



Committee Report

Planning committee - 26 May 2020

Application no DC/20/1043/FUL

Location

Land To The East Of Water Tower
Spriteshall Lane
Trimley St Mary
Suffolk
IP11 9QY

Expiry date 28 April 2020

Application type Full Application

Applicant Alston Homes Ltd

Parish Trimley St Mary

Proposal Five new residential houses and associated parking

Case Officer Rachel Smith
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1. Summary

- 1.1 The application proposes the erection of five, three-bedroom dwellings on land east of the Water Tower, off Spriteshall Lane in Trimley St. Mary.
- 1.2 The application is being presented to Planning Committee for determination as a Member of East Suffolk Council is a Director of the applicant company.
- 1.3 Planning permission for the erection of five or six residential properties has previously been granted on the site. The principle of development is therefore established, and this application proposed a revised design and layout. The design and layout are considered to be acceptable and there would be no adverse impact on residential amenity. The proposal is therefore considered to be in accordance with Policy and is therefore recommended for approval.

2. Site description

- 2.1 The application site comprises a long, thin strip of land extending to approximately 0.13 Hectares. It is located at the northern end of Spriteshall Lane within the physical limits boundary of Trimley St. Mary and formerly formed part of the land associated with the Water Tower. Spriteshall Lane is a dead-end, private road serving a number of other residential properties.
- 2.2 The Water Tower lies to the south west of the application site and there are other residential dwellings located immediately to the south of the access track. To the north of the site is a small area of undeveloped land forming a buffer between the application site and the A14 trunk road.

3. Proposal

- 3.1 Planning permission is sought for the development of five, two-storey, three-bedroom dwellings. Each would have one parking space within the curtilage and a further six parking spaces would be provided in a shared area to the east of the site. The properties would all face south towards the access track and the residential properties opposite. Two pairs of semi-detached dwellings would be located towards the west of the site and one detached dwelling would be located towards the east of the site.
- 3.2 Planning permission was originally granted for the development of five properties on the site under application C08/1667 but this has now expired. A further consent was granted for the erection of six dwellings in February 2018 under application DC/17/5336/FUL. The current application has been made as a result of discussions with Anglian Water regarding the potential re-routing of a strategic main water pipe which is located below the site. It has been decided that the risks involved with this are too great and therefore the current layout has been designed to work around the existing pipe.

4. Consultations/comments

- 4.1 No neighbour responses have been received.

Consultees Parish/Town Council

Consultee	Date consulted	Date reply received
Trimley St Mary Parish Council	6 March 2020	23 March 2020
Summary of comments: The Parish Council supports the above application.		

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	6 March 2020	25 March 2020

Summary of comments: No objections - comments made.
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Non statutory consultees

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	6 March 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Ecology (Internal)	6 March 2020	27 March 2020
Summary of comments: Comments included in report.		

Consultee	Date consulted	Date reply received
CIL (Internal)	6 March 2020	10 March 2020
Summary of comments: Comments included in report.		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	6 March 2020	9 March 2020
Summary of comments: Suggested conditions regarding land contamination and noise mitigation.		

Publicity

None

Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 10 March 2020

Expiry date: 31 March 2020

Planning policy

- 1.1 On 1 April 2019, East Suffolk Council was created by parliamentary order, covering the former districts of Suffolk Coastal District Council and Waveney District Council. The Local Government (Boundary Changes) Regulations 2018 (part 7) state that any plans, schemes, statements or strategies prepared by the predecessor council should be treated as if it had been prepared and, if so required, published by the successor council - therefore any policy documents listed below referring to “Suffolk Coastal District Council” continue to apply to East Suffolk Council until such time that a new document is published.
- 1.2 In addition to considering applications in accordance with the National Planning Policy Framework (NPPF 2019) and the National Planning Policy Guidance (NPPG), Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Local Planning Authority’s ‘Development Plan’, unless material considerations indicate otherwise.
- 1.3 East Suffolk Council’s Development Plan, as relevant to this proposal, consists of:
 - East Suffolk Council - Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document (Adopted July 2013);
 - East Suffolk Council – Suffolk Coastal District Local Plan – Felixstowe Peninsula Area Action Plan (Adopted January 2017) and;
 - The ‘Saved’ Policies of the Suffolk Coastal Local Plan incorporating the first and second alterations.
- 1.4 The relevant policies of the Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document (Adopted July 2013) and the East Suffolk Council – Suffolk Coastal District Local Plan – Felixstowe Peninsula Area Action Plan (Adopted January 2017) are:
 - SP19 - Settlement Hierarchy (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
 - SP21 - Felixstowe with Walton and the Trimley Villages (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
 - FPP2 - Physical Limits Boundaries (East Suffolk Council - Suffolk Coastal District Local Plan - Felixstowe Peninsula Area Action Plan Development Plan Document (January 2017))
 - SP14 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

- SP15 - Landscape and Townscape (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM19 - Parking Standards (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM21 - Design: Aesthetics (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM22 - Design: Function (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM23 - Residential Amenity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM27 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM7 - Infilling and Backland Development within Physical Limits Boundaries (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

1.5 The new Local Plan (covering the former Suffolk Coastal area) was submitted to the Planning Inspectorate (PINS) for examination on Friday 29 March 2019, the examination took place between 20th August and the 20th September 2019. Full details of the submission to PINS can be found through this link: www.eastsuffolk.gov.uk/localplanexamination.

1.6 Presently, only those emerging policies which have received little objection (or no representations) can be given more weight in decision making if required, as outlined under Paragraph 48 of the National Planning Policy Framework (2019). There are no policies of that nature relevant to the consideration of this application.

5. Planning considerations

Principle of Development

5.1 The application site is located within the physical limits boundary of Trimley St. Mary and therefore the principle of new residential development in this location is considered acceptable in accordance with the principles of sustainable development and the Settlement Hierarchy as set out in Policies SP1, SP1a and SP19 of the Local Plan and FPP2 of the Felixstowe Peninsula Area Action Plan. The principle of residential development is also established on the site with permission having previously been granted for five dwellings (C08/1667/FUL) and six dwellings (DC/17/5336/FUL) on separate occasions.

Design and layout

- 5.2 The design of the dwellings is considered acceptable. They would be of a standard red brick and concrete pantile finish with a pitched roof. Although they would not result in a particularly high level of design or architectural interest, it is not considered that this is the best site for such designs given the constraints including the shape of the site, the water tower and the proximity to the A14.
- 5.3 There is an extant planning permission for the erection of six, two-storey dwellings on the site. A revised layout has now been submitted in order to avoid a water pipe under the site. This has resulted in the current application proposing one less dwelling and a re-arrangement of the properties on the site. The current scheme proposes Plots 1 and 2 to be in a similar location and design to the previously approved scheme. Previously, plots 3 and 4 faced east towards Spriteshall Lane, end on to the access track. It is now proposed that these dwellings also face south towards the access road. They would be set back on their plots and have a parking space at the front of the dwelling and adequately sized side and rear gardens. Plot 5 would now be a detached dwelling located on a wider plot with its amenity space predominantly located to the side of the dwelling. The proposed design of the dwellings would be similar to those previously considered and approved. It is considered that the current proposal would have a similar impact on the character and appearance of the area as the previously approved schemes.

Residential Amenity

- 5.4 The change in the layout would affect the views and outlook from the properties to the south of the access track, opposite the site. Although some of these dwellings would have their outlook more affected than would have been the case if the previously permitted scheme were carried out, the properties all fronting the access, opposite the existing dwellings is an appropriate relationship between dwellings and they would not be too close to each other (12-13 metres) to result in an unacceptable impact on light or outlook. The proposed dwellings all have an acceptable level of amenity space which would not be directly overlooked by another property.
- 5.5 The northern site boundary is parallel to and approximately 40m away from the carriageway of the A14 trunk road and its junction with the Felixstowe Dock Spur Road. An open paddock separates the site from the road which is set in a cutting a few metres below the site ground level. Earlier planning permission C/08/1667 for the site recognised the road as a source of noise which could affect residential development, and included a condition requiring noise mitigation measures to be included in the detailed design of the houses.

Parking

- 5.6 Each dwelling would have one parking space provided on-site and a second space within a shared parking area towards the east of the site. This would comply with the parking standards and therefore be compliant with DM19.

Construction disturbance

- 5.7 Ensuring a Construction Management Plan is produced and agreed by means of planning condition would ensure that any impact is minimised as far as possible accepting that there will be some construction disturbance. This will include hours of work/delivery and compound details to ensure that the road is kept unobstructed.

Ecology

- 5.8 Providing that the development is carried out in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Abrehart Ecology, February 2020), it is not considered that there would be any harm to ecology on the site. The Ecological Impact Assessment (EcIA) (Huckle Ecology, November 2017) was submitted with the current application which describes the condition of the site prior to clearance. Whilst this clearance before the updated survey being undertaken is regrettable, from the information within the EcIA whilst there is the possibility of impacts on individual animals, the site was not identified as being of significant ecological value. It is also considered appropriate to require an Ecological Enhancement Strategy addressing how ecological enhancements will be achieved on the site.
- 5.9 The site lies within the 13km Zone of Influence of protected European Sites. As the proposed development would result in one less residential on the site compared with the extant permission, the application would not result in any increase of residential units on the site and therefore the application would not result in any significant effect on the protected sites and there is no requirement for a contribution to the Suffolk Coast RAMS or other mitigation in this case.

CIL

- 5.10 The site lies within the former Suffolk Coastal Community Infrastructure Levy Charging Zone Low. The charge for residential development in this zone was set at £50 in 2015 when the relevant charging schedule was adopted, which results in a 2020 indexed CIL rate of £64.48 per square metre. The total GIA will be calculated should approval be granted using the floor area shown in the approved plans and any information supplied by the applicant/agent in the CIL Additional Questions Form.

6. Conclusion

- 6.1 The principle of residential development on the site is in accordance with the aims of the Settlement Policies and an extant permission confirms that residential use of the site is established. The revised design of the dwellings and layout is considered to be acceptable and would not harm neighbours' amenity. An up-to-date Ecological Survey has been received and subject to controlling conditions, it is not considered that the proposed development would result in any significant harm.

7. Recommendation

- 7.1 The application is recommended for approval subject to the controlling conditions set out below.

8. Conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.
Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with Drawing nos. 4594-0100 P01, -0101 P01, -0102 P01, -0301 P01, -0302 P01 and -0303 P01 and Ecological Impact Assessment and Preliminary Ecological Appraisal received 4 March 2020 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.
Reason: For the avoidance of doubt as to what has been considered and approved.
3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.
Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity.
4. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Abrehart Ecology, February 2020).
Reason: To ensure that ecological receptors are adequately protected and enhanced as part of the development.
5. Prior to occupation 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 enhancements measures will be delivered in accordance with the approved Strategy.
Reason: To ensure that the development delivers ecological enhancements.
6. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a site investigation consisting of the following components has been submitted to, and approved in writing by, the local planning authority:
As deemed necessary following the desk study and site reconnaissance an intrusive investigation(s), including:
 - the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
 - an explanation and justification for the analytical strategy;
 - a revised conceptual site model; and
 - a revised assessment of the risks posed from contamination at the site to relevant receptors, including:
human health, ground waters, surface waters, ecological systems and property (both existing and proposed).All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including: BS 10175:2011+A1:2013 and CLR11.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
7. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take

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

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

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

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

8. Prior to any occupation or use of the approved development the RMS approved under condition 2 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

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

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

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

10. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A1:2013 and CLR11) and a written

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

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

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

11. Prior to the construction of the development hereby approved a Construction Management Plan (CMP) shall be prepared and formally submitted to the Local Planning Authority for agreement. The development shall be carried out in entirety with the approved CMP.

Reason: To ensure that the construction phases is undertaken in a manner which minimises any impact on residential amenity and highway safety.

12. No development shall take place 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 Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

13. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 12 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to

ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

14. No development above ground level shall commence until full and precise details of a noise assessment and any necessary mitigation to protect occupiers from traffic on the A14 and Dock Spur Road, has been submitted and approved in writing by the Local Planning Authority. The internal and external noise levels must achieve standards as per BS8233:2014 and listed below:
 - Daytime noise levels for indoor living spaces of 35dB LAeq 16 hour (between the hours of 07:00 - 23:00 hours)
 - Daytime noise levels for outdoor areas; garden and amenity space of 50dB LAeq 16 hour (between the hours of 07:00 - 23:00 hours)
 - Night-time noise levels for bedrooms of 30dB LAeq and 45 dB LMax 8 hour (between the hours of 23:00 - 07:00 hours)The approved scheme shall be fully implemented before occupation of the relevant dwelling and shall thereafter be retained and maintained as approved. Reason: In the interest of residential amenity and health.

Informatives:

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

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

If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail, your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to CIL@eastsuffolk.gov.uk

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

CIL forms can be downloaded direct from the planning portal:

https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5

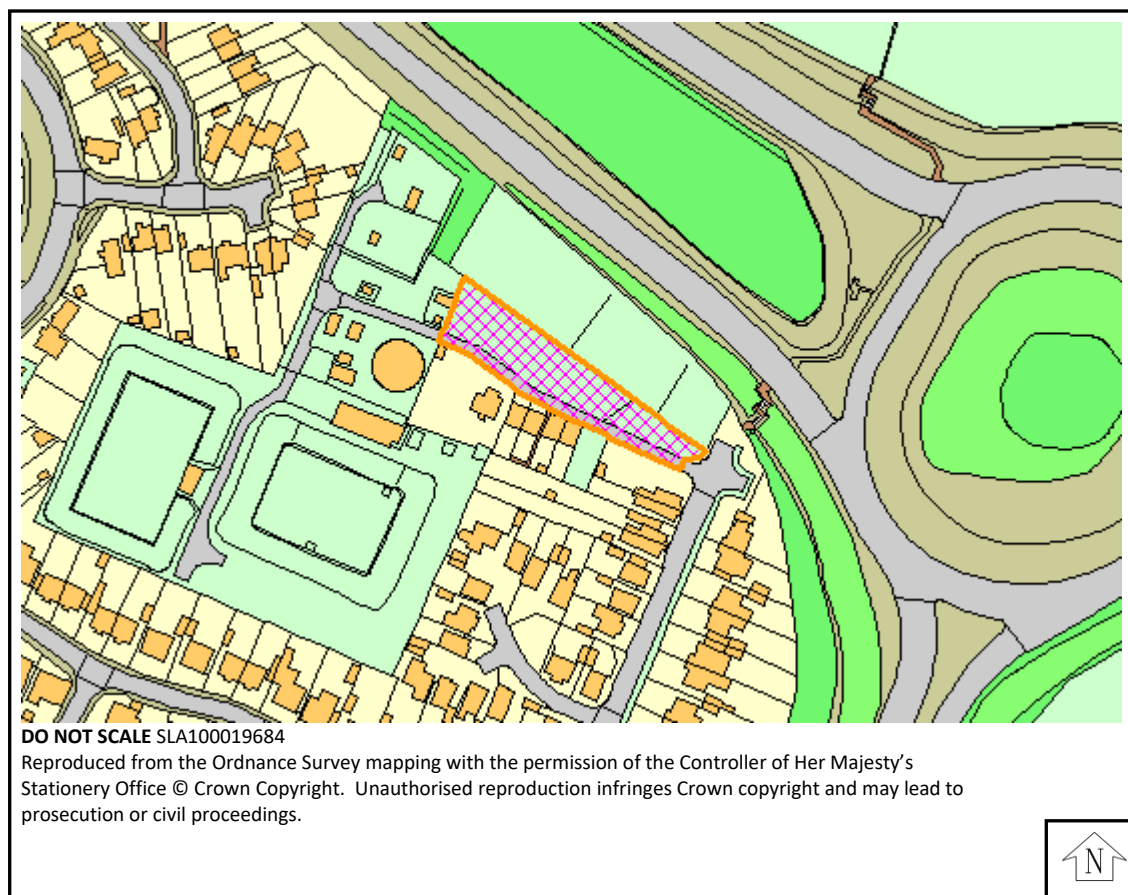
Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

3. 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





Background information

See application reference DC/20/1043/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q6O3TYQXI6P00>

Map



Key

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