ecology, PROW, and SuDS. It would also provide, through properly prepared plans, site sections and visuals, an accurate three dimensional design of the site, particularly its massing in relation to the topography.

This would support an accurate assessment of the impact of the ridge line elevation through the village to ensure the preservation of the quality and character of the village as required by Local

Plan policy SCLP 12.53, particularly important if the Planning Department is intending to forego for this development its requirements to date on rooflines in The Street.

Council requests that any future proposals for this site or resubmission of this application in any form be accompanied by a detailed Landscape Statement undertaken by a CMLI integrated with the assessments required by other stakeholders such as the Suffolk Wildlife Trust.

Comments

Council makes the following comments based on material planning considerations following consultation with village residents:

1. Loss of visual amenity. Layout and density of building. The proposal does not comply with SCLP 5.2 "Housing Development in Small Villages", which states "such development will be permitted within defined Settlement Boundaries where it is a small group of dwellings of a scale appropriate to the size, location and character of the village". There seems little purpose in SP15 defining the Deben valley as a particularly significant landscape with villages of distinctive historical and architectural value if permission is then to be given for a modern mini-estate sloping above such a village.

The fundamental design does not comply with conditions set out in the Planning Inspector's Report (PIR) further to Suffolk Coastal Local Plan M88 a) "Development will be expected to comply with the following criteria: a) Provision of terraced and semi-detached homes fronting The Street to follow the line of existing buildings;....d) Design, layout and landscaping to respond to the site's location in the river valley;".

The Plans do not comply with SCLP 12.53. The application is for 17 dwellings whereas SCLP 12.53 envisages up to 16. It also exceeds the commonly expected housing density of 21 dwellings per hectare, despite having extended its scope to using the whole field. The proposed dwellings represent an increase of 15% of dwellings in the whole parish. As a result the design is cramped and envisages unworkable internal and external vehicular access and drainage/sewerage provision.

The plans do not comply with SCLP 5.7 Infill and Garden Development, which requires that: "1) Scale, design and materials would not result in harm to the street, the scene or character of the area; and 2) The Proposal is well related in scale and design to adjacent properties, including the design of curtilage areas, parking and access and incorporates landscaping where appropriate to mitigate any potential impacts or to enhance the appearance of the site." This is a significant failing that alone warrants a full review of the design, housing density and style of housing mix.

In any case, although from the plans it might seem that the scheme meets the definition of infill, on the ground it does not. The houses to either side are set in the traditional manner of Suffolk valley bottom ribbon-development in a single row with only some buildings set back behind further from the road.

Further to the PIR, although we cannot yet retrieve evidence, we believe that planning conditions constraining building heights to the existing roofline have been imposed on previous developments along The Street. Precedent therefore seems to exist to restrict building heights in order to preserve the existing roofline and character of the Village.

The new development is a congested 'mini new estate' that would dominate the village appearance with a set of modern 'box' homes inconsistent with the existing character of The Street. The view from the SE would be largely of rear elevations, sheds, waste bins and fences.

Council recommends that planners physically view from the approach road from Hacheston the Hopkins development in Easton, built despite all local opposition. It is compelling evidence that modern houses on a new-estate type plan should not be built on rises in the Suffolk rolling clay lands.

Council suggests the present proposal be amended to reduce density on a plan involving a row of houses fronting The Street with parking to their rear, with perhaps a lesser number set behind but still facing The Street, as is often the case in villages. The attenuation basin could perhaps be avoided by a better long-term approach to drainage in partnership with the relevant authorities.

2. Drainage and Water Systems. The application currently fails to take account of significant drainage and sewerage issues, some of which are well documented. For example PIR MM88 (g and (i. Existing facilities are operating 'on the edge' – Anglian Water has already been sanctioned by the Environment Agency. The application looks solely at drainage of the development site, not the collateral impacts from its construction.

The applicant answers NO to 3 key questions to which the answers are YES:

a. "Is your proposal within 20m of a watercourse?" YES. The whole SE boundary of the site parallels a long established watercourse recognised as such by the Environment Agency at an average of 16m distance (measured).

b. "Is the site within an area at risk from flooding?" YES. While the site itself may not be at risk, properties 'downstream' are. The above-referenced report states "All flooded properties are shown to be at surface water flood risk for the 1 in 30 (3.33%) rainfall event on Environment Agency Risk of Flooding from Surface Water Mapping". Such events are increasingly common and expected to become even more so, which can be expected to place the area into a higher category.

c. "Will the proposal increase flood risk elsewhere?" YES. Water quantity and flow off the proposed hard surfacing at a steep angle will be fast and substantial. As evidenced by the applicant's report by G H Bullard, the land fails the infiltration test and the proposed mitigation using a Sustainable Drainage System (SuDS) has not satisfied SCC (Flooding), which has already submitted a holding objection. Council believes current design envisaging SuDS/attenuation pond and using existing culvert and piping is evidently inadequate.

The main sewage drain is a 100mm pipe that runs down The Street and is managed by Anglian Water (AW). Many of the homes in Kettleburgh as a whole discharge rainwater into this drain as a result of legacy rainwater drainage systems that would not meet current standards. Heavy persistent rain (particularly from flooded gardens into open gullies) causes the sewage drain and the associated pumping station (at the junction of The Street and Low Road) to be overwhelmed. This results in surface effluent from manholes on the road at that junction, fouling of licensed premises serving food and backing-up of toilets in affected dwellings.

The AW Pre-Planning Report dated 19 May 2020 states "The foul drainage from this development is in the catchment of Framlingham Water Recycling Centre, which currently does not have capacity to treat the flows from your development site." On current plans, overflow water from the development 'SuDS' system would not be manageable. It would be better if excess water that

cannot be contained on site was at least sent separately from the development to the back-up watercourse (the river Deben) but better still if the developer with Anglian Water and Highways took the opportunity to upgrade the current facilities as a whole.

In 2019, for the second time in recent years, 6 properties in The Street Kettleburgh suffered internal flooding. One family at Corner House on the junction with Low Road had to leave their home for 6 months for repairs to be effected. This event was severe enough to require a Flood and Water Management Act 2010 Report. This Council formed a working group and engaged with SCC. Their Report Nos FW2019-1605, 2004 and 2246 refer.

There must be clarity about the adequacy of the proposed system, which Council believes is not truly a SuDS system, about how and by whom it will be managed and paid for, and how that will be sustained into the long-term, such as by permanent covenants on the dwellings.

If there are no upgrades, significant questions of legal liability will arise in the event of flooding events.

3. Road Access, Parking and Safety. The photographs of the view W and E along The Street provided by the applicant are misleading in the way that they extend the perspective. Refer to the photographs provided by SCC Highways for a true to life view. Travelling NE, from the T-junction with Low Road, it is a gentle left curve that sharpens just past the site such that it is not possible to see oncoming traffic until the last moment. This is made worse as cars are parked on the road outside the existing homes as they have no other parking space. This issue would be exacerbated by parking necessarily generated by the development.

The applicant has not made provision for safety splays at egress points and how they may be constructed given the constraints of the land. To provide enough visibility, a lot of hedgerow would need to be lost.

Their statement regarding parking is also misleading, with an apparent expectation that most of the houses fronting The Street will park on the roadside. Beyond that, single spaces are an unrealistic allocation for modern living where there are often two cars. Then there is little or no capacity on the site for visitors' vehicles which are presumably also expected to park on The Street, where there is no capacity for it.

The intended egress from Plot 11, directly onto a blind corner will be unacceptably dangerous. Council requests that the plans must as a minimum be altered to remove the two houses on that corner of the development, which will provide scope for more parking on site and a less dense development. Significant traffic calming will need to be introduced to afford safety to pedestrians and road users.

The application does not meaningfully address how pedestrians would safely access this development, the more important as this type of development would be expected to generate an increase in the number of younger families with children.

The Street is a country lane, unchanged for decades, that, along most of its length and in particular along the SE edge of the site, has no footpath. This may have been acceptable in historic times but a modern development must consider the need for footways, including accessing the amenities cited in the application. If the hedge were removed, a path could be laid on the development side of the current hedge, but at the cost of wildlife habitat and

what point a discontinuous section of path?

4. Overlooking, loss of privacy and fear of crime. The applicant's assertion regarding absence of overlooking is misleading. The elevated position of the dwellings to the SW of the site will mean a significant loss of privacy to 'Fieldings', the adjacent dwelling. Please refer to the photographs provided by the occupant in his submission, which definitively show unacceptable overlooking even from the development's ground level. Second storey rear windows would provide a complete view of the existing occupant's garden, bedrooms and living room.

Should any of the bungalows be transformed into two storey dwellings, or dormer extensions, etc. be permitted, there would be a similar impact on the existing properties to the NE. There would therefore need to be restrictive covenants on the single storey properties in that area of the development.

The occupant of 'Fieldings' has also raised important safety issues regarding the applicant's failure to demonstrate how modified use of the Public Footpath between his property and the development site will be managed for safety and crime prevention. This issue must be addressed before planning consent is given.

5. Noise, Light Pollution and Ecology. Local Policy DM23 on Residential Amenity defines light spillage as pollution and makes clear that new noise can cause an unacceptable loss of amenity to existing residents. Light at night would also have an adverse effect on many of the wildlife species noted by residents.

The residents of 'Red Roofs' and 'Fieldings' have raised important evidence based information about the wildlife using the site beyond the submission of the Suffolk Wildlife Trust. Council requests that Planning reviews this carefully as colonies of great crested newts and slow worms in particular are important and the developer must not be allowed to skimp on replacement/improved hedge, tree and sand habitat.

The Street, Kettleburgh is consistently quiet currently, and situated in a night-time dark valley. A development of this size is already contrary to the aims of SCLP 10.3, but if approved nonetheless, a planning condition must be set that there be no street lighting or other bright light spillage at night.

6. Community Facilities. Although the development meets the policy aims of affordable housing – which is welcomed – please note well that the presumption of "local housing needs" is not always appropriate. When a local shared ownership home was recently made available, there were no local applicants after exhaustive search. The home was allocated to a family from Ipswich.

Kettleburgh has few amenities for young people other than an infrequent bus service, a small play area at the Village Green and a Village Hall. The local schools at Easton and Framlingham at all age levels are at maximum capacity. There is no local pre-school facility.

7. Topography. The area to the NE of the site, to the rear of 'Red Roofs', is a former sand quarry with several areas of historic excavation as shown by the Groundsure Site Report provided by the developer, which shows a development as only possibly feasible. The full extent now hidden by vegetation is shown by the historic OS Mapping.

The ex-sand quarry face directly beyond the development's NE boundary is particularly steep. Given the creation of substantial foundations and hard surfacing the development will significantly change the flow of surface and sub-surface water during and after heavy rain events. There is already evidence that increased water flows are making the sandbanks unstable. We understand anecdotally that the developer is considering piling and retaining walls, but this is expensive work.

Sand in the soil structure will come to the surface, get into filters and pumps and cause blockages, so it also poses significant problems for drainage.

All this will need to be taken into account in the revised design. The presence of sand and steep slopes drives the need for a full survey and potentially an indemnity for the property owners impacted before the application is permitted.

Conclusions

Council has described how the proposals could be modified to be less ambitious and dominating, safer, and in line with current housing on The Street. If SCC is minded to permit the application, despite the serious concerns raised by this Council, and the Water and Highways Authorities, it asks

that consideration be given to the following planning conditions:

1. Inclusion of a footpath along the front of the site, inside the hedge-line, and better staging of the Village Sign, to integrate with wider safety improvements to The Street.
2. Permanent traffic calming measures be established before work on the site commences to provide pedestrians and road-users protection before, during and after construction.
3. Forbidding egress directly onto The Street from the NE corner.
4. If and when a suitable drainage system is approved, that the responsibility and accountability for its long-term maintenance and performance is clearly established.
5. Covenants on building modifications in the NE sector.
6. Provision of a detailed Landscape Statement/coordinated site plan that resolves the complex site engineering, undertaken by a CMLI, and integrated with the assessments required by other stakeholders such as the Suffolk Wildlife Trust.
7. That there may be no street lighting or other bright light leakage at night.
8. The need for a full ground survey and potentially an indemnity for the property owners potentially impacted by ground-slip.
9. Applicant must demonstrate satisfactorily how modified use of the Public Footpath between his development site and the existing property will be managed for safety and crime prevention.

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	2 March 2021	5 March 2021
Summary of comments: Fire hydrants are required for this development. Additional advice has also been provided in respect of access to water supply, access and firefighting facilities.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	3 March 2021	4 March 2021

Summary of comments:

This site lies in an area of archaeological potential recorded on the County Historic Environment Record. As such conditions are recommended for a written scheme of investigation and post investigation evaluation to establish any archaeological potential.

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	2 March 2021	No response

Summary of comments:

No response received.

Consultee	Date consulted	Date reply received
SCC Flooding Authority	2 March 2021	22 March 2021

Summary of comments:

The following submitted documents have been reviewed and we recommend a holding objection at this time:

- GHBullard & Associates LLP, Flood Risk Assessment and Drainage Strategy, 104/2020/FRADS, February 2021

The reason why we are recommending a holding objection is because further information regarding surface water management is required.

The points below detail the action required in order to overcome our current objection:-

- The proposal is served by closed, below-ground attenuation tanks and pipes and does not comply with policy SCLP9.6 of the Final Draft Suffolk Coastal Local Plan which gives preference to above ground SuDS. Therefore, the strategy should be revised to provide open, above ground SuDS.
- Anglian Water should be contacted at earliest convenience to discuss maintenance and adoption of the proposed surface water drainage system. The system should be designed to manage both highway and roof runoff to ensure eligibility.
- The proposed vortex flow control consists of a 52mm orifice. Details of the proposed granular filtering medium should be submitted for review, given the potential for debris congregation. This should be in the form of a cross-section. γ. Groundwater monitoring should be conducted to attain peak seasonal groundwater levels, particularly given that the development is within an area of Medium groundwater vulnerability. This information

is required to support a full application, as per Appendix A of the Suffolk Flood Risk Management Strategy.

- There are concerns regarding the level of cover associated with pipe number S1.007, given its location within the vehicular access and the shallow depth of the basin (0.4m). γ. FSR rainfall methodology has been used within the submitted MicroDrainage calculations. A means test should be undertaken, whereby both FSR and FEH methodology is used and the worst-case used for design purposes.
- The outfall from the development is proposed within the 'existing ditch' on the South-Western border of the site. Surface water is then conveyed South, through a culvert and into the existing watercourse on the South side of The Street. Suffolk County Council Lead Local Flood Authority require assurance that there is a suitable connection in place. Photographs should be submitted to provide evidence that there is suitable connection between the existing ditch and watercourse.

Consultee	Date consulted	Date reply received
SCC Highways Department	2 March 2021	25 March 2021
<p>Summary of comments:</p> <p>SCC as LHA recommends a holding objection until such time as it has been demonstrated that safe and suitable access is achievable for all users.</p> <p>The current access junction to all plots (excepting Plot 11) does not yet appear to have been suitably designed to meet current standards in terms of safety and convenience of access. Visibility splays have not yet been shown for the access to Plot 11.</p> <p>Driveways to individual plots and parking spaces should be at right angles to the edge of carriageway. Some relaxation to allow a degree of deviation in the angle of approach can be acceptable but if the deviation is too great then drivers would have to look excessively over their shoulders or suffer approach vehicles and pedestrians in their blind spots. The driveways/parking space accesses to Plots 1 to 6 all seem to be affected by angled approaches, with Plots 5 and 6 definitely unacceptable in terms of the acuteness of angle.</p> <p>The 2019 Suffolk Guidance for Parking (SGP2019) states: Particular care must be taken whatever the layout to ensure vehicles do not overhang and cause an obstruction or danger to those using roads, cycleways and footways. The parking spaces to Plots 1 to 4, and Plots 7 to 9, have gaps between their marked spaces, and the edge of access road, which will not accommodate an additional parked vehicle without overhang. Such gaps are therefore not acceptable for safety reasons.</p> <p>The application form states that there are 34 spaces for this 17-dwelling development. Using the SGP2019 requirements, forty spaces are required, thirty-five for residents and five for visitors. The SGP2019 also states: Generally unallocated visitor parking should be provided, where possible, in a</p>		

clearly separate group to avoid the potential for residents 'adopting' spaces near to their properties.

The design of the main access junction should include the standard features that would help enable a suitably safe transition from a classified road into a shared surface access road. The visibility currently runs behind the village sign.

To achieve the unobstructed 600mm above carriageway level vertical visibility envelope, it appears that the ground level at the base of Village Sign would need to be reduced by about 300mm - even before taking into account height of any vegetation that may grow (note: the width of the sign post is such that it would not be deemed to be an obstruction if located within the visibility splay.

The outfall from the attenuation basin is shown on the drawings as discharging to a ditch on the western boundary and then on through a culvert under The Street. From a site visit, the situation on the ground appears to be that no outfall pipe is visible at the southern end of the western boundary ditch. There is a highway gully located on the north side of The Street, close to the line of the ditch, and this gully has a pipe outfall to ditch to the south side of The Street. The black ribbed plastic gully outfall pipe is visible in this photo view of the ditch running south of The Street.

It has not yet been demonstrated whether the black ribbed pipe serves only the gully or is connected to the ditch. If the pipe currently serves only the gully then Highway Authority permission is likely to be required if the development's surface water discharge were proposed to drain through it, or, as alternative, a new private culvert under The Street may be required.

The applicant has not yet demonstrated that any walking route improvements, proportionate to a seventeen dwelling development at this location, have been investigated, identified or pursued, as required by National and Local Planning Policy and Guidance;

- NPPF 102(d) Transport issues should be considered from the earliest stages of plan-making and development proposals, so that opportunities to promote walking, cycling and public transport use are identified and pursued.
- NPPF 108(a) In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location.

The submitted plans and statements have not yet demonstrated the safe and suitable walking routes the residents and their visitors would be expected to take to access local services and amenities on foot.

In summary, SCC as LHA recommends a holding objection until such time as it has been demonstrated that safe and suitable access is achievable for all users. The development's design, including horizontal and vertical geometry of roads and paths and number and layout of parking spaces, needs to further progressed and amended before SCC as LHA could recommend approval of a FULL permission. The necessary highways related conditions can be recommended at that time.

Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	2 March 2021	3 March 2021

Summary of comments:

We have reviewed the application details and have no objections to the proposed development. Given the scale of the development we consider it appropriate to recommend a construction management plan in order to protect neighbours during the construction phase from environmental impacts. We have reviewed the land contamination Tier 1 report and we also conclude that the proposed development site and future users are at low risk from any contaminants present from previous uses.

Consultee	Date consulted	Date reply received
SCC Rights Of Way	3 March 2021	8 March 2021

Summary of comments:

The proposed site does not contain any public rights of way (PROW), however Footpath 19 Kettleburgh runs adjacent to the western boundary of the proposed site. We accept this proposal, however the Applicant should note that any plans for the western boundary of the site must not result in FP19 becoming a narrow corridor. Therefore any hedges adjacent to FP19 must be planted a minimum of 1 metre from the edge of the path in order to allow for annual growth and cutting, and should not be allowed to obstruct the footpath.

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	3 March 2021	10 March 2021

Summary of comments:

Internal consultee – comments received and incorporated into the officers report.

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	16 July 2021	11 March 2021

Summary of comments:

Summary of CIL and S106 contributions required from the development.

Consultee	Date consulted	Date reply received
East Suffolk CIL	2 March 2021	12 March 2021
<p>Summary of comments:</p> <p>This application seeks to create new residential dwellings and if approved, will be liable for CIL for the whole of the permitted Gross Internal Area (GIA), chargeable at the High Zone rate.</p>		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	3 March 2021	22 March 2021
<p>Summary of comments:</p> <p>Internal consultee – comments received and incorporated into the officers report.</p>		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	2 March 2021	22 March 2021
<p>Summary of comments:</p> <p>We have read the ecological survey report (Liz Lord Ecology, December 2021) and we are satisfied with the findings of the consultant. We request that the recommendations made within the report are implemented in full, via a condition of planning consent, should permission be granted. Further comments included within the officers report.</p>		

Consultee	Date consulted	Date reply received
East Suffolk Drainage Board	16 July 2021	26 March 2021
<p>Summary of comments:</p> <p>The applicant intends to discharge surface water to a watercourse within the watershed catchment of the Board's IDD. We request that this discharge is facilitated in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), specifically S2 and S4. Resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.</p> <p>The reason for our recommendation is to promote sustainable development within the Board's Watershed Catchment therefore ensuring that flood risk is not increased within the Internal Drainage District (required as per paragraph 163 of the National Planning Policy Framework).</p>		

Consultee	Date consulted	Date reply received
Ward Member Cllr Maurice Cook	N/A	29 March 2021
<p>Summary of comments:</p> <p>Objects to the planning application on the following grounds:</p>		

- Dominating/Overbearing
- Drainage
- Flooding
- Over Shadowing
- Parking
- Traffic or Highways

Whilst I appreciate that this plot is included in the local plan for development, there are a number of elements in this application which need to be addressed. The Ridge Height is some meters above the sight line of the rest of the village and is overbearing. The entrance and exit from the site on to The Street does not, at present, provide sufficient safety. The local drainage needs to be significantly upgraded as it is nowhere near sufficient to deal with the additional load of this development. I believe these matters should be brought to the attention of the Planning Committee for discussion when specific details of these concerns can be provided.

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	2 March 2021	1 April 2021

Summary of comments:

The application is for a net total of 17 and would attract the 33% policy as per the Suffolk Coastal Local Plan. This equates to 6 homes (5.62 rounded up) The scheme proposed 5 homes on site. This does not meet policy.

40% of all dwellings should meet the building regulations M4(2) wheelchair accessible standards, both for market and affordable homes. The Council's requirements are provided below based on SHMAA evidence and local housing need from the Council's Housing Register.

All homes must be in small clusters of no more than 12 homes and not contiguous, well-integrated and indistinguishable within the scheme. Dwellings should meet the following size standards; 1 bed, 2 persons; 2 bed, 4 persons; 3 bed, 5 persons; and 4 bed, 6 persons.

The mix of homes is 2x1 bed flats and 2x3 bed houses. This mix is acceptable. 2x2 bed houses could be delivered as shared ownership. A further home is required to meet policy.

Consultee	Date consulted	Date reply received
East Suffolk Ecology	2 March 2021	No response

Summary of comments:

No response received

Consultee	Date consulted	Date reply received
Suffolk Police Designing Out Crime Officer	3 March 2021	No response
Summary of comments: No response received		

RECONSULTATION – July 2021

Consultee	Date consulted	Date reply received
East Suffolk CIL	19 July 2021	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	19 July 2021	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	19 July 2021	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	19 July 2021	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
SCC Rights Of Way	19 July 2021	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Suffolk Police Designing Out Crime Officer	19 July 2021	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	19 July 2021	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	19 July 2021	26 July 2021
Summary of comments: Internal consultee – comments incorporated into officers report.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	19 July 2021	20 July 2021
Summary of comments: The latest consultation does not present any new information relating to the surface water drainage strategy, therefore, the below response remains SCC LLFA's position.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	19 July 2021	22 July 2021
Summary of comments: No additional comments to those provided on 04 March 2021.		

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	19 July 2021	23 July 2021
Summary of comments: The application is for a net total of 16 and would attract the 33% policy as per the Suffolk Coastal Local Plan. This equates to 5 homes which the developer is proposing.		

40% of all dwellings should meet the building regulations M4(2) wheelchair accessible standards, both for market and affordable homes. The Council's requirements are provided below based on SHMAA evidence and local housing need from the Council's Housing Register. Dwellings should meet the following size standards; 1 bed, 2 persons; 2 bed, 4 persons; 3 bed, 5 persons; and 4 bed, 6 persons.

The mix of homes is 2x1 bed flats and 3x2 bed houses. This mix is acceptable. 3x2 bed houses could be delivered as shared ownership and 2x1 bed flats as affordable rent.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	19 July 2021	23 July 2021
Summary of comments: Recommends conditions as outlined in their response on 03 March 2021.		

Consultee	Date consulted	Date reply received
East Suffolk Drainage Board	19 July 2021	30 July 2021
Summary of comments: Comments as 26 March 2021.		

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	19 July 2021	3 August 2021
Summary of comments: Revised schedule of contributions received.		

Consultee	Date consulted	Date reply received
Kettleburgh Parish Council	19 July 2021	9 August 2021
<p>Summary of comments:</p> <p>I write for and on behalf of Kettleburgh Parish Council, which cannot overstate its disappointment with this hardly changed application.</p> <p>Council met on 2nd August and agreed to strongly object to this resubmission.</p> <p>As there is no positive new information provided, Council's previous substantive comments and requests for imposition of conditions submitted on 29/03/21 (attached below for information) remain its position. On behalf of village residents it is implacably opposed to the current cheap 'off the peg new estate' design.</p>		

The only points made earlier by the Council addressed by this new consultation are the removal of one dangerously positioned house and a slightly better footway.

The design now features different housing types that will make overlooking of existing properties even worse. It would continue to result in a carbuncle on the face of an ancient country village.

Regarding the absence of adequate drainage provision, both in terms of the onsite provision and abdication of responsibility for collateral flooding damage, the responsible bodies continue to object. Parking, safety, wildlife and landscaping provisions remain unaddressed or inadequate.

Council continues to recognise the presumption of development on the site and remains content to support a less dominating, properly assessed and documented design that would be in keeping with the village scene - as required by planning policies. It expects East Suffolk Council to apply the precedent of earlier planning decisions on roof height, which it expects will mean that new houses will need to be reduced in height and/or cut in to the landscape. Extensive landscaping and planting will be needed to prevent overlooking.

Council questions the value of developing at substantial public expense planning policies aimed at preserving the character of rural villages, only to ignore them and allow development on rising land of the type recently seen at Easton and envisaged again here. East Suffolk Council is therefore requested not to entertain the current design further, and to require a new design in keeping with the existing village. Council requests that, as a minimum, before further documents are submitted for consultation:

- A Chartered Member of the Landscape institute must be engaged and the massing of any development in relation to the topography demonstrated;
- An integrated landscape and site plan including wildlife and arboricultural issues must be presented; and
- The issues of drainage, landslip, crime prevention, parking and overlooking must be properly addressed and solutions documented.

Consultee	Date consulted	Date reply received
SCC Highways Department	19 July 2021	6 October 2021

Summary of comments:

Notice is hereby given that the County Council as Highways Authority recommends that a holding objection/refusal for permission for the following reasons: notwithstanding comments made on the previous application, which some have been addressed in line with SCC as LHA comments.

Further comments that should be considered if the visibility issue is resolved:

- Have the drainage proposals been agreed with the LLFA?
- The attenuation basin needs to be at least 5m from back of adopted highway.
- plot 6 parking is reduced in size, is on a bend/ forward visibility splay line, has no visibility splays indicated.
- there is a half parking space in front of plot 10 and this is contrary to th Suffolk Parking Guidance (SPG) 2019 as encourages over-hang parking, especially close to a junction.
- There is still a lack of visitor parking annotated on the plan. 5 number spaces are required for 17 dwellings.

- The access transition should be designed to have a ramp previous to the block paving to allow for pedestrians to have a flush surface to cross on.
- Where are the bin collection points?
- Where is cycle storage in line with SPG 2019 to encourage sustainable transports modes?
- The interior layout with no forward vis splay on the bend, no maintenance strips shown, tree close to and overhanging carriageway and fencing adjacent to the carriageway would not meet SCC adoptable standards, and as such the road should be signed as a private road.
- Can the footway from the access be extended to the frontage in the south western corner and from the internal link path to the south eastern corner to better link to the village and bus stops? This also ensures that vis splays are provided and kept clear?
- What is this gate linking to? Does this mean that farm machinery and traffic will be using the residential road?

RECONSULTATION – November 2021

Consultee	Date consulted	Date reply received
SCC Flooding Authority	18 November 2021	23 November 2021

Summary of comments:

The following submitted document has been reviewed and we recommend a holding objection at this time:

- GHBullard, Flood Risk Assessment and Drainage Strategy, 104/2020/FRADS, November 2021

A holding objection is necessary because the proposed surface water drainage strategy is likely to increase offsite surface water flood risk and does not comply with national and local policy and guidance. This site has been brought forward, upstream of an area of known surface water flood risk, without discussion with SCC LLFA. It is unknown to what extent discussions have taken place with the LPA. SCC LLFA strongly encourage the applicant and their consultant to proactively engage with the LPA and LLFA.

The holding objection is a temporary position to allow reasonable time for the applicant and the LLFA to discuss what additional information is required in order to overcome the objection(s). This Holding Objection will remain the LLFA's formal position until the local planning authority (LPA) is advised to the contrary. If the LLFA position remains as a Holding Objection at the point the LPA wishes to determine the application, the LPA should treat the Holding Objection as a Formal Objection and recommendation for Refusal to the proposed development. The LPA should provide at least 2 weeks prior notice of the publication of the committee report so that the LLFA can review matters and provide suggested planning conditions, even if the LLFA position is a Formal Objection.

The points below detail the action required in order to overcome our current objection:

1.NPPF para 169 (A) states that SuDS systems should 'take account of advice from the lead local flood authority'. SCC LLFA's advice is that SuDS on this development should be designed to be eligible for adoption by Anglian Water. The existing surface water flood risk downstream means that any lack of maintenance will increase surface water flood risk to residential property.

Therefore, adoption by a statutory undertaker is advised. This is in accordance with Suffolk Flood Risk Management Strategy, Appendix A, page 11 which sets out an adoption hierarchy. East Suffolk Council are advised that if a management company is used, any future enforcement action required against a management company due to lack of maintenance would need to be undertaken by them as a breach of planning

2.The proposed solution for maintaining the existing ordinary watercourse is unacceptable. The proposals would likely see the watercourse cut off with a close board fence. Not only will this make maintenance difficult in terms of access and disruption but it removes any scope for routine monitoring of the watercourse from the site

3.Similarly, the continued reliance on below ground attenuation is not supported by SCC LLFA or Local Plan Policy SCLP9.6. The use of above ground SuDS not only improves biodiversity and amenity benefits, it allows for day to day monitoring of SuDS to check for blockage. A below ground system is not regularly monitored and as such, any blockages are likely to go unnoticed until an issue occurs. In this instance, any issue will increase surface water flood risk to residential property

4.The wide use of small orifices, ranging from 16mm – 40mm diameter is unacceptable. Whilst small orifices can be used in closed systems, the number and size of small orifices on this site increases the likelihood of blockage. This is a direction function of design development not considering surface water drainage requirements and attenuation being designed to fit a fixed layout. This has resulted in the siting of multiple small, below ground attenuation features which could otherwise be combined to accommodate a single feature with a larger orifice. Larger orifices can also be facilitated by increasing the plan area and reducing the depth of attenuated water, but again, this is likely restricted by the pre-determined site layout

5.Appendix H shows multiple proposed rain gardens, but it is unclear what areas these features will serve or how they've been incorporated into the design. One is even located in the middle of a road

6.The swale shown at the front of the site is likely to be too close to property foundations and is unlikely to achieve required offsets – it is also located directly on a proposed footway

7.It is unclear what function the swales north of the access road serve. Given the steep gradient of the site falling away from the location of the swales, it is unclear how the road would drain into them

8.The section of the basin provided demonstrates there is no designed freeboard (which should be a minimum of 300mm) during the critical 1:100+40% rainfall event

9.It is unclear if the basin is adequately sized to deliver sufficient treatment during 1:1+CC, as per CIRIA SuDS Manual Treatment Design Criteria. Whilst some areas of the site are proposed to drain via swales, it looks as though the main access road will drain by gullies and pipes to the proposed attenuation basin. Therefore, the most trafficked section of road will only receive treatment from the proposed basin, hence this need for assessment.

Consultee	Date consulted	Date reply received
SCC Highways Department	18 November 2021	8 December 2021
<p>Summary of comments:</p> <p>Notice is hereby given that the County Council as Highway Authority cannot make a comment at this time due to a lack of information to make an informed decision. The Highway Authority would recommend a holding objection.</p> <p>Notwithstanding comments made on the previous plans, which some have been addressed in line with SCC as LHA comments. Thank you for amending plans subject to our previous comments, however the following are still outstanding:</p> <ul style="list-style-type: none"> • The attenuation pond is too close to adopted highway. • Maintainable visibility splay clear of obstructions to be demonstrated. • The updated plans show vegetation cut to back of footway and visibility splay, this will mean a lot of maintenance to keep the splays clear of obstruction? The highways act requires a 0.5m clearance to adopted highway land. Does the vegetation clearance also allow for this? Also the village sign still appears to be in the visibility splay. • Have the drainage proposals been agreed with the LLFA? • The attenuation basin needs to be at least 5m from back of adopted highway including slopes. • There is a half parking space in front of plot 10 and this is contrary to the Suffolk Parking Guidance (SPG) 2019 as encourages over-hang parking, especially close to a junction. • Where is cycle storage in line with SPG 2019 to encourage sustainable transports modes? If garages are to be used for cycle storage, they should be designed to cater for them. Garages should therefore be 3m x 7m or sheds should be provided. However, I can condition this at a later stage. • The access transition should be designed to have a ramp previous to the block paving to allow for pedestrians to have a flush surface to cross on as per Suffolk design guide page 103. • Can the footway from the access be extended to the frontage in the south western corner and from the internal link path to the south eastern corner to better link to the village and bus stops? This also ensures that vis splays are provided and kept clear? • I note that the vis splays are indicated at 56.8m westerly and 50.0m easterly. Have any speed surveys been undertaken to justify MfS? 		

RECONSULTATION - December 2021

Consultee	Date consulted	Date reply received
SCC Rights Of Way	14 December 2021	17 December 2021
<p>Summary of comments:</p> <p>We last responded to this application on 8 March 2021 and have the same comments.</p>		

Consultee	Date consulted	Date reply received
SCC Highways Department	14 December 2021	23 December 2021

Summary of comments:

Notice is hereby given that the County Council as Highway Authority cannot make a comment at this time due to a lack of information to make an informed decision. The Highway Authority would recommend a holding objection until the information has been submitted:

Thank you for plan PW1111_PL01 rev1 submitted. The attenuation pond/drainage feature is still indicated within 5m of land maintainable by SCC. I have drawn a line parallel to the edge of boundary at approximately 5m. It appears that the top of bank is still within 5m of the highway.

My holding objection still stands.

Consultee	Date consulted	Date reply received
SCC Flooding Authority	14 December 2021	23 December 2021

Summary of comments:

The following submitted document has been reviewed and we recommend a holding objection at this time:

- GHBullard, Flood Risk Assessment and Drainage Strategy, 104/2020/FRADS, November 2021

A holding objection is necessary because the proposed surface water drainage strategy is likely to increase offsite surface water flood risk and does not comply with national and local policy and guidance. This site has been brought forward, upstream of an area of known surface water flood risk, without discussion with SCC LLFA. It is unknown to what extent discussions have taken place with the LPA. SCC LLFA strongly encourage the applicant and their consultant to proactively engage with the LPA and LLFA.

Points to overcome the objection are the same as those provided on the 23 November 2021.

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	N/A	19 January 2021

Summary of comments:

A consultation response was previously submitted by way of letter dated 02 August 2021, which was time-limited to six months. The consultation response is valid for a further period to 01 August 2022, unless the proposed scheme is amended.

FINAL CONSULTATION COMMENTS – March 2022

Consultee	Date consulted	Date reply received
SCC Highways Department	N/A	31 March 2022
<p>Summary of comments:</p> <p>Following receipt of additional information submitted by the applicants on 03 March 2022, Notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the conditions shown below:</p> <p>Access Condition: No other part of the development hereby permitted shall be commenced until the new access has been laid out and completed in all respects in accordance with drawing no. 104/2020/03/P5 Thereafter it shall be retained in its approved form.</p> <p>Reason: To ensure the access is laid out and completed to an acceptable design in the interests of the safety of persons using the access and users of the highway. *This needs to be a pre-commencement condition because access for general construction traffic is not otherwise achievable safely.</p> <p>Visibility Condition: Before the access is first used visibility splays shall be provided as shown on Drawing No. 104/2020/03/P5 and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.</p> <p>Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.</p> <p>Visibility Frontage Condition: The [hedge, fence, wall or other means of frontage enclosure] along the highway frontage of the site shall be reduced to 0.6m metres above the level of the adjacent carriageway or set back at least 0.5m from edge of carriageway/footway before occupation of the development. Notwithstanding the provisions of the Town & Country (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) it shall be retained thereafter at or below that height.</p> <p>Reason: In the interests of highway safety by providing and maintaining intervisibility between highway users.</p> <p>Surface Water Condition: Before the development is [commenced occupied] details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway including any system to dispose of the water. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.</p>		

Reason: To prevent hazards caused by flowing water or ice on the highway. *This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built. This is a pre-commencement condition because insufficient details have been submitted at planning stage with regard to the access and The Street.

Construction Management Plan Condition: A Demolition and Construction Management Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. The strategy shall include access and parking arrangements for contractors vehicles and delivery vehicles (locations and times) and a methodology for avoiding soil from the site tracking onto the highway together with a strategy for remedy of this should it occur. The development shall only take place in accordance with the approved strategy.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase. This is a pre-commencement condition because an approved Management Strategy must be in place at the outset of the development.

Consultee	Date consulted	Date reply received
SCC Flooding Authority	N/A	01 April 2022

Summary of comments:

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/21/0757/FUL

We have reviewed the following submitted documents and we recommend approval of this application subject to conditions:

1. GHBullard, Proposed Surface Water Drainage Layout, 104/2020/03/P5, 23/03/2022
2. PeterWellsArchitects, Proposed Site Plan & Location Plan, PW1111_PL01 Rev K, 03/03/2022
3. Microdrainage calculations dated 03/03/2022
4. GHBullard, Impermeable Geotextile Lining Layout, 104/2020/06/P2, 03/03/2022
5. GHBullard, Proposed Surface Water Drainage Construction Details, 104/2020/05/P5, 03/03/2022
6. GHBullard, Surface Water Drainage Impermeable Area Catchments, 104/2020/04/P4, 03/03/2022

It should be noted that SCC as LLFA still have concerns RE the failure to integrate the existing ordinary watercourse into the development's layout. We consider this approach to have the potential to increase downstream surface water flood risk (as highlighted in the FRA) without adequate mitigation through monitoring and maintenance. Access to the watercourse for visual inspection, access to the watercourse for maintenance, identification of those responsible for monitoring and maintenance and restrictions to prevent obstruction of access to the watercourse from the development side are aspects we expect to be considered as part of any maintenance strategy for any future discharge of conditions application.

We propose the following conditions in relation to surface water drainage for this application.

1. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority (LPA).

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

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

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

3. Within 28 days of practical completion of the last dwelling or unit, surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

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

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

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

Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-

- i. Temporary drainage systems
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- iii. Measures for managing any on or offsite flood risk associated with construction

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

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

Informatives

- Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
- Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
- Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution

6. Publicity

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

Category	Published	Expiry	Publication
Major Application	4 March 2021	25 March 2021	East Anglian Daily Times

Site notices

General Site Notice

Reason for site notice: Major Application
In the Vicinity of Public Right of Way
Date posted: 10 March 2021
Expiry date: 31 March 2021

7. Planning policy

National Planning Policy Framework 2021

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

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

SCLP3.3 - Settlement Boundaries (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP3.5 - Infrastructure Provision (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.2 - Housing Development in Small Villages (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

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

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

SCLP9.5 - Flood Risk (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

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

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

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

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

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

SCLP12.53 - Land North of the Street, Kettleburgh (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

National Design Guide January 2021

8. Planning Considerations

- 8.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Suffolk Coastal Local Plan (covering the former Suffolk Coastal Area) was adopted on 23 September 2020.
- 8.2. Paragraph 47 of the NPPF states “Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.”
- 8.3. Paragraph 10 of the NPPF reinforces that the heart of the Framework is based on a presumption in favour of sustainable development, with Paragraph 11 further confirming that Plans and decisions should apply a presumption in favour of sustainable development and for decision making this means approving development proposals that accord with an up-to-date development plan without delay; or

Principle of Development

- 8.4. The Local Plan was adopted in September 2020 and sets the Council's development vision for the period up to 2036. Within the plan are a number of allocated sites which will deliver housing growth across the plan area throughout the plan period (2018-2036). Local Plan Policy SCLP3.1 specifically outlines the spatial strategy for growth to be delivered over the plan period, noting the intention to significantly boost the supply of housing, the mix of housing available and the provision of affordable housing, through the delivery of at least 542 new dwellings per annum (at least 9,756 over the period 2018 - 2036).
- 8.5. The land north of The Street, Kettleburgh (approximately 0.75ha) is allocated within Local Plan Policy SCLP12.53 for the development of approximately 16 dwellings.
- 8.6. The principle of residential development on the site is therefore planned for and entirely supported by the Local Plan. This allocation forms part of the delivery of the strategy of the Local Plan as set out in Policy SCLP3.1 as noted above, which aims to ensure the vision for the Local Plan is delivered alongside the requirements of the National Planning Policy Framework.
- 8.7. Policy SCLP12.53 sets out the criteria for the development site as:
- a) Provision of terraced and semi-detached homes fronting The Street to follow the line of existing buildings;
 - b) Provision of affordable housing on site;
 - c) Provision of a contribution towards a new early years setting;
 - d) Design, layout and landscaping to respond to the site's location in the river valley;
 - e) Retention of hedgerows and trees bordering the site, subject to the provision of safe access and egress. Where hedgerow removal is required replanting elsewhere on the site will be required;
 - f) Provision of a survey detailing the likely ecological impact on the biodiversity of the site and surrounding area;
 - g) Evidence is required to demonstrate there is adequate Water Recycling Centre capacity or that capacity can be made available;
 - h) Retention and enhancement of Kettleburgh village sign in order to create a central focal point in the village; and
 - i) Confirmation of adequate capacity in the foul sewerage network or action to upgrade to create the required capacity.

- 8.8. The principle of development is established through the Local Plan site allocation where the material considerations of the policy will be discussed in detail under the relevant headings below.

Design of Development

- 8.9. The site is allocated for development of approximately 16 dwellings. The site is currently in agricultural use and occupies a rising topography (to the North) and therefore the development will need to be carefully designed to ensure that it complements the character of the existing village. Linear development along the frontage, with further development to the rear, would reflect the existing streetscene. The development should also not impact the sensitive landscape.
- 8.10. The site, by default, integrates into the village by virtue of its position and offers the opportunity to be well connected to its village surroundings. The preamble to Policy SCLP12.53 refers to the site's sloping topography and landscape character context and these provide useful parameters. The preamble goes on further by making layout suggestions, including the use of a frontage range of linear form with rear development.
- 8.11. Given that the allocation is for around 16 dwellings, it is apparent that it is envisaged that this site is developed to its full depth to accommodate this quantum of housing. On this basis, the proposed layout pattern can be judged acceptable and is reflective of the more modern development adjacent to the south-west (Lings Field), rather than the linear one-plot depth pattern of the rest of The Street which can be typified as having a more village character.
- 8.12. The existing surrounding buildings are a pleasant mix of the traditional and modern with a varied palette of materials. Street Farm provides an attractive visual focus of mixed buildings and towards the junction of The Street with Low Street. Materials include red brick, painted render, brick-and-render, flint, a very orangey pantile, and some weatherboarding.
- 8.13. The use of pantile as a roofing material unifies most of the dwellings that front The Street and is an important characteristic to note. Building forms are simplified volumes and are all dual-pitched. Nearly all the buildings on The Street are dwellings and these impart a strongly residential character to it.
- 8.14. Houses appear individually, paired and in groups but, importantly with gaps of varying sizes between. Thus, there is no real impression of continuous built frontage on either side of the road. Houses mostly face the road, some are at right angles to it, but very few directly abut it and the setback is a characteristic of nearly all dwellings.
- 8.15. The allocation requires a provision of terraced and semi-detached homes fronting The Street to follow the line of existing buildings. The proposed layout includes two pairs of semi-detached dwellings and a row of three terraced properties along the site frontage. The row of terraced properties lies adjacent to a row of existing terraced dwellings to the southeast of the site (plots 3, 4 and 5). Whilst these dwellings will be larger than the existing row of 'cottage style' terraced properties to the east, they will include some architectural details which can be seen in these properties, such as windows under the eaves, chimneys and solidier course detailing (although two of the terraced properties

have painted the brickwork). The properties will be similar in appearance to a row of terraced dwellings further east along The Street (4, 5 and 6 Barrel Cottages). The proposed dwellings will have slate roofing, with buff facing brickwork, painted timber doors and windows (colour to be confirmed). These will all be two bedroom properties. The proposed row of terraced properties will also be set back from the highway and the existing terraced properties. Parking will be to the rear of plot 4 and the west of plot 3.

- 8.16. Centrally within the frontage of the site, will be two pairs of semi-detached dwellings (plots 6-9). Again, these dwellings will be set back from the highway and will have small front gardens. Each dwelling is of an 'L-shape' design and would occupy a similar site area to other pairs of semi-detached dwellings along The Street and Church Road. These dwellings will have red concrete pantiles and soft red facing brickwork, with timber windows and doors (colour to be confirmed). These properties will also have solidier course detailing and functioning chimney stacks on the sides of the properties. These properties also have a single cart lodge parking space and bay parking.
- 8.17. To the west of these properties which front the highway is the proposed access to The Street and the attenuation basin.
- 8.18. The design of the frontage dwellings is appropriately traditional in approach, which is considered the right approach for this site, along the front at least, to appear contextual and to fit in with the prevailing traditional character of the streetscene. Whilst there is preference for all dwellings along the streetscene to have a pantiled roof, as this would better relate to the prevailing character of development, plots 3, 4 and 5 and currently indicated to have slate roofs. Details of all material finishes has however been requested by condition and the applicant is encouraged to consider a pantile roof for these plots. Notwithstanding material finishes, it is considered that the proposal meets criterion a of SCLP12.35 as there is a provision of terraced and semi-detached dwellings on the site frontage which broadly follows the building line of the existing dwellings.
- 8.19. The remainder of the dwellings largely form a cul-de-sac from the one access point. Whilst we usually seek outward facing houses along countryside edges; an inversion of the layout shown here, back gardens abutting the countryside is actually a feature of The Street and the layout here is too small to see any other configuration working.
- 8.20. Plots 12 and 13 on the northeast and eastern boundary of the site are proposed to be single-storey dwellings; both have detached cart lodges. Plots 14, 15 and 16 will all be two-storey, detached dwellings located towards the northern boundary and highest point of the site. Whilst these will be marginally higher than the dwellings on the frontage of the site, it will predominately only be part of their roofscapes which are notable, with the remainder of the dwellings screened by the dwellings along the site frontage. An agricultural access is retained in the northwest corner of the site. Plots 14 and 15 have attached single cart lodges, with plot 16 having a detached double cart lodge.
- 8.21. Along the western boundary of the site, above the attenuation basin are plots 10 and 11 are a pair of semi-detached dwellings. These have a frontage onto the internal access, rather than fronting The Street. As noted above, there are examples of dwellings along The Street which are gable on to the highway, which is an acceptable design approach. Plot 11 has an attached cart lodge and plot 10 has a detached cart lodge.

- 8.22. Plots 1 and 2 directly north of Plots 10 and 11 have a similar relationship within the site. These plots appear as a pair of semi-detached dwellings, but contain two flats (one on the ground floor and one on the first floor) both served from separate entrances.
- 8.23. The north-east and south-west edges of the application site correctly have back gardens backing onto back gardens. The north edge of the site is bounded by back gardens and the boundary treatment here will have to be carefully considered to avoid a parade of 2m high close-boarded fences. A condition has also been included for details of boundary treatments to be submitted.
- 8.24. Subject to further details of material finishes and boundary treatments to be submitted by condition, it is broadly considered that the proposal demonstrates a clear understanding of the character of the built, historic and natural environment and has used this understanding to complement local character and distinctiveness within the design and layout of the dwellings; therefore the proposal accords with SCLP11.1.
- 8.25. In addition to the above, criterion h of SCLP12.53 requires the retention of the Kettleburgh Village sign within the site. Whilst the sign has been repositioned to achieve visibility splays, it has been positioned centrally within the sites frontage and provides a central focal point as required by the policy. The proposal therefore meets SCLP12.53 criterion h.

Affordable Housing and Mix

- 8.26. The National Planning Policy Framework requires local planning authorities to identify the size, type and range of housing required.
- 8.27. Local Plan Policy SCLP5.8 requires new development to provide a mix of housing tenures, types and sizes appropriate to the site size, characteristics and location, reflecting where feasible the identified need, particularly focusing on smaller dwellings (1 and 2 bedrooms).
- 8.28. On proposals of 10 or more non-specialist dwellings at least 50% of the dwellings will need to meet the requirements for accessible and adaptable dwellings under Part M4(2) of the Building Regulations. All specialist dwellings will be expected to meet the requirements for accessible and adaptable dwellings under Part M4(2) of the Building Regulations. The applicant has confirmed that plots 3, 4, 5, 6, 7, 8, 9 and 10 will be constructed to meet Part M4(2) and a condition has been included to ensure the delivery of these units.
- 8.29. Of the proposed market dwellings, there is a mix of 2, 3 and 4 bedroom properties. There will be four 2 bedroom, three 3 bedroom and four 4 bedroom market properties.
- 8.30. In accordance with Policy SCLP5.10, residential development with capacity for ten units or more or sites of 0.5ha or more will be expected to make provision for 1 in 3 units to be affordable dwellings, and to be made available to meet an identified local need, including needs for affordable housing for older people. Of these affordable dwellings, 50% should be for affordable rent / social rent, 25% should be for shared ownership and 25% should be for discounted home ownership.

- 8.31. This equates to five homes on a site of 16 dwelling, which the developer is proposing. The Council's requirements are provided below based on SHMAA evidence and local housing need from the Council's Housing Register.

Schedule	Beds/Person	Detached / Semi-d Terrace	Storey Height	Internal Fl. Area sqm [sq ft]	Parking Arrangements
Plot 1	1b/2p	Flat ground floor	1	52.9 [568]	1.5 parking bays
Plot 2	1b/2p	Flat first floor	1	55.6 [598]	1.5 parking bays
Plot 3	2b/4p	House end of terrace	2	74.6 [802]	2 parking bays
Plot 4	2b/4p	House mid-terrace	2	74.6 [802]	2 parking bays
Plot 5	2b/4p	House end of terrace	2	74.6 [802]	2 parking bays
Plot 6	2b	House semi-detached	2	82.8 [890]	1 bay cartlodge
Plot 7	2b	House semi-detached	2	82.8 [890]	1 bay cartlodge
Plot 8	2b	House semi-detached	2	82.8 [890]	1 bay cartlodge
Plot 9	2b	House semi-detached	2	82.8 [890]	1 bay cartlodge
Plot 10	3b	House semi-detached	2	114.2 [1228]	2 parking bays
Plot 11	3b	House semi-detached	2	114.0 [1226]	1 parking bay + 1 bay cartlodge
Plot 12	3b	Detached Bungalow	1	97.4 [1048]	2 parking bays
Plot 13	4b	Detached Bungalow	1	140.6 [1513]	2 bay cartlodge
Plot 14	4b	House detached	2	138.4 [1488]	1 bay garage
Plot 15	4b	House detached	2	138.4 [1488]	1 bay garage
Plot 16	4b	House detached	2	166.4 [1791]	2 bay cartlodge
					5 visitor bays

- 8.32. Plots 1-5 inclusive are proposed to be affordable dwellings.
- 8.33. The mix of homes is 2x1 bed flats and 3x2 bed houses. This mix has been assessed by the Council's Housing Enabling team and is acceptable. It is suggested that the three 2 bed houses could be delivered as shared ownership and two, 1 bed flats as affordable rent. The delivery and mix of affordable dwellings will be secured within the S106 agreement and would thus accord with SCLP5.10 and criterion b of SCLP12.53 which requires affordable housing to be provided on site.

Landscape, Visual Impact and Ecology

- 8.34. Landscape character is the distinct, recognisable and consistent pattern of elements that makes one landscape different from another. Landscape assessment helps to describe the important features and characteristics of different areas of landscape. This helps to make recommendations for future protection, management and planning. An up-to-date Suffolk Coastal Landscape Character Assessment (2018) and Settlement Sensitivity Assessment (2018) are important tools in proposing, shaping and determining proposals for new development, analysing and identifying landscape features and characteristics in particular parts of the plan area. Proposals for development should be informed by and sympathetic to the special qualities and features, strategy objectives and considerations identified in these documents.
- 8.35. The site is located within the 'Rolling Estate Claylands', in the Suffolk Landscape Character Assessment. The site is also noted to be within a 'River Valley Landscape' within the Suffolk Coastal Landscape Character Assessment and Settlement Sensitivity Assessment.
- 8.36. Local Plan Policy SCLP10.4 states that development will not be permitted where it will have a significant adverse impact on rural river valleys, historic park and gardens, coastal, estuary, heathland and other very sensitive landscapes. As the site is allocated for

development it is broadly accepted that the development of the site would not result in significant adverse impacts to the landscape, subject to design, layout and any restoration or enhancement of the natural landscape.

- 8.37. The site would seem to fit in reasonably well with the existing built layout of the village and follows the generally linear pattern that characterises Kettleburgh, as highlighted in the Suffolk Coastal Landscape Character Assessment. Due to the topography of the site and surroundings, the site is essentially positioned within a 'valley' with limited wider landscape views than those within the immediate vicinity of the site. Given the allocated status of the site, the remaining critical landscape issue will be how the development has an impact on existing site boundary vegetation and specifically hedgerows and trees.
- 8.38. The Council's Landscape Manager has reviewed the proposal and initially raised concern due to the placement of dwellings adjacent to the hedgerows and trees on the boundaries; something which SCLP12.53 criterion e specifically seeks to retain. It was recommended that the applicant undertake a tree and arboricultural impact assessment to ensure that the position of the built structures does not impact any of the existing vegetation; however, this was not submitted with the revisions to the layout, which equally sought to overcome the concerns raised.
- 8.39. The revised plans have largely overcome officer's concerns although there is still some concern that the cart lodge for plot 16 is too close to the boundary and will impact existing trees/hedge. A condition has therefore been included for a method of construction beneath trees/hedge for the cart lodge.
- 8.40. Policy SCLP12.53 notes that the development should retain hedgerows and trees bordering the site, subject to the provision of safe access and egress. Where hedgerow removal is required replanting elsewhere on the site will be required. As previously noted, there will be a requirement to remove some of the hedging along the southern boundary of the site to provide a safe access and egress. The hedgerow is to be repositioned in order to accommodate the visibility splays on the southern boundary however, it does not appear that the removal of sections of the hedgerow for access has been considered. Similarly, a section of hedgerow on the northern boundary appears to also be proposed for removal to create the agricultural field access.
- 8.41. Hedgerows are a UK and Suffolk Priority habitat (under section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)). The National Planning Policy Framework and Local Plan Policy SCLP10.1 seek to ensure that all development maintains and enhances the environment, including protecting Priority habitats and species. Therefore, the proposals should demonstrate replacement planting totalling a greater length than the areas to be lost, in order to deliver biodiversity net gain. The hedgerow planting should consist of a native, species rich mix. The final specification and other tree and landscape planting provision are to be secured by condition.
- 8.42. As foraging and commuting bats have been identified as potentially using hedgerows and trees adjacent to the site, then it is important that there is no light spill from external lighting and that dark corridors are retained around the site for the foraging and commuting bats.

- 8.43. Proposals for development should protect and enhance the tranquillity and dark skies across the plan area. Exterior lighting in development should be appropriate and sensitive to protecting the intrinsic darkness of rural and tranquil estuary, heathland and river valley landscape character. A lighting strategy for all external lighting has been requested by condition to ensure that the development does not adversely impact landscape character, dark skies or ecology.
- 8.44. The application is supported by an Ecological Impact Assessment (EclA) (Liz Lord Ecology, December 2021) and the conclusions and proposed mitigation measures identified are broadly acceptable and policy compliant, the recommendations made within the report are conditioned to be implemented in full, via condition.
- 8.45. It is recommended that integral swift nest bricks should be incorporated into buildings that are of minimum two storeys. The incorporation of swift nest bricks is an established way to enhance biodiversity within a development and provide net gain. There are records of Hedgehog, a UK and Suffolk Priority Species, in the surrounding area. To maintain connectivity for this species, we recommend maintaining hedgehog permeable boundaries (with gaps of 13x13cm at ground level) as part of this development to maintain connectivity for the species.
- 8.46. As such, a Biodiversity Enhancement Strategy should be produced, detailing the how the enhancements made within the Ecological Assessment are to be incorporated within the development, including their locations. This is recommended as a condition to the officer's recommendation.
- 8.47. Subject to further details required by condition, the development is therefore considered to accord with SCLP12.53 criterion d, e and f, SCLP10.1 and SCLP10.4.

Residential Amenity

- 8.48. Local Plan Policy SCLP11.2 requires the Council to have regard to the following matters when considering the impact of new development on residential amenity:
- Privacy/overlooking;
 - Outlook;
 - Access to daylight and sunlight;
 - Noise and disturbance;
 - The resulting physical relationship with other properties;
 - Light spillage;
 - Air quality and other forms of pollution; and
 - Safety and security.
- 8.49. The layout has been carefully considered so that any window/door positions avoid any overlooking and loss of amenity to neighbouring dwellings, whilst maximising natural light and views to the front and rear garden areas from the new dwellings. Within the site, the proposed dwellings would not impact on each other's amenity.

- 8.50. The proposed plots which are most likely to impact the existing development are plots 5 to the southeast and plot 10 to the west. Plot 5 will be a two-storey dwelling, although due to changes in land levels and modest scale of Honey Suckle Cottage, will appear slightly dominating in appearance. However, the layout provides a gap and set back between plot 5 and Honeysuckle Cottage which seeks to reduce impact. There are windows on the western elevation of Honeysuckle Cottage which look into the development site, however it is not considered that there would be a loss of light or shadowing as a result of the proposed development due to the distance between the dwellings. There are no first-floor windows on the side elevation of plot 5 which would cause overlooking or loss of privacy. Windows on the rear elevation of plot 5 are similarly located to those on Rose Cottage, which adjoins Honeysuckle Cottage.
- 8.51. To the west, adjacent to plot 10, is the public right of way and Fieldings, a one and a half storey dwelling which fronts the highway. Behind the dwelling are an array of outbuildings, garage and stables which run north to south adjacent to the public right of way. The existing vegetation along this boundary is quite dense in places. Concern has been raised by the owner of this property about future complaints arising from the keeping of horses adjacent to the site, particularly from waste. However, this would be a civil matter between the existing property and future occupiers of the dwellings. Plot 10 is set behind the building line of Fieldings and is positioned adjacent to the garage at the back of the dwelling. The rear elevation of plot 10 has three windows on the first-floor; two serve a bathroom and en-suite, with the third serving the third bedroom. This window would be located to the north of the garage at Fieldings and would not directly overlook the main amenity space. Similarly, the rear first-floor windows of plots 11, 1 and 2 would overlook outbuildings, but are also partially screened by the vegetation on the western boundary.
- 8.52. The design quality of the proposal is acceptable and is considered to provide a good standard of amenity for both existing and future residents. Although there will be short term disturbance during the development of the site these impacts can be controlled and mitigated through a construction management plan secured by condition.
- 8.53. The removal of some permitted development rights is considered appropriate in this instance to ensure that there are no additions to the development which could result in adverse harm to amenity. It is therefore recommended that permitted development rights are removed for upward extensions, alterations or additions to the roof, addition of porches or other extensions/alterations, addition of outbuildings and means of enclosure. It is also considered prudent to remove permitted development rights for hardstanding to ensure that there is no additional increase in flood risk from additional hardstanding which has not previously been accounted for in the drainage calculations.
- 8.54. In accordance with the above, the proposal is considered to accord with SCLP11.2.

Sustainable Construction

- 8.55. The Local Plan states that all new developments of more than 10 dwellings should achieve higher energy efficiency standards that result in a 20% reduction in CO2 emissions below the Target CO2 Emission Rate (TER) set out in the Building Regulations.

- 8.56. All new residential development in the plan area should achieve the optional technical standard in terms of water efficiency of 110 litres/person/day. The use of locally sourced, reused and recycled materials, along with on-site renewable energy generation are encouraged in order to achieve environmental net gain in new build or conversion developments. Development proposals are also encouraged to set out measures for minimising waste arising from the construction process.
- 8.57. Proposals should improve the efficiency of heating, cooling and lighting of buildings by maximising daylight and passive solar gain through the orientation of buildings.
- 8.58. In addition to the requirements set out by Local Plan Policy SCLP9.2, East Suffolk Council has a draft Sustainable Construction Supplementary Planning Document. This outlines a number of conditions which should be included within the grant of consents to ensure that the new homes and buildings in the district are meeting the above standards. Where applicable these have been included with the officer's recommendation and subject to these being fulfilled, the development accords with SCLP9.2.

Highways, Sustainable Transport and Public Rights of Way

- 8.59. Local Plan Policy SCLP7.1 relates to sustainable transport and seeks, amongst other things, to locate and design development so it can be accessed via multiple modes of transportation, and with safe and suitable access for all. Section 9 of the NPPF supports these policy requirements and promotes opportunities to walk, cycle or use public transport. Development proposals should be designed from the outset to incorporate measures that will encourage people to travel using non-car modes to access home, school, employment, services and facilities. As such development proposals will be supported where:
- Any significant impacts on the highways network are mitigated;
 - It is proportionate in scale to the existing transport network;
 - All available opportunities to enable and support travel on foot, by cycle or public transport have been considered and taken;
 - It is located close to, and provides safe pedestrian and cycle access to services and facilities;
 - It is well integrated into and enhances the existing cycle network including the safe design and layout of new cycle routes and provision of covered, secure cycle parking;
 - It is well integrated into, protects and enhances the existing pedestrian routes and the public rights of way network;
 - It reduces conflict between users of the transport network including pedestrians, cyclists, users of mobility vehicles and drivers and does not reduce road safety; and
 - The cumulative impact of new development will not create severe impacts on the existing transport network.
- 8.60. The site was allocated within the Local Plan, where the above criteria would have been considered at site selection. It is therefore broadly considered that the proposed development is of a scale which is proportionate to the highways network, without causing severe impacts when considered independently or cumulatively. However,

consideration has to be given to the details relating to highways matters proposed by the development.

- 8.61. Suffolk County Council (SCC) as Local Highways Authority (LHA) initially raised a holding objection until it could be demonstrated that a safe and suitable access could be achieved for all users. This was because the access junction to all plots does not yet appear to have been suitably designed to meet current standards in terms of safety and convenience of access and the main access into the site did not include the standard features that would help enable a suitably safe transition from a classified road into a shared surface access road. Concern was also raised that the development did not provide sufficient parking in accordance with the Suffolk Guidance for Parking (SGP2019).
- 8.62. The level of parking provision required can be influenced by the location of new development, accessibility to public transport, provision for cyclists and the availability of public and on-street parking. As local highways authority, Suffolk County Council published the current 'Suffolk Guidance for Parking' in 2019. The document provides details in respect of vehicle parking standards to be implemented across the county subject to local considerations. Residential standards in the County Council document are presented as minimums and the Local Plan will seek to ensure appropriate parking does not proliferate the parking issues faced by many communities.
- 8.63. In accordance with Local Plan Policy SCLP7.2, proposals involving vehicle parking will be supported where they take opportunities to make efficient use of land and they include:
- The provision of safe, secure, and convenient off-street parking of an appropriate size and quantity including addressing the need for parking or secure storage for cars, cycles and motorcycles, and where relevant, coaches and lorries;
 - Opportunities to reduce the recognised problem of anti-social parking or potential problems that may arise which impacts the quality of life or vitality of an area for residents and visitors;
 - Appropriate provision for vehicle charging points and ancillary infrastructure associated with the increased use of low emission vehicles; and
 - The incorporation of sustainable drainage systems (SuDS), permeable surfacing materials and means of protecting water quality in drainage schemes should be ensured.
- 8.64. Further information was also sought in respect of the attenuation basin (proximity to highway, discharge route and method). The full extent of the concerns raised are included within the consultee responses section above.
- 8.65. The applicant has submitted several revised site layout plans seeking to overcome matters raised by the LHA. In the LHA response of the 23 December 2021, most matters previously raised had been resolved, however one matter was outstanding. This related to the attenuation pond/drainage feature still being within 5m of land maintainable by SCC. The basin therefore needed to be moved further to the north away from the highway and the cart lodge to plot 10 would need to be omitted.

- 8.66. Revised plans (104-2020-05PS 104-2020-05PS, 104-2020-06P2, 104-2020-03P4, 104-2020-Proposed Network, 104-2020-001-JAH, PW1111-PL06 rev E and PW111-PL01 rev K) were received on 03 March 2022 to overcome the outstanding highways and LLFA concerns.
- 8.67. These drawings primarily relate to outstanding drainage issues, nevertheless, does illustrate that the cart lodge to plot 10 has been omitted and the parking for the plot will instead be provided to the front of the dwelling.
- 8.68. Drawing 104-2020-05PS was later received on 23 March 2022 and is referenced within the LHA's response of 31 March 2022. It is however noted that this plan still shows the outline of the omitted cart lodge for plot 10. This was subsequently revised on and has been updated in the recommended conditions.
- 8.69. Following the submission of the above revised plans the LHA have removed their holding objection subject to the inclusion of the following conditions (detailed in full in SCC LHA response dated 29 March 2022):
- Access Condition
 - Visibility Condition (removal of Permitted Development Rights within the visibility splays)
 - Visibility Frontage Condition (height of fencing or planting along the site frontage with the highway)
 - Method of preventing surface water entering the highway
 - Construction Management Strategy
- 8.70. As a Construction Management Plan/Strategy has also been requested by the Council's Environmental Protection Team, the highways condition has been reworded to include both consultees requirements.
- 8.71. SCLP7.1 also states that in designing and assessing development proposals, the public rights of way Network should be considered as a means of encouraging physical activity, providing access to the natural environment, supporting tourism, reducing travel by vehicular modes, reducing carbon emissions and (where relevant) aiding recreational avoidance of sensitive sites. The site is adjacent to but does not have from within the site to the public right of way along the western boundary. However, the footway along the frontage of the site will connect to the public right of way to provide access for residents of the site.
- 8.72. The proposal is therefore considered to accord with SCLP7.1 and SCLP7.2.

Flood Risk and Surface Water Drainage

- 8.73. The site is not located in flood zones 2 or 3. The site is within flood zone 1 which is has a low probability of flooding from rivers or the sea. However, The Street and the land on the south of the development site is at risk of surface water flooding. The levels within the site decline from north to south (towards The Street) it is therefore essential that any

development does not increase the potential risk of surface water flooding. There has been local concern raised in many of the representations received over flooding in this area.

- 8.74. Where possible, developments should use sustainable drainage systems to drain surface water. Local Plan Policy SCLP9.6 requires Developments of 10 dwellings or more, or non-residential development with upwards of 1,000 sqm of floorspace or on sites of 1 hectare or more, will be required to utilise sustainable drainage systems, unless demonstrated to be inappropriate. Sustainable drainage systems should:
- Be integrated into the landscaping scheme and green infrastructure provision of the development;
 - Contribute to the design quality of the scheme; and
 - Deliver sufficient and appropriate water quality and aquatic biodiversity improvements, wherever possible. This should be complementary of any local designations such as Source Protection Zones.
- 8.75. Runoff rates from new development must be restricted to greenfield runoff rates wherever possible. No surface water connections should be made to the foul system and connections to the combined or surface water system should only be made in exceptional circumstances where there are no feasible alternatives. Foul and surface water flows should also be separated.
- 8.76. Suffolk County Council (SCC) as Local Lead Flood Authority (LLFA) initially commented on the submitted Flood Risk Assessment and Drainage Strategy (GHBullard & Associates LLP/2020/FRADS, February 2021) and raised a holding objection, as more information was required, including:
- The proposal is served by closed, below-ground attenuation tanks and pipes and does not comply with policy SCLP9.6 of the Final Draft Suffolk Coastal Local Plan which gives preference to above ground SuDS. Therefore, the strategy should be revised to provide open, above ground SuDS.
 - Anglian Water should be contacted at earliest convenience to discuss maintenance and adoption of the proposed surface water drainage system. The system should be designed to manage both highway and roof runoff to ensure eligibility.
 - The proposed vortex flow control consists of a 52mm orifice. Details of the proposed granular filtering medium should be submitted for review, given the potential for debris congregation. This should be in the form of a cross-section.
 - Groundwater monitoring should be conducted to attain peak seasonal groundwater levels, particularly given that the development is within an area of Medium groundwater vulnerability. This information is required to support a full application, as per Appendix A of the Suffolk Flood Risk Management Strategy.
 - There are concerns regarding the level of cover associated with pipe number S1.007, given its location within the vehicular access and the shallow depth of the basin (0.4m).
 - FSR rainfall methodology has been used within the submitted MicroDrainage calculations. A means test should be undertaken, whereby both FSR and FEH methodology is used and the worst-case used for design purposes.

- The outfall from the development is proposed within the ‘existing ditch’ on the South-Western border of the site. Surface water is then conveyed South, through a culvert and into the existing watercourse on the South side of The Street.
- Suffolk County Council Lead Local Flood Authority require assurance that there is a suitable connection in place. Photographs should be submitted to provide evidence that there is suitable connection between the existing ditch and watercourse.

8.77. The applicant subsequently and continuously updated the Flood Risk Assessment and Drainage Strategy to overcome the holding objection. The revised Flood Risk Assessment and Drainage Strategy (GHBullard & Associates LLP 104/2020/FRADS, November 2021) submitted on 18 November 2021 maintained a holding objection from the LLFA. The LLFA stated that:

“A holding objection was necessary because the proposed surface water drainage strategy is likely to increase offsite surface water flood risk and does not comply with national and local policy and guidance. This site has been brought forward, upstream of an area of known surface water flood risk, without discussion with SCC LLFA.”

8.78. The LLFA’s response dated 22 December 2021 (detailed in full in the consultee section above) outlined nine action points to resolve the holding objection:

1. *NPPF para 169 (A) states that SuDS systems should ‘take account of advice from the lead local flood authority’. SCC LLFA’s advice is that SuDS on this development should be designed to be eligible for adoption by Anglian Water. The existing surface water flood risk downstream means that any lack of maintenance will increase surface water flood risk to residential property. Therefore, adoption by a statutory undertaker is advised. This is in accordance with Suffolk Flood Risk Management Strategy, Appendix A, page 11 which sets out an adoption hierarchy. East Suffolk Council are advised that if a management company is used, any future enforcement action required against a management company due to lack of maintenance would need to be undertaken by them as a breach of planning.*
2. *The proposed solution for maintaining the existing ordinary watercourse is unacceptable. The proposals would likely see the watercourse cut off with a close board fence. Not only will this make maintenance difficult in terms of access and disruption but it removes any scope for routine monitoring of the watercourse from the site.*
3. *Similarly, the continued reliance on below ground attenuation is not supported by SCC LLFA or Local Plan Policy SCLP9.6. The use of above ground SuDS not only improves biodiversity and amenity benefits, it allows for day to day monitoring of SuDS to check for blockage. A below ground system is not regularly monitored and as such, any blockages are likely to go unnoticed until an issue occurs. In this instance, any issue will increase surface water flood risk to residential property.*

4. *The wide use of small orifices, ranging from 16mm – 40mm diameter is unacceptable. Whilst small orifices can be used in closed systems, the number and size of small orifices on this site increases the likelihood of blockage. This is a direction function of design development not considering surface water drainage requirements and attenuation being designed to fit a fixed layout. This has resulted in the siting of multiple small, below ground attenuation features which could otherwise be combined to accommodate a single feature with a larger orifice. Larger orifices can also be facilitated by increasing the plan area and reducing the depth of attenuated water, but again, this is likely restricted by the pre-determined site layout.*
5. *Appendix H shows multiple proposed rain gardens but it is unclear what areas these features will serve or how they've been incorporated into the design. One is even located in the middle of a road.*
6. *The swale shown at the front of the site is likely to be too close to property foundations and is unlikely to achieve required offsets – it is also located directly on a proposed footway.*
7. *It is unclear what function the swales north of the access road serve. Given the steep gradient of the site falling away from the location of the swales, it is unclear how the road would drain into them.*
8. *The section of the basin provided demonstrates there is no designed freeboard (which should be a minimum of 300mm) during the critical 1:100+40% rainfall event.*
9. *It is unclear if the basin is adequately sized to deliver sufficient treatment during 1:1+CC, as per CIRIA SuDS Manual Treatment Design Criteria. Whilst some areas of the site are proposed to drain via swales, it looks as though the main access road will drain by gullies and pipes to the proposed attenuation basin. Therefore, the most trafficked section of road will only receive treatment from the proposed basin, hence this need for assessment.*

8.79. The following revised plans have been reviewed by the LLFA:

- GHBullard, Proposed Surface Water Drainage Layout, 104/2020/03/P5, 23/03/2022
- PeterWellsArchitects, Proposed Site Plan & Location Plan, PW1111_PL01 Rev K, 03/03/2022
- Microdrainage calculations dated 03/03/2022
- GHBullard, Impermeable Geotextile Lining Layout, 104/2020/06/P2, 03/03/2022
- GHBullard, Proposed Surface Water Drainage Construction Details, 104/2020/05/P5, 03/03/2022
- GHBullard, Surface Water Drainage Impermeable Area Catchments, 104/2020/04/P4, 03/03/2022

8.80. The revised plans show plots 3, 4 and 5 in their original position and the proposed dry swale in front has been omitted. A dry swale to the front of plots 14, 15 and 16 has been added, and the hedging to this area omitted. The drainage design has been amended to

increase the minimum restricted pipe size. The additional information also included a letter dated 03 March 2022 which includes reference to the maintenance of the watercourse to the west boundary.

- 8.81. The LLFA acknowledged the changes and confirmed that the amended details had overcome the concerns raised to a stage where any outstanding details can be submitted by condition.
- 8.82. It should be noted that SCC as LLFA still have concerns regarding the failure to integrate the existing ordinary watercourse into the development's layout. The LLFA consider this approach to have the potential to increase downstream surface water flood risk (as highlighted in the FRA) without adequate mitigation through monitoring and maintenance.
- 8.83. Access to the watercourse for visual inspection, access to the watercourse for maintenance, identification of those responsible for monitoring and maintenance and restrictions to prevent obstruction of access to the watercourse from the development side are aspects we expect to be considered as part of any maintenance strategy for any future discharge of conditions application. Permitted development rights should also be removed from the rear gardens of dwellings backing onto the watercourse to control the ability to gain access.
- 8.84. The LLFA recommend approval subject to the inclusion of the following conditions:
- Strategy for the disposal of surface water
 - Implementation, maintenance and management of the strategy
 - Verification that the drainage is built and functions as approved
 - Construction Surface Water Management Plan (CSWMP)

Archaeology

- 8.85. The former Suffolk Coastal area has a rich, diverse and dense archaeological landscape with the river valleys, in particular, topographically favourable for early occupation of all periods. The distinctive character of the historic environment in the former Suffolk Coastal area includes outstanding coastal archaeology of all dates. The Suffolk Historic Environment Record provides information about archaeological sites throughout the Suffolk Coastal Local Plan area and is used to identify sites that may be at risk from development.
- 8.86. This site lies in an area of archaeological potential recorded on the County Historic Environment Record. There are several records with Roman (as well as Prehistoric and Medieval) material in the vicinity (KBU 003,005, 019). Potential for Roman Material is suggested by the topographic position at a small tributary of the Deben. Also, the location at the roadside just outside the village core could have been an area of medieval settlement contraction.
- 8.87. As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which

exist. There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 199), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

- 8.88. In addition, Policy SCLP11.7 requires a full archaeological assessment of sites within potential areas of archaeological importance to describe the significance of any heritage assets affected and to ensure that provision is made for the preservation of important remains, particularly those that may be demonstrably of national significance.
- 8.89. The relevant conditions have been included within the officer's recommendation; as such the proposal is considered to accord with SCLP11.7.

Financial Contributions (CIL and S106)

- 8.90. Suffolk County Council (SCC) have commented in respect of contributions which are required by the proposed development. These largely include matters which would be covered by Community Infrastructure Levy (CIL), however also include matter which will be subject to a section 106 agreement (S106).
- 8.91. SCC have confirmed that contributions towards primary, secondary and sixth form education expansion will be required by CIL, in addition to library improvements and waste infrastructure. Primary and secondary school transport contributions (and monitoring fee) are sought by s106 agreement.
- 8.92. Criterion c of SCLP12.53 requires a contribution towards a new 'early years' setting. Early years provision is forecast to be over capacity in Framlingham ward. As such a new setting will be required, potentially within allocation SLCP12.50 Land off Laxfield Road, Dennington. The Infrastructure Delivery Framework suggests that this would be a contribution through a Section 106 agreement. However, the County Council have confirmed that since the Local Plan has been adopted, a new nursery facility has been built in Framlingham which supersedes the above requirement. As such, there is currently a surplus of places within catchment and no early years contribution is sought as part of this development. This does not stop future early years provision being covered through CIL collected from this development.
- 8.93. In addition to the above, the site lies within the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) zone of influence (Zone B).
- 8.94. The Conservation of Habitats and Species Regulations 2017 ("Habitats Regulations") lays down the legislation on the conservation of natural habitats and of wild fauna and flora. The Habitats Regulations require the competent authority (in this instance, the Council) to determine whether the development is likely to have a significant effect on the interest features of European sites protected under the legislation and, if there would be, to carry out an Appropriate Assessment of the implications of the proposal for the site's conservation objectives in accordance with the regulations.
- 8.95. The Recreational disturbance Avoidance and Mitigation Strategy has been prepared to provide a mechanism through which impacts from increased recreation can be avoided

and mitigated via financial contributions towards the provision of strategic mitigation. Where mitigation is proposed to be provided through alternative mechanisms, applicants will need to provide evidence to demonstrate that all impacts are mitigated for, including in-combination effects.

- 8.96. In order to mitigate the increased recreational disturbance impacts on European designated sites arising from new residential developments a financial contribution or mitigation measures are required for this development. The applicant has opted to pay the financial contribution, which is included within the s106 agreement, rather than an upfront payment. Furthermore, the proposal is considered acceptable in accordance with SCLP10.1.

Other Matters

- 8.97. The site allocation requires that the applicant is able to demonstrate there is adequate Water Recycling Centre capacity or that capacity can be made available and equally that there is adequate capacity in the foul sewerage network or action to upgrade to create the required capacity.

- 8.98. The submitted Flood Risk Assessment and Drainage Strategy (appendix J) includes the response from Anglian Water as part of a pre-application enquiry undertaken by the applicant in relation of the capacity for Water Recycling. This states:

"The foul drainage from this development is in the catchment of Framlingham Water Recycling Centre, which currently does not have capacity to treat the flows from your development site. Anglian Water are obligated to accept the foul flows from your development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the planning authority grant planning."

- 8.99. As Anglian Water have confirmed that they will take the necessary steps to ensure that there is sufficient capacity for the proposed development, criterion g and i of SCLP12.53 have been met.

9. Conclusion

- 9.1. Paragraph 2 of the NPPF (2021) states that "Planning Law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise". That section of the law is contained in S38(6) of the Planning and Compulsory Purchase Act 2004.
- 9.2. The starting point is therefore the adopted Development Plan (Suffolk Coastal Local Plan). The application site is allocated under Policy SCLP12.53 whereby the level and type of development proposed meets the criteria noted within that policy.
- 9.3. The proposed design and layout of the development is considered to be acceptable and would not result in adverse harm to the sensitive landscape.

- 9.4. The proposal is considered to represent sustainable development in accordance with the objectives of the National Planning Policy Framework and adopted Local Plan. The proposals have been revised to meet the requirements of the Highway Authority and provide suitable safe access and suitable parking provisions. The development will provide a satisfactory drainage scheme which seeks to reduce surface water flood risk potential from the site.
- 9.5. The development is therefore considered to accord with the aforementioned policies and is recommended for approval.

10. Recommendation

- 10.1. AUTHORITY TO APPROVE with conditions (including but not limited to those summarised in section 10 of this report); and subject to the completion of a S106 Legal Agreement to secure obligations (including but not limited to):
- Affordable housing provision.
 - A financial contribution towards primary and secondary school transport.
 - Contribution towards RAMS (either S106 or S111)

11. Recommended Conditions

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

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

2. The development hereby permitted shall not be carried out other than in complete accordance with the following:

Received 04 April 2022:

- PW1111-PL12-Rev B

Received 23 March 2022:

- 104/2020/03/P5 received

Received 03 March 2022:

- PW1111-PL01-Rev K
- PW1111-PL06-Rev E
- 104-2020-03-Rev P4
- 104-2020-04-Rev P4
- 104-2020-05-Rev P5
- 104-2020-06-Rev P2

Received 12 July 2021:

- PL02-Rev D
- PL03-Rev C

- PL04-Rev D
- PL05-Rev D
- PL06-Rev D
- PL07-Rev C
- PL08-Rev C
- PL09-Rev C
- PL10 Rev C

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

3. Notwithstanding the submitted details, no development shall commence until details of the roof, wall materials and finishes to be used have been submitted to and approved by the local planning authority.

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

4. No development shall commence until details of the means of enclosure (i.e. hedgerows, fences, gates etc) for the boundaries between plots, and the external boundaries have been submitted to and approved by the Local Planning Authority. Each section of the approved means of enclosure shall be erected prior to the occupation of the dwelling to which they specifically relate. The approved means of enclosure shall thereafter be retained in their approved form.

Reason: In the interests of visual and residential amenity.

5. No development shall commence until a detailed Construction Method Strategy has been submitted to and approved by the Local Planning Authority. This statement shall set out hours of construction/activity on site, delivery hours for materials and equipment to the site before and during construction, access and parking arrangements for contractors vehicles and delivery vehicles (locations and times) and a methodology for avoiding soil from the site tracking onto the highway together with a strategy for remedy of this should it occur. Thereafter the approved construction statement shall be adhered to throughout the construction of the development.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway and neighbouring amenity during the construction phase.

6. Prior to the commencement of development, a scheme for the provision of fire hydrants shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in its entirety prior to the first occupation of the dwellings. It shall thereafter be retained and maintained in its improved form.

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

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

writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:

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

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

8. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 7 and the provision made for analysis, publication and dissemination of results and archive deposition.

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

9. Prior to occupation, evidence of the energy performance and water efficiency standards shall be submitted to, and approved in writing by, the local planning authority. The dwelling(s) within the hereby approved development must achieve the optional technical standard in terms of water efficiency of 110 litres/person/day in Policy SCLP9.2 or any future document/policy replacing this, as measured in accordance with a methodology approved by Building Regulations Approved Document G.

Reason: To ensure that the finished dwelling(s) comply with Policy SCLP9.2 of the East Suffolk Council - Suffolk Coastal Local Plan (2020) and to ensure Building Control Officers and Independent Building Inspectors are aware of the water efficiency standard for the dwelling(s).

10. Prior to first occupation of the hereby approved development details of all the measures in the approved Energy Statement that have been completed shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the finished development implements the approved sustainable measures to comply with Planning Policy SCLP9.2.

11. Prior to first occupation and/ or use of the hereby permitted development a British Research Establishment Environmental Assessment Method New Build Post Construction Stage (PCS) final rating and certificate of assessment demonstrating the development achieved the 'Very Good' standard or equivalent shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development complies with Planning Policy SCLP9.2.

12. The following dwellings shall be constructed to meet the Requirements of M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings and therefore retained in their approved form:

- Plot 3
- Plot 4
- Plot 5
- Plot 6
- Plot 7
- Plot 8
- Plot 9
- Plot 10

Reason: To ensure the development complies with Planning Policy SCLP5.8.

13. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Liz Lord Ecology, December 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

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

Reason: To ensure that nesting birds are protected.

15. No external lighting shall be installed unless a "lighting design strategy for biodiversity" has been submitted to and approved in writing by the local planning authority. The strategy shall:

1. identify those areas/features on site that are particularly sensitive for biodiversity likely to be impacted by lighting and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

2. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly

demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

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

16. Prior to any works above slab 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. Ecological enhancement measures will be delivered and retained in accordance with the approved Strategy.

Reason: To ensure that the development delivers ecological enhancements.

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

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

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

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

18. Within 3 month(s) of commencement of development, precise details of a scheme of landscape works (which term shall include tree and shrub planting, grass, earthworks, driveway construction, parking areas patios, hard surfaces etc, and other operations as appropriate) at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.

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

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

20. No development shall commence, or any materials, plant or machinery be brought on to the site until full details showing the position of fencing to protect all trees and hedgerows, shown to be retained on the approved plans, have been submitted to and approved in writing by the Local Planning Authority. The protective fencing shall comply with BS.5837 and be retained throughout the period of construction unless otherwise agreed in writing by the local planning authority.

Reason: To protect the trees/hedgerow during the course of development in the interest of visual amenity.

21. No development shall commence until a method for construction for the proposed cart lodge for plot 16 has been submitted to and approved in writing by the local planning authority. Thereafter the method of construction shall be adhered to and implemented in its entirety unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the roots of the trees/hedging are not damaged during construction.

22. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. No further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety. An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A2:2017 and LCRM) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works. Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

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

23. No other part of the development hereby permitted shall be commenced until the new access has been laid out and completed in all respects in accordance with drawing no. 104/2020/03/P5. Thereafter it shall be retained in its approved form.

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

24. Before the access is first used visibility splays shall be provided as shown on Drawing No. 104/2020/03/P5 and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary

25. The [hedge, fence, wall or other means of frontage enclosure] along the highway frontage of the site shall be reduced to 0.6m metres above the level of the adjacent carriageway or set back at least 0.5m from edge of carriageway/footway before occupation of the development. Notwithstanding the provisions of the Town & Country (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) it shall be retained thereafter at or below that height.

Reason: In the interests of highway safety by providing and maintaining intervisibility between highway users.

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

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

27. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority (LPA).

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

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

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

29. Within 28 days of practical completion of the last dwelling or unit, surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

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

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

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

Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-

- i. Temporary drainage systems
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- iii. Measures for managing any on or offsite flood risk associated with construction

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

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

31. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking or re-enacting the said Order] no development of any kind specified in Part 1, Classes A, AA, B, C, D, E, F and Part 2 Class A of Schedule 2 of the said Order shall be carried out unless otherwise agreed with the local planning authority.

Reason: In order that the local planning authority may retain control over this particular form of development in the interests of amenity and the protection of the local environment and the amenity of adjoining residents and to ensure that access to the watercourse can be maintained if necessary for maintenance

12. Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. The applicant is advised that the proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business premises. For details of the address charges please see our website www.eastsuffolk.gov.uk/planning/street-naming-and-numbering or email llpg@eastsuffolk.gov.uk
3. Note: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

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

The County Council's East Area Manager must be contacted on Telephone: 01728 652400. Further information can be found at: www.suffolk.gov.uk/environment-and-transport/highways/dropped-kerbs-vehicular-accesses/

A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

4. The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team.
5. Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
6. Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
7. Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution
8. 1.PROW are divided into the following classifications:

- o Public Footpath - only for use on foot or with a mobility vehicle
- o Public Bridleway - use as per a public footpath, and on horseback or by bicycle
- o Restricted Byway - use as per a bridleway, and by a 'non-motorised vehicle', e.g. a horse and carriage
- o Byway Open to All Traffic (BOAT) - can be used by all vehicles, in addition to people on foot, mobility vehicle, horseback and bicycle

All currently recorded PROW are shown on the Definitive Map and described in the Definitive Statement (together forming the legal record of all currently recorded PROW). There may be other PROW that exist which have not been registered on the Definitive Map. These paths are either historical paths that were not claimed under the National Parks and Access to the Countryside Act 1949 or since, or paths that have been created by years of public use. To check for any unrecorded rights or anomalies, please contact DefinitiveMaps@suffolk.gov.uk.

2. The applicant, and any future owners, residents etc, must have private rights to take motorised vehicles over a PROW other than a BOAT. To do so without lawful authority is an offence under the Road Traffic Act 1988. Any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy. We do not keep records of private rights and suggest that a solicitor is contacted.

3. The granting of planning permission IS SEPARATE to any consents that may be required in relation to PROW. It DOES NOT give authorisation for structures such as gates to be erected on a PROW, or the temporary or permanent closure or diversion of a PROW. Nothing may be done to close, alter the alignment, width, surface or condition of a PROW, or to create a structure such as a gate upon a PROW, without the due legal process being followed, and permission being granted from the Rights of Way & Access Team as appropriate. Permission may or may not be granted depending on all the circumstances. To apply for permission from Suffolk County Council (as the highway authority for Suffolk) please see below:

- o To apply for permission to carry out work on a PROW, or seek a temporary closure - <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/rights-and-responsibilities/> or telephone 0345606 6071. PLEASE NOTE that any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy.

- o To discuss applying for permission for structures such as gates to be constructed on a PROW - contact the relevant Area Rights of Way Team <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> or telephone 0345 606 6071.

4. To apply for permission for a PROW to be stopped up or diverted within a development site, the officer at the appropriate borough or district council should be contacted at as early an opportunity as possible to discuss the making of an order under s257 of the Town and Country Planning Act 1990 - <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> PLEASE NOTE that nothing may be done to

stop up or divert the legal alignment of a PROW until the due legal process has been completed and the order has come into force.

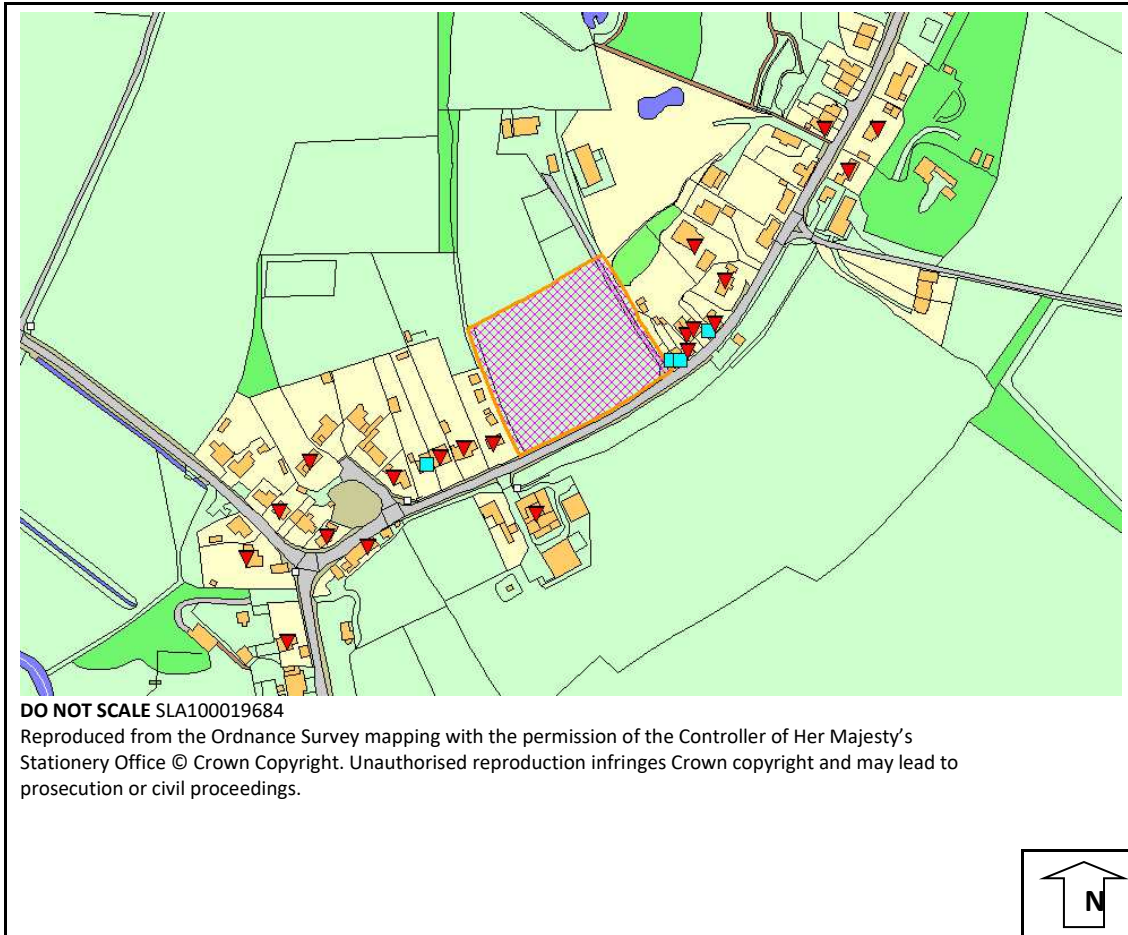
5. Under Section 167 of the Highways Act 1980 any structural retaining wall within 3.66 metres of a PROW with a retained height in excess of 1.37 metres, must not be constructed without the prior written approval of drawings and specifications by Suffolk County Council. The process to be followed to gain approval will depend on the nature and complexity of the proposals. Construction of any retaining wall or structure that supports a PROW or is likely to affect the stability of the PROW may also need prior approval at the discretion of Suffolk County Council. Applicants are strongly encouraged to discuss preliminary proposals at an early stage.

In the experience of the County Council, early contact with the relevant PROW officer avoids problems later on, when they may be more time consuming and expensive for the applicant to address. More information about Public Rights of Way can be found at www.suffolk.gov.uk/roads-andtransport/public-rights-of-way-in-suffolk/





13. Background information

See application reference DC/21/0757/FUL on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee South - 19 April 2022

Application no DC/21/5097/FUL

Location

14 Wainwright Way
Kesgrave
Ipswich
Suffolk
IP5 2XG

Expiry date 4 January 2022

Application type Full Application

Applicant Jemima Simpson

Parish Kesgrave

Proposal Front porch and submission for the timber fence 1.9m high along the side boundary, replacing the high hedge 2 years ago.

Case Officer Jamie Behling
07919 303788
Jamie.Behling@eastsuffolk.gov.uk

1. Summary

- 1.1. The proposed development seeks permission to retain a fence which replaced a hedge and to erect a new flat roofed porch on the front of the dwelling.
- 1.2. The officer recommendation to refuse is contrary to the recommendation of Kesgrave Town Council. The application was subject to consideration by the Referral Panel on 29.03.22 with a recommendation that the application be determined under delegated powers. The Panel recommended that the application be referred to Planning Committee (South) for determination.

2. Site Description

- 2.1. 14 Wainwright Way is a detached, two storey, residential dwelling located within the settlement boundary of Kesgrave. It falls on the east side of the road forming a corner plot where Wainwright Avenue meets Haywards Fields.
- 2.2. Previously there was a large conifer hedge encircling the rear garden and wrapping around the corner. This however was replaced with a 1.9-metre-high close boarded fence around two and a half years ago, at the same time as an extension to the dwelling (DC/17/4240/FUL).

3. Proposal

- 3.1. The proposal seeks Planning Permission to retain the 1.9m high close-boarded fence which has been erected along the back edge of the pavement, and to also create a flat roofed porch on the main entrance at the front of the dwelling.

4. Consultees

Third Party Representations

- 4.1. One representation of Objection raising the following material planning considerations:
- Loss of public amenity land
 - Danger to highway
 - Precedent of other decisions in area

Parish/Town Council

Consultee	Date consulted	Date reply received
Kesgrave Town Council	17 November 2021	30 November 2021
"Support. The Planning & Development committee note the boundary fence has been erected to secure the rear garden. The front of the property remains open."		

Statutory consultees

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	17 November 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
SCC Highways Department	8 December 2021	12 January 2022
Summary of comments: No objection.		

Publicity

None

Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 19 November 2021

Expiry date: 10 December 2021

5. Planning policy

National Planning Policy Framework 2021

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

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

SPG 16 - House alterations & extensions (East Suffolk Council - Suffolk Coastal District Local Plan -Supplementary Planning Guidance)

There are no relevant policies within the Kesgrave Neighbourhood Plan.

6. Planning Considerations

Visual Amenity, Street Scene and Landscape

- 6.1. The proposed porch is relatively small being only 1.6 metres deep and 3.2 metres in width. With the flat roof it will only be 2.6 metres in height. As there is currently already an existing forward projecting extension at the front of the dwelling, the porch will not extend beyond this and will not break the existing building line. Its small size and scale will not dominate the principal elevation or overextend the footprint of the building. Its form is subservient to the main house and will not significantly detract from the character of the area. Therefore, this element of the scheme is acceptable in terms of visual amenity and would accord with NPPF Paragraph 130, Local Plan Policy SCLP11.1 and Supplementary Planning Guidance 16.
- 6.2. The fence replaced a hedgerow which wrapped all the way around the junction of the two roads. From historic photos the hedge grew right up to the boundary with the path. The replacement of this hedge with the fence does not appear to have acquired any significant

amount of land between the path and the boundary, which was not already occupied by the hedgerow, meaning that the fence has not enclosed any additional land.

- 6.3. The loss of the hedgerow and its replacement with a solid fence has created a more urbanised appearance to the corner which is unfortunate as it is a visually dominant and incongruous feature within the street scene, in a prominent location, which has a harmful impact on visual amenity and the character of the area.
- 6.4. Although the area screened is the rear garden space of the property and a reasonable level of screening is expected, such a high and long fence in such close proximity to the back edge of the pavement in this location does not reflect the wider openness and greenery in the locality and expected within the street scene.
- 6.5. Therefore, this element of the scheme is unacceptable in terms of visual amenity and would fail to accord with NPPF Paragraph 130, Local Plan Policy SCLP11.1 and Supplementary Planning Guidance 16.
- 6.6. Officers have approached the applicant's agent, recommending the repositioning the fence back into the garden and replanting a hedgerow along the outside however this idea was not agreed by the applicant.
- 6.7. Other fences on corner plots and junctions have been refused in nearby sites on the basis of the detrimental visual impact solid fencing in prominent locations has upon the streetscene and the visual amenity of the area.
- 6.8. A site very close by at 8 Haywards Fields has had two schemes refused for fencing. The first of which was under reference DC/19/4338/FUL. That scheme was the subject of an appeal (APP/X3540/D/20/3244405) that was dismissed by the Planning Inspector who concluded:
- "5. The appeal site is located adjacent to the turning head and one of the parking areas. The fence is highly visible and extends around the entirety of the area to the front of the dwellinghouse at 8 Haywards Fields. As a result of the fence's height, length and prominent position to the front of no. 8, it appears as a large and incongruous feature within the cul-de-sac, which undermines the prevailing character of the area.*
- 6. I therefore consider that the fence has a harmful effect on the character and appearance of the area. The development is contrary to policy DM21 of the Suffolk Coastal District Local Plan Core Strategy & Development Management Policies Development Plan Document, which seeks to ensure that development relates well to the character of its surroundings."*
- 6.9. There was also a subsequent refused scheme on that site which was refused for similar reasons, but not appealed (DC/20/2081/FUL).

Residential Amenity

- 6.10. As the site is a corner plot the fence does not directly border any neighbour where it needs permission. As this is the case, the fence would have no substantial impact on the residential amenity of any surrounding neighbours.

- 6.11. It is acknowledged that the fence increases privacy and provides a sense of security for the occupiers of the application property and thus may be beneficial to their residential amenity. However, this does not outweigh the harm to visual amenity identified above.
- 6.12. The porch is on the front of the dwelling located roughly in the centre of the principal elevation. Due to its size and nature, it would not restrict light or cause a sense of overbearing, nor would it cause a loss of privacy.
- 6.13. Neither element of the proposals would therefore cause harm to the residential amenity of the site or its neighbours, and they are therefore in compliance with policy SCLP11.2.

Parking and Highway Safety

- 6.14. The new fence does not appear to obscure any more of the view around the corner than the previous hedge had done.
- 6.15. Suffolk County Council were consulted on the application and responded that they had no concern in regard to highway safety for the replacement of the hedge with the fence. It is therefore considered that the new fence is no more dangerous to the safety of the highway than the previous hedge.

7. Conclusion

- 7.1. Whilst there are no significant concerns regarding the proposed porch addition, the replacement fence is not considered to be an acceptable replacement for the hedge and is considered a visually dominant and incongruous feature within the street scene, in a prominent location, which has a harmful impact on visual amenity and the character of the area. The scheme is therefore considered contrary to NPPF Paragraph 130 and Local Plan Policy SCLP11.1. It is therefore not supported and recommended for refusal.

8. Recommendation

- 8.1. The application is recommended for refusal for the following reason:
- 8.2. This application seeks consent for the retention of a 1.8 metre weatherboard fence, and the construction of a front porch. The fence has been erected close to the back edge of the pavement at the junction between Wainwright Way and Haywards Fields. It encloses the garden area of 14 Wainwright Way. The fence replaced the former boundary treatment which consisted of hedging.

The fence by virtue of its solid form, height and proximity to the pavement, results in a visually dominant and incongruous feature within the street scene in a prominent location, resulting in a harmful impact on visual amenity and the character of the area.

The fence therefore represents poor design which is detrimental to visual amenity including the streetscene. As such it is contrary to Paragraph 130 of the NPPF and Policy SCLP11.1 of the East Suffolk Council - Suffolk Coastal Local Plan (September 2020), both of which seek to ensure developments are of a high standard of design, respect the character of the area and provide safe and attractive environments.

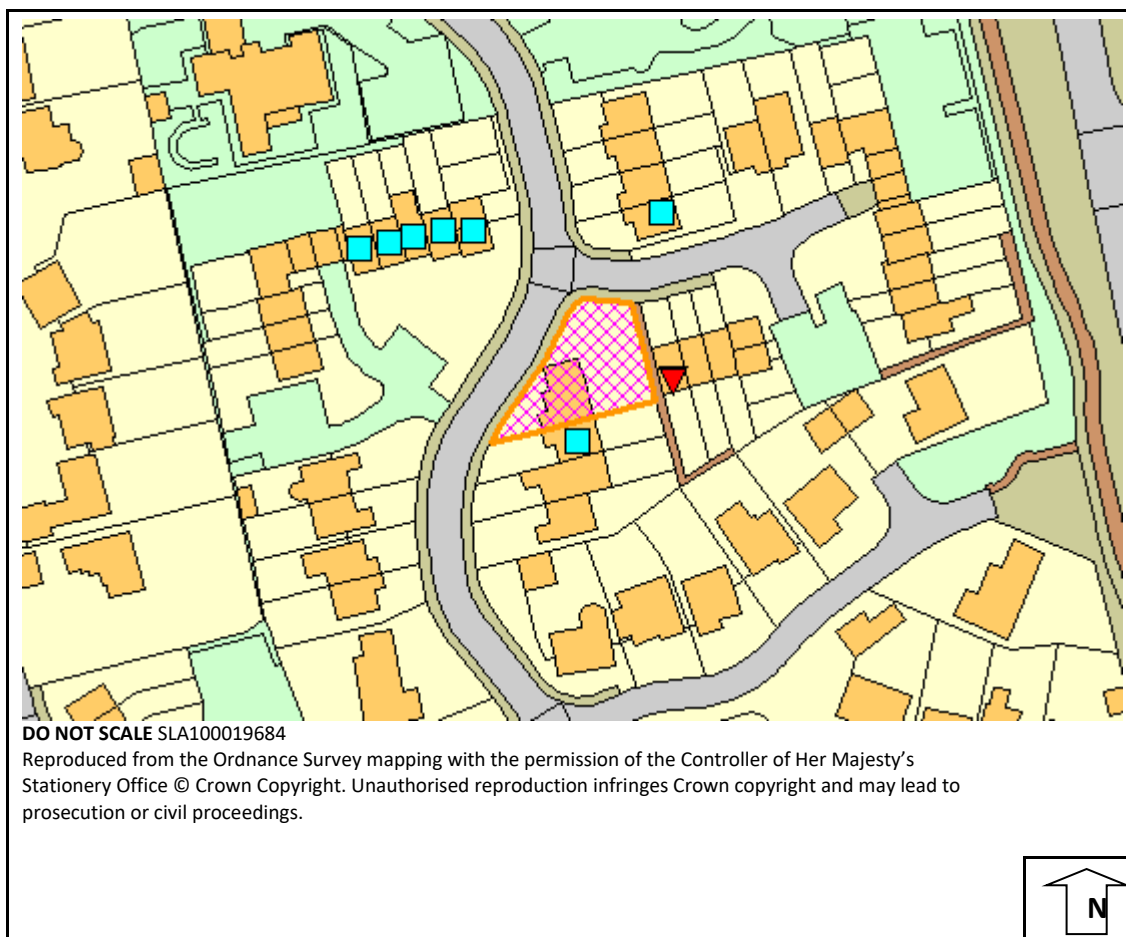
Informatives:

1. The Council offers a pre-application advice service to discuss development proposals and ensure that planning applications have the best chance of being approved. The applicant did not take advantage of this service. The local planning authority has identified matters of concern with the proposal and the report clearly sets out why the development fails to comply with the adopted development plan. The report also explains why the proposal is contrary to the objectives of the National Planning Policy Framework and local plan to deliver sustainable development.
2. In determining this application, the Local Planning Authority has considered the following submitted drawings:
 - 050, 051, 103 and 104.





Background information

See application reference DC/21/5097/FUL on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee South - 19 April 2022

Application no DC/22/0345/FUL

Location

735 Foxhall Road
Rushmere St Andrew
IP4 5TH

Expiry date 23 March 2022

Application type Full Application

Applicant Mr & Mrs R Evans

Parish Rushmere St Andrew

Proposal Two storey rear extension

Case Officer Nick Clow
nick.clow@eastssuffolk.gov.uk

1. Summary

- 1.1. The application proposes a two-storey rear extension.
- 1.2. The officer recommendation to refuse is contrary to the recommendation of Rushmere St Andrew Parish Council. The application was subject to consideration by the Referral Panel on 29.03.22 with a recommendation that the application be determined under delegated powers. The Panel recommended that the application be referred to Planning Committee South for determination.

2. Site Description

- 2.1. The application site is a traditional single-storey detached bungalow situated within the settlement boundary of Rushmere St Andrew, on the northern side of Foxhall Road east of Bixley Road. The property is set back from the road benefitting from off-road parking in the form of a garage and driveway.
- 2.2. The curtilage of the site comprises a large rectangular rear garden and the boundary is delineated by close boarded fencing. To the rear of the site there is an area of unused ground containing a number of trees, beyond which lies Gwendoline Close.

- 2.3. The surrounding area is predominantly residential with small business premises in the form of a public house and motorcycle showroom situated west of the property along Foxhall Road.

3. Proposal

- 3.1. The applicants propose to construct a two-storey rear extension with a gable facing the rear garden and a hip roof attached to and projecting above the existing roof of the dwelling. The extension would measure approximately 10m in length, 15m in width and 6.5m in height. The extension would have roof lights on the east and west roof elevations as well as a group of three large windows located in the rear gable at first floor level looking towards the rear garden. The ground floor includes bi-fold patio doors, a pedestrian door and two sets of three windows. Materials include red facing brick finishing the exterior walls, concrete pantiles forming the roof and uPVC windows and doors.
- 3.2. The existing conservatory and flat roofed rear dining room addition would be demolished to facilitate this addition. The existing flat-roofed projection that currently contains bedroom 2 would be retained and incorporated into the proposed addition.

4. Consultees

Third Party Representations

- 4.1. No third-party comments have been received.

Parish/Town Council

Consultee	Date consulted	Date reply received
Rushmere St Andrew Parish Council	9 February 2022	3 March 2022
Summary of comments: Rushmere St Andrew Parish Council recommends APPROVAL.		

Publicity

None

Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 16 February 2022

Expiry date: 9 March 2022

5. Planning policy

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

6. Planning Considerations

Visual Amenity and Design Considerations

- 6.1. NPPF Paragraph 130 requires that planning decisions ensure that developments are visually attractive as a result of good architecture and layout and are sympathetic to local character including the surrounding built environment.
- 6.2. Policy SCLP11.1 requires the council to support applications that demonstrate a clear understanding of the character of the built environment and use this understanding to complement local character and distinctiveness. The overriding principle for extensions is that they should respect the character and design of the original dwelling. Over-large extensions which lose the character of the original building are likely to be unacceptable.
- 6.3. Supplementary Planning Guidance 16 also seeks to secure extensions to existing dwellings which respect the existing character and design of the original building, which the current proposal does not achieve.
- 6.4. The proposed extension does not respect the character, form and scale of the original bungalow and would serve to have a dominating effect. The application seeks to add a one-and-a-half storey extension onto a single-storey bungalow. The ridge height of the extension sits above that of the existing dwellinghouse, and the gable width of the extension is significantly wider than the width of the gables on the existing property. The character, form and scale of the extension contrasts unsympathetically with the existing design of the modest bungalow and lacks subordination which is unacceptable in terms of design and the resulting impacts upon wider visual amenity.
- 6.5. In assessing this current application, consideration has been given to a scheme that was approved at No.702 Foxhall Road in 2016 (DC/16/4478/FUL). However, there are a number of distinct differences between that scheme and the current proposals, primarily related to massing, scale and location.
- 6.6. The proposed scheme is approximately 15m across from the western to eastern elevations, this is roughly 6m greater than the approved extension at No.702. This substantially increases its scale, resulting in a larger section of roof being visible from the street. No.735 is located close to the Golf Hotel which although is not listed, is a uniquely designed 1920/1930's public house that contributes positively to the overall streetscene and character of the area. As the hipped roof projection of the currently proposed extension will be visible from Foxhall Road it would adversely affect the streetscene and have a detrimental impact on the more historic nature of this section of Foxhall Road.

- 6.7. For these reasons the scheme is unacceptable in terms of visual amenity and design considerations, and contrary to NPPF paragraph 130, Policy SCLP11.1 and Supplementary Planning Guidance 16, so should be refused on that basis.

Residential Amenity

- 6.8. There are no unacceptable residential amenity impacts as a result of the proposal due to the spacing between No.735 Foxhall Road and neighbouring properties.
- 6.9. No's.733 and 737 are taller than the applicant's bungalow, which satisfactorily mitigates any potential adverse overbearing impacts. For the same reasons the availability of natural daylight/sunlight entering the habitable rooms of No.733 and 737 Foxhall Road will not be adversely affected.
- 6.10. A degree of overlooking in well-established residential areas where properties are in close proximity to one another is generally accepted. No direct overlooking/privacy issues will arise as a result of the position of the glazed areas within the extension, because the rooflights would be set at an angle facing upwards and at a higher level in the roof slope. The rear facing glazing would provide views down the applicant's own garden, the unused land to the rear and towards the ends of the adjoining gardens, rather than towards the more private amenity areas immediately to the rear of those dwellings.
- 6.11. The scheme therefore accords with Policy SCLP11.2 and Supplementary Planning Guidance 16 in terms of residential amenity considerations.

7. Conclusion

- 7.1. The proposal does not comply with Paragraph 130 of the NPPF, policy SCLP 11.1 Design Quality or Supplementary Planning Guidance 16 due to the adverse impact it has on the streetscene and character of the area as well as its relationship with the original dwelling. The application is therefore recommended for refusal.

8. Recommendation

- 8.1. The application is recommended for refusal for the following reason:

Reason for Refusal

1. 735 Foxhall Road is a modest single-storey bungalow that is viewable from the street. The application seeks planning permission for the erection of a one-and-a-half storey rear extension, with a hipped roof element projecting above the ridgeline of the existing dwelling.

The extension by virtue of its size, scale, massing and form would not be subordinate or complimentary to the character of the original dwellinghouse and comprise an overly dominant addition. The hipped roof element would project above the ridgeline of the existing dwelling, would be visible from Foxhall Road and look incongruous within the streetscene.

The proposal therefore constitutes poor design that would be detrimental to visual amenity and is therefore contrary to Paragraph 130 of the NPPF, Policy SCLP 11.1 of the East Suffolk Council Suffolk Coastal Local Plan (2020) and Supplementary Planning Guidance 16 which seek to secure developments of high-quality design.

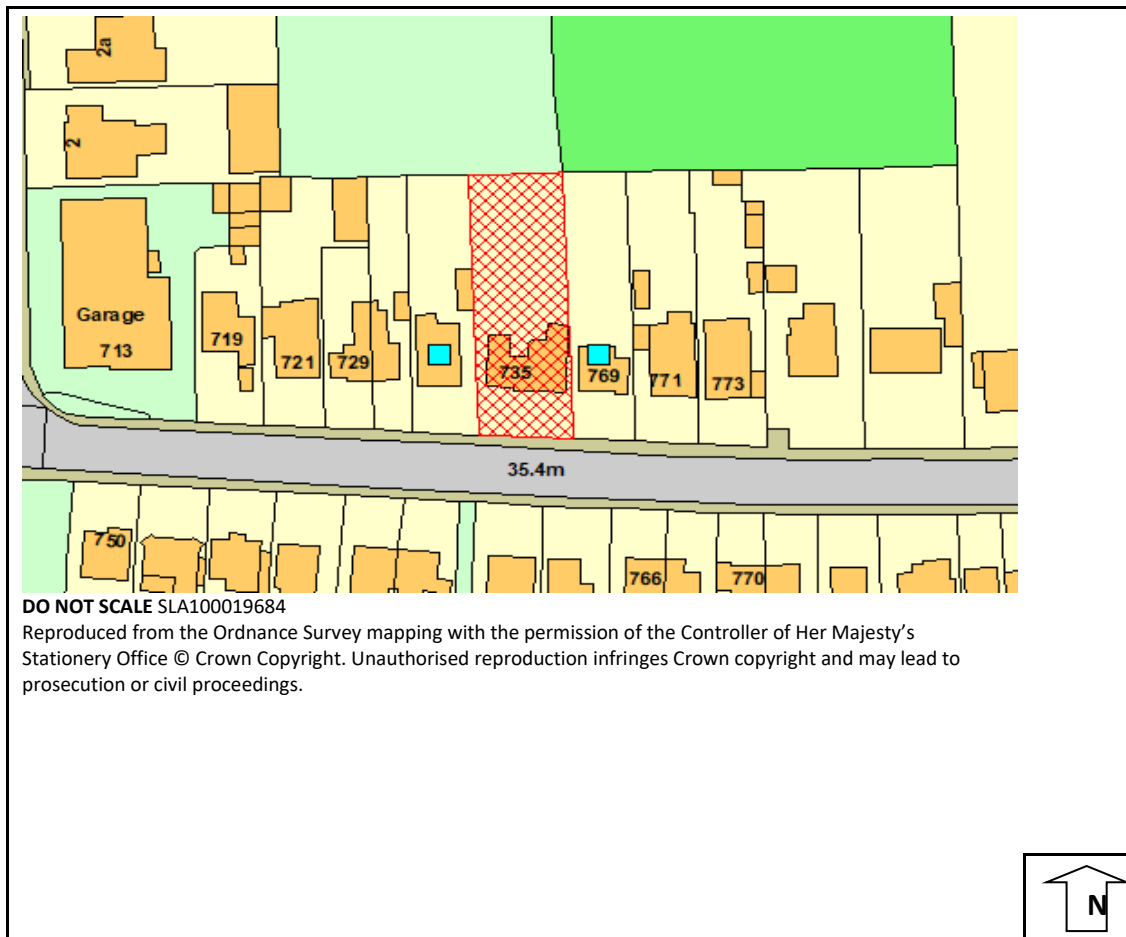
Informatives:

1. The Council offers a pre-application advice service to discuss development proposals and ensure that planning applications have the best chance of being approved. The applicant did not take advantage of this service. The local planning authority has identified matters of concern with the proposal and the report clearly sets out why the development fails to comply with the adopted development plan. The report also explains why the proposal is contrary to the objectives of the National Planning Policy Framework and local plan to deliver sustainable development.
2. In the consideration of this application the Local Planning Authority has considered the following submitted drawings which were all received 27 January 2022:
 - Drawing 144-01 P1 (Existing Elevation and Floor Plans)
 - Drawing 144-02 P4 (Proposed Elevation and Floor Plans)
 - Drawing 144-03 P1 (Existing Block Plan and Site Location Plan)
 - Drawing 144-04 P1 (Proposed Block Plan),

Background information

See application reference DC/22/0345/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee South – 19 April 2022

Application no DC/22/0266/FUL

Location

Land East Of Bent Hill
Undercliff Road West
Felixstowe
Suffolk

Expiry date

Application type Full Application

Applicant East Suffolk Council

Parish Felixstowe

Proposal Temporary continuation of change of use for further 1 year to allow adjacent business use of open space. ESC will seek a further application for groundworks but this has not advanced sufficiently. The land will be used for tables and chair as in application DC/21/0808/FUL.

Case Officer Grant Heal
07833 403193
grant.heal@eastsoffolk.gov.uk

1. Summary

- 1.1 Full planning permission is sought for the temporary use (one calendar year) of public recreation land for purposes associated with adjacent hospitality businesses on land adjacent Bent Hill, Undercliff Road West, Felixstowe.
- 1.2 Considered against all relevant material planning matters, the application is deemed sustainable and therefore recommended for approval in accordance with the NPPF and relevant policies of the adopted development plan.
- 1.3 Reviewed against the Council's adopted scheme of delegation, the application must proceed to planning committee because East Suffolk Council is the applicant and landowner.

2. Site description

- 2.1 The application site comprises two linear parcels of land laid to grass and separated by a public footway linking the southern side of Under Cliff Road West with the promenade and beach.
- 2.2 The Bent Hill junction lies adjacent to the north, while a number of restaurants, bars and cafes front the opposite side of Under Cliff Road West.
- 2.3 The site lies within the Felixstowe (South) Conservation Area and the Conservation Area Appraisal (CAA) (2020) identifies the site as 'important open/green space'. Further, the site falls within 'Character Area 1' of the Conservation Area, which is generally described as follows:

'The Sea Front Gardens and Promenade Character Area has a linear character, running parallel with the shore, with steep road connections to the town centre at Convalescent Hill, Bent Hill, and Bath Hill. Between these are pedestrian connections in the form of steps, integrated into the design of the Sea Front Gardens, which form the backdrop to the character area.'

'The Character Area has seen considerable public and private investment in recent years, with the restoration of the Grade II-registered seafront gardens, including repair and reinstatement of shelters and other features, and public realm improvements, including new road and footpath surfaces, new lighting, and removal of street clutter'.

- 2.4 The CAA subsequently describes the character of the site and its surroundings in more specific terms on page 31, as follows:

'The wide, straight Undercliff Road West has benefitted from urban realm improvements, with new paving, street lighting and decluttering. The road is lined on the beach side with a series of open lawns, divided by evergreen hedges, some of the lawns planted with simple bedding schemes. Of note here is the War Memorial, a fluted Corinthian stone column surmounted by a dove, unveiled in 1920. Otherwise, built development is on the landward side'.

3. Proposal

- 3.1 The application seeks full planning permission for the temporary use (one calendar year) of public recreation land for purposes associated with adjacent hospitality businesses on land adjacent Bent Hill, Undercliff Road West, Felixstowe.
- 3.2 The proposal seeks to use the land for the siting of tables and chairs between the hours of 09:00 and 23:00 (daily) to allow open-air dining and drinking by patrons of adjacent restaurants, cafes and bars (including 'The Alex', 'One 29', 'The Cork' and 'Steak Lobster & Co'); all with existing frontage seating areas onto the northern side of Undercliff Road West.

4. Consultations/comments

- 4.1 Thirteen (13) third-party representations of support have been received which recognise the proposal's potential to benefit the local economy, as well as support the long-term vitality of adjacent hospitality businesses and the wider resort during a period of unforeseen economic downturn resulting from the global pandemic. Supporters also recognised the proposal's positive benefit for public health and wellbeing from increased opportunities to socialise safely in-light of current social distancing restrictions.
- 4.2 No objections or neutral responses have otherwise been received.

5. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Felixstowe Town Council	24 February 2022	09 March 2022
<i>"Committee support the temporary use of this site as proposed and recommended APPROVAL, subject to retention of the green area; appropriate enhancement of the area to mitigate the loss of the flower bed; and public access to the site being preserved."</i>		

Non statutory consultees

Consultee	Date consulted	Date reply received
Disability Forum	24 February 2022	None
Summary of comments: N/a		

Consultee	Date consulted	Date reply received
Economic Development (Internal)	24 February 2022	None
Summary of comments: N/a		

Publicity

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

Category	Published	Expiry	Publication
Conservation Area	24 February 2022	17 March 2022	East Anglian Daily Times

Site notices

General Site Notice

Reason for site notice: Conservation Area

Date posted: 4 March 2022

Expiry date: 25 March 2022

6. Planning policy

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

6.2 The East Suffolk Council – Suffolk Coastal Local Plan was adopted on 23 September 2020 and the following policies are considered relevant:

SCLP3.3 - Settlement Boundaries (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

SCLP12.2 - Strategy for Felixstowe (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP12.14 - Spa Pavilion to Manor End (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP4.9 - Development in Town Centres (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP4.10 - Town Centre Environments (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

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

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

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

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

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

SCLP9.5 - Flood Risk (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

7. Planning considerations

Planning history:

DC/21/0808/FUL: Temporary change of use for one year to allow adjacent businesses use of public open space temporarily whilst ESC seeks further application for planning and ground works. The land will be used for tables and chairs for the consumption of food & drink outside at Land East Of Bent Hill Undercliff Road West Felixstowe – Permitted for one calendar year from the date of 26 May 2021.

Planning principle:

- 7.1 With relevance to the proposal, the National Planning Policy Framework (NPPF) makes clear that planning decisions should help to create the conditions in which businesses can adapt through an approach that allows each area to build on its strengths, counter any weaknesses and address the challenges of the future.
- 7.2 Further, the NPPF also sets out that decisions should support the role that Town Centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.
- 7.3 It also encourages decisions that ensure the provision of social, recreational and cultural facilities, while providing shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities.
- 7.4 Importantly, the NPPF emphasises the need to guard against the unnecessary loss of valued facilities and services and ensure that established shops, facilities and services are able to develop, modernise, and are retained for the benefit of the community.
- 7.5 Considered within the context of the adopted Local Plan, the site falls within the 'Settlement Boundary' (SCLP3.3) of Felixstowe, which is categorised as a 'Major Centre' within the 'Settlement Hierarchy' (SCLP3.2).
- 7.6 With relevance to the proposal, SCLP12.2 (Strategy for Felixstowe) seeks to ensure that the town retains its role as a thriving coastal resort with a comprehensive range of services and facilities that supports the community through, amongst other things, maintaining

successful retail and leisure opportunities and enhancing links between the Town Centre and seaside.

- 7.7 The site is also affected by policy SCLP12.14 (Spa Pavilion to Manor End) which aims to support, amongst other things, high intensity tourist uses and encourages new resort experiences and the retention of commercial frontages. Moreover, SCLP12.14 states that:

'Between the Pier and the Spa Pavilion, activities which promote cultural attractions including cafes, restaurants and shops on the ground floor will be supported where they make a positive contribution to the significance of the two Conservation Areas, and respect the Registered Gardens and the Victorian and Edwardian architectural heritage of the resort. Proposals which provide a link between the resort and the town centre will also be supported'.

- 7.8 The existing restaurant business's which would utilise the land subject to this application lie on the edge of Felixstowe's Town Centre where Policy SCLP4.9 (Development in Town Centres) requires that town centres develop in ways that support healthy lifestyles, social interaction, overnight stays, culture and the arts.
- 7.9 Further, Policy SCLP4.10 (Town Centre Environments) states that development will encourage people to spend more time, enjoy and participate in town centres. It will achieve this by, amongst other things, supporting opportunities for social interaction.
- 7.10 Following consideration of the above, both national and local planning policy both clearly emphasise the need to support businesses towards equipping them with the means to adapt to a fast-changing economic landscape and/or circumstances that might challenge their future vitality or ability to meet the needs of the communities they serve. As such, due regard must be given to the impact that recent events have had on the viability of the hospitality sector, including social distancing measures which have restricted premises capacity and constrained turnover/investment.
- 7.11 While both policies SCLP12.2 and SCLP8.2 (Open Space) principally resist the loss of open space, it is otherwise judged that circumstances imposed by the global pandemic represent exceptional circumstances which attracts moderate weight in the determination of this application. Indeed, the proposal would provide a significant benefit to local businesses and the vitality of the Town Centre and seaside resort more generally. Fundamentally, the temporary nature of the proposal would not result in the loss of open space and thus SCLP12.2 and SCLP8.2 would not be undermined.
- 7.12 In-line with the above assessment, it is therefore judged that, on balance, the planning principle could be considered acceptable, subject to a satisfactory assessment of other material planning matters, as set out below.

Visual amenity and heritage:

- 7.13 The proposal includes the temporary placement of chairs, tables and parasols across the site for use during the opening hours of adjacent hospitality businesses. It is understood that all furniture would be removed between 23:00 and 09:00 for security purposes while businesses are closed.

- 7.14 Given the temporary nature of the proposal and the fact that no permanent development would be erected on the site, the application is considered to represent a low impact on the prevailing street scene and character of the Felixstowe Conservation area.
- 7.15 As such, the proposal would not undermine the relevant provisions of the NPPF, nor policies SCLP11.1 (Design quality), SCLP11.3 (Historic environment) and SCLP11.5 (Conservation Areas) of the adopted development plan.

Highway safety and parking:

- 7.16 While no additional vehicular parking provision is proposed as part of this application, the site is sustainably located close to Felixstowe's Town Centre and within its seaside resort where there are a number of dedicated public car parks. The site also has good access to alternative transport links, including bus and train services. On-street parking is also available within the streets surrounding the development.
- 7.17 The nature of the proposal is otherwise unlikely to present the potential to impact negatively upon existing highway safety or restrict parking provision unduly, when judged against the provisions of the NPPF, or policies SCLP7.1 (Sustainable Transport) and SCLP7.2 (Parking proposals and Standards) of the adopted development plan.

Flood risk:

- 7.18 Notwithstanding the proposal site's susceptibility to the risks of tidal flooding, given the site's established recreational use, the temporary nature of development and the existence of protective flood defences, this application is not considered to hold the potential to undermine the provisions the NPPF or policy SCLP9.5 (Flood Risk) of the adopted development plan.

Residential amenity:

- 7.19 In essence, this application seeks to provide an area of overspill from external seating areas already present on the opposite side of Undercliff Road West. While it is appreciated that the proposal would effectively increase seating capacity and, as a result, the potential for increased noise, it is otherwise considered that the increased distance and separation between the site and neighbouring residential properties could provide a suitable buffer towards mitigating any perceived increase in noise that may arise.
- 7.20 As licence holders, the hospitality businesses, whose patrons would occupy the site during its use, would also be responsible for upholding a duty care towards managing any excess noise and antisocial behaviour. It is also the responsibly of the license holders to ensure that the site is kept in a clean and tidy state. Nevertheless, suitably worded planning conditions could also be used to ensure appropriate conduct is enforceable.
- 7.21 As such, this application is not considered to hold the potential to undermine the relevant provisions of the NPPF or SCLP11.2 (Residential amenity) to a level that could be considered unacceptable.

8. Conclusion

- 8.1 As per the above assessment, this application accords with the NPPF and all relevant policies of the adopted development plan.

9. Recommendation

- 9.1 The application is recommended for approval with appropriate conditions and there are no contrary views from statutory consultees.

Conditions:

1. The hereby permitted use shall expire on the first day following one calendar year from the date of 26 May 2022, following which the land shall be reinstated to its former condition unless prior to that date planning permission is renewed.

Reason: The development is unsuitable for permanent consent by virtue of its character/impact upon the locality.

2. The development hereby permitted relates to the land identified within the submitted 'Site location plan' received by application on 21 January 2022.

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

3. The hereby approved development permits the use of the subject land for the siting of chairs, tables and parasols associated with adjacent hospitality business only. No other furniture or apparatus shall be placed or erected on the site at any time unless otherwise agreed by the Local Planning Authority.

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

4. The hereby approved development site shall at all times be maintained in a clean and tidy state as free from litter and waste.

Reason: In the interest of public health and visual amenity.

5. At no time shall there be allowed any display of recorded or live music or performances on the hereby approved development site.

Reason: In the interests of amenity and protection of the local environment.

6. The hereby approved development site shall only be open to the public for dining and drinking purposes between the hours of 09:00 and 23:00 Monday to Sunday.

Reason: In the interests of amenity and protection of the local environment.

Informatives:

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

Background information

See application reference DC/21/0808/FUL on [Public Access](#)

Map

