



Committee Report

Planning Committee South - 27 April 2021

Application no DC/20/5019/FUL

Location

Land Opposite The Village Hall To The West Of The B1116
Framlingham Road
Dennington
Suffolk
IP13 8AD

Expiry date 30 April 2021

Application type Full Application

Applicant Dawn Steward

Parish Dennington

Proposal Site a 'Mock-barn' Style Building for Use as a Nursery School and Day Care Facility [Use Class E(f)] for Provision of the Relocation of Badingham Playschool

Case Officer Natalie Webb
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1. Summary

- 1.1. The application seeks the use of land opposite the Village Hall (western side of the B1116), Framlingham Road, Dennington for the siting of a 'Mock-barn' Style Building for Use as a Nursery School and Day Care Facility [Use Class E(f)] for provision of the relocation of Badingham Playschool from its existing location at Badingham Village Hall.
- 1.2. The principle of development is considered acceptable in accordance with Local Plan Policy SCLP8.1, however concern has been raised by Historic England and the Council's Design and Conservation team in respect of the developments impacts on designated heritage assets, including the Dennington Conservation Area. It is considered that the proposal would have less than substantial harm of a low/medium level to the character and appearance of the Conservation Area, as well as a low level of less than substantial harm to the significance of the surrounding listed buildings. This harm has been

considered against the potential public benefits of the development (in accordance with Paragraph 196 of the National Planning Policy Framework (NPPF)) where it is considered that the proposed public benefits would, on balance, outweigh the harm identified.

Reason for Committee

- 1.3. The application is presented to planning committee in accordance with the Constitution of East Suffolk Council as the Planning Application is, in the opinion of the Head of Planning and Coastal Management, of significant public interest; would have a significant impact on the environment; or should otherwise be referred to Members due to its significance in some other respect. In this instance the proposal is considered to be of significant public interest.

Recommendation

- 1.4. Officers are seeking Authority to Approve subject to the consideration of any additional material planning considerations being raised (which have not been previously considered) during the consultation process (advertisement in press for the following: Conservation Area, Public Right of Way Affected, Affects Setting of Listed Building).

2. Site description

- 2.1. Dennington is noted as a 'small village' by Local Plan Policy SCLP3.2 and lies approximately three miles north of the market town of Framlingham. The site is located outside of, albeit adjacent to, the settlement boundary for Dennington as identified by Local Plan Policy SCLP3.3 (and illustrated on the subsequent policy map). The site therefore lies within the countryside for the purposes of considering planning applications and appeals.
- 2.2. The site lies within the southern part of the Dennington Conservation Area. As noted within the Dennington Conservation Area Appraisal (CCA) July 2012 *“The southern part of the Conservation Area is quite distinct from the northern part because of a conspicuous lack of buildings within it. The only buildings visible on the southern approach into the village include than the Church, Bay Tree Cottage, the village hall, the Old Rectory and Glebe Farm. This area is included within the Conservation Area very much for its landscape quality and because of its major contribution to the traditional character and appearance of the village. It incorporates not only the grassed playing field, with its well-treed boundaries, but also areas of pasture, tree belts, woods and hedgerows. The heavily treed approach to the village from Framlingham contrasts sharply with the open, arable fields further to the south and forms, particularly in the summer, a distinctive green approach to the village.”*
- 2.3. To the north of the site Bay Tree Cottage, and to the east of the site, The Old Rectory are both grade II listed. The 18th Century Old Rectory is noted in the CCA as *“an important listed building which stands in a large mature landscape setting, predominantly parkland containing a dense cover of mature trees. The scale of the building and the extent of its grounds render its significance within the Conservation Area particularly high. The grounds form an important garden setting to the listed building and are a major open space within the Conservation Area that contrasts with the farmed land beyond. Their integrity should be preserved.”*

- 2.4. The CCA continues, *“The B1116 Framlingham Road lies adjacent and trees on both sides form an extensive canopy, framing views of the Church tower and providing a distinctive entrance to the village from the south and a very important and attractive view. This approach into the village from Framlingham contributes significantly to the setting of the village itself and was a key factor in the designation of the Conservation Area.”*
- 2.5. The Church of St May lies north of Bay Tree House and is Grade I listed. Further south, there is an ancient monument, a moated site with internal pond at Glebe Farm. The CCA also states that *“nearby Glebe Farm Cottage and adjacent land form the transition between the open, farmed landscape that is the setting of the village and the built-up character of the village itself. The buildings, although unlisted, are attractive and traditional in appearance and also contribute to the unique character of this part of Dennington.”*
- 2.6. The impacts on the aforementioned heritage assets are considered later in the report.
- 2.7. The site is currently undeveloped agricultural/paddock land which backs on to the allotments on the western boundary. The site appears open on the approach to the village, with glimpses of St Marys Church noted when looking north.
- 2.8. Public Right of Way 40 runs along the south-west border of the site, running to the south of the allotments and joins existing development to the west. Public Right of Way 22 is located to the southern corner of the site, continuing south and Public Right of Way 20 is located north-east of the site, running through the churchyard, connecting with existing development on The Street and the wider countryside to the east.

3. Proposal

- 3.1. This application proposes siting a 'mock-barn' style building for use as a nursery school and day care facility [Use Class E(f)] for provision of the relocation of Badingham Playschool (formerly Badingham and Dennington Playgroup).
- 3.2. Badingham Playschool is a non-profit, registered charity governed by the Early Year Alliance ratified constitution. The playschool is managed by a Voluntary Management Committee comprising staff representatives and parents/carers. The playschool is registered with Ofsted, with twelve members of staff and 29 children on roll from Framlingham, Dennington, Badingham and surrounding villages. Badingham Playschool has been operating from Village Hall, Low Street, Badingham, Woodbridge IP13 8JS, for over 45 years. The existing location is located approximately two miles east of the proposal site. The playschool is open Monday to Friday during term time and usually Monday to Wednesday during school holidays.
- 3.3. Within the submitted Design and Access Statement (including Heritage Statement) it states that:

“Recent changes to the village halls booking conditions, an increase in rent, and cuts to funding (regarding the village halls maintenance) have necessitated the decision to relocate. As a consequence of these changes, since July 2018, as insisted by the Village Hall Committee, the playschool has had to run from an alternative location every Tuesday to

allow other users in the village to run daytime events in the hall. Due to Ofsted requirements which limit the number of days in which institutions can run from alternative venues, the playschool would need four other locations to run from across the course of the year. This has proved inefficient as the staff have to transfer large amounts of equipment and resources back and forth. Furthermore, cuts in funding to the village hall has resulted in poor maintenance and the removal of vital facilities from the building, subsequently creating unhygienic and potentially dangerous conditions for the playschool staff and children - the playschool committee have serious health and safety concerns. Furthermore, since March 2020 the playschool has had to operate from an alternative venue due to covid-19 constraints, however this is not a long-term proposition as outside of the pandemic as this venue will be used by others and the owners have plans for redevelopment of the building. It also presents challenges to staff to provide for the needs of the children as there is insufficient storage, toilet facilities are not positioned or designed for very young children and there is no outside play space."

- 3.4. The building is proposed to be single-storey of 'L shaped' design measuring approximately 23m by 19m. No details of external materials have been submitted, as such are required by condition. The building will be set centrally within the plot, towards the western boundary, with outdoor play space to the south and undeveloped space to the north.
- 3.5. The development seeks to provide a valuable function for the community by providing a 'mock-barn' style building for use as a nursery school and day care facility to cater for 45 to 50 children. The development will provide the necessary car & cycle parking for staff (eight car bays & four cycle spaces, to include space for electric vehicle charging station/s) and parking (12 spaces, including two disabled bays) for parents drop off/pick-ups. The proposal would also include the creation of a vehicular access from the B1116.
- 3.6. Additional landscaping is shown on the proposed layout, in addition to boundary treatment (fencing) details of both are sought by condition.

4. Consultations/comments

- 4.1. A total of 63 representations have been received in respect of the proposal (some are multiple representations from the same address);
- 4.2. 57 of the representations support the proposal on the grounds that:
 - The site is well located within the village, in close proximity to other services and amenities;
 - The design is sympathetic, respects the local vernacular and of a style appropriate for a community building of this type in this location;
 - The proposal will benefit the local community by providing a purpose built local facility;
 - The land is owned by the Dennington Consolidated Charity and held for the benefit of the community.

4.3. In addition, six representations have been received which object to the proposal on the following grounds:

- Impact on heritage assets;
- Impact on conservation area;
- Design of the building;
- Incomplete ecological assessment of ponds 5-12;
- Insufficient Heritage Impact Assessment/Archaeological Assessment;
- There is currently no 'proper' vehicular access to the site;
- Highways safety/Traffic issues;
- Principle of Development (outside settlement boundary/ inappropriate use of site);
- Sustainability;
- Appeal dismissal for the erection of a dwelling at Bay Tree/Church Cottage (application C/02/1646 - Erection of detached house & construction of new vehicular access) on part of garden of Baytree Cottage, Framlingham Road, Dennington) Appeal reference APP/J3530/A/03/1121008 dated 10 March 2004; A local need for the development has not been demonstrated.

4.4. These points are assessed within this report as follows:

Summary of Objection:	Assessed in paragraph(s):
Impact on heritage assets/conservation area;	7.13 – 7.28 inclusive
Design of the building;	3.4, 7.5 - 7.7 inclusive
Incomplete ecological assessment of ponds 5-12;	7.30
Insufficient Heritage Impact Assessment/Archaeological Assessment;	7.16, 7.22 and 7.30
There is currently no 'proper' vehicular access to the site;	7.36
Highways safety/Traffic issues;	7.34 – 7.41
Principle of Development/Sustainability (outside settlement boundary/ inappropriate use of site);	7.1 – 7.12 inclusive
Appeal dismissal for the erection of a dwelling at Bay Tree/Church Cottage (application C/02/1646 - Erection of detached house & construction of new vehicular access) on part of garden of Baytree Cottage, Framlingham Road, Dennington) Appeal reference APP/J3530/A/03/1121008 dated 10 March 2004;	7.10, 7.24 and 7.25
A local need for the development has not been demonstrated.	7.8

- 4.5. The above is a summary of the representations received; full comments can be viewed on the Council's website.
- 4.6 It is acknowledged that the scheme has generated local objection, and the concerns of local residents are understood, however this is not a reason to withhold the grant of planning permission as decisions are not and cannot be made by referendum, but instead need to be judged on their planning merits and in accordance with the relevant national and local planning policies.
- 4.7 Appeal decisions have dealt eloquently with this matter and reference is made to two appeal decisions where this issue has been considered. In the case of Homelands, Bishops Cleeve it was stated “...there is nothing in the Localism Act to suggest that delegating decisions to LPAs will alter the requirement for a 5 year HLS....Allowing LPAs to review their requirements locally is not the same as allowing them to postpone their obligations under PPS3” Another decision, Highfields Farm (13 February 2013) allowed consent for a housing scheme in an AONB, where there was no 5 year HLS. “It cannot be that a strategic facility to provide for the needs of a very wide area can be decided solely on the basis that the local community do not wish it to be located within their area. This would be to hold much needed, major development to ransom. If applied widely, this could hold up economic recovery as well as deprive future generations of important developments and facilities.”“There is nothing in the Act...or the Framework which indicates that the SoS has taken the view that a particular, and in this instance, very localised group of residents should be able to prevent planning permission being granted simply because they do not want it.”

5. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Dennington Parish Council	11 December 2020	5 January 2021
Dennington Parish Council met and discussed this application at length on 21st December. There was a majority (but not a unanimous) decision to SUPPORT the application.		

Statutory consultees

Consultee	Date consulted	Date reply received
Historic England	11 December 2020	21 December 2020
<p>Summary of comments:</p> <p>Historic England has concerns regarding the application on heritage grounds. Historic England considers that there is potential for less than substantial harm on the low/ moderate end of the scale to the setting of the Scheduled moat and the grade I listed Church of St Mary due to the historic spatial relationship and intervisibility between the two sites. The hard surfacing, lighting and additional activity in this area could have a negative impact upon the rural and open setting between the two sites.</p>		

Consultee	Date consulted	Date reply received
Suffolk County Council - Highways Department	12 January 2021	20 January 2021
Summary of comments: Recommends conditions, as outlined below.		

Consultee	Date consulted	Date reply received
Suffolk County Council Archaeological Unit	22 February 2021	2 February 2021
Summary of comments: In our opinion there would be no significant impact on known archaeological sites or areas with archaeological potential. We have no objection to the development and do not believe any archaeological mitigation is required.		

Consultee	Date consulted	Date reply received
Interim Head of Environmental Services and Port Health	22 February 2021	1 February 2021
Summary of comments: Recommends a noise assessment prior to the determination of the application and the full suite of land contamination conditions (unless a phase 1 report is submitted).		

Non statutory consultees

Consultee	Date consulted	Date reply received
Design and Conservation (Internal)	11 December 2020	5 January 2021
Summary of comments: Comments received and incorporated into the officers report.		

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	12 January 2021	1 February 2021
Summary of comments: Comments received and incorporated into the officers report.		

Consultee	Date consulted	Date reply received
Ecology (Internal)	12 January 2021	1 February 2021
Summary of comments: Comments received and incorporated into the officers report.		

Consultee	Date consulted	Date reply received
Suffolk Fire and Rescue Service	22 February 2021	16 December 2020
Summary of comments: Informative information in respect of access to water supply and fire fighting facilities.		

Consultee	Date consulted	Date reply received
The Georgian Group	N/A	1 February 2021
Summary of comments: Comments received and incorporated into Officer's report.		

Consultee	Date consulted	Date reply received
Head of Customer Services	N/A	NA
Summary of comments: Any response will be communicated in the update sheet		

Consultee	Date consulted	Date reply received
Head of Economic Development	N/A	NA
Summary of comments: Any response will be communicated in the update sheet		

Re-consultation consultees

Consultee	Date consulted	Date reply received
Interim Head of Environmental Services and Port Health	22 February 2021	26 March 2021
Summary of comments: The additional information does not overcome the requirement for the full suite of land contamination conditions; however the Noise Impact Assessment is acceptable, subject to conditions (these are included in the officer recommendation)		

Publicity

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

Category	Published	Expiry	Publication
Conservation Area Public Right of Way Affected Affects Setting of Listed Building	08 April 2021	29 April 2021	East Anglian Daily Times

Site notices

General Site Notice	Reason for site notice: Conservation Area In the Vicinity of Public Right of Way Affects Setting of Listed Building Date posted: 17 December 2020 Expiry date: 11 January 2021
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6. Planning policy

- 6.1. [National Planning Policy Framework 2019](#)
- 6.2. Planning (Listed Buildings and Conservation Areas) Act 1990
- 6.3. East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020 policies:
 - SCLP3.2 - Settlement Hierarchy
 - SCLP3.3 - Settlement Boundaries
 - SCLP4.5 - Economic Development in Rural Areas
 - SCLP8.1 - Community Facilities and Assets
 - SCLP7.1 - Sustainable Transport
 - SCLP7.2 - Parking Proposals and Standards
 - SCLP10.1 - Biodiversity and Geodiversity
 - SCLP10.4 - Landscape Character
 - SCLP11.1 - Design Quality
 - SCLP11.2 - Residential Amenity
 - SCLP11.3 - Historic Environment
 - SCLP11.5 - Conservation Areas
 - SCLP11.7 - Archaeology
- 6.4. Dennington Conservation Area Appraisal, July 2012

7. Planning considerations

Principle of Development (including design, scale and layout)

- 7.1. The nursery and daycare has previously operated from Badingham Village Hall (for over 45 years). However, recent changes to the village hall booking conditions have resulted in a need for relocation. Appendix GC-1 of the Design and Access Statement outlines the reasons for relocating:

“Playschool has been operating from the village hall for over 45 years. Playschool is open Monday to Friday during term time and usually Monday, Tuesday, Wednesday during school holidays. Playschool booked the village hall for these sessions up to a year in advance and has done for a number of years. In 2018 the village hall committee restricted bookings by not allowing Playschool to book every other Tuesday. This necessitated Playschool to identify two other suitable locations (approved by Ofsted) to run from on those days in addition to days e.g. elections when we have always had to relocate. Playschool is only allowed by Ofsted to run from an alternative venue for a maximum of 14 days in a year unless the venue is registered with Ofsted as an additional location. There are 52 Tuesdays in a year so we have to have two locations (one indoor for winter and one outdoor for summer) for the 26 days we are required to move out of the village hall. Relocation for a day every other week itself involved a lot of staff time transferring large amounts of equipment/resources etc. and risk assessing venue & activities etc. In 2019 the Village hall committee insisted that we move out every Tuesday. This meant that Playschool needed 4 other locations across the course of a year, (52 Tuesdays divided by 14). The Playschool have found it impossible to identify two additional suitable venues that would be suitable for year-round use. This necessitated registering one of the alternative venues (the indoor one) with Ofsted for use during the winter months.”

- 7.2. Appendix GC-1 of the Design and Access Statement also outlines that changes to the storage of the groups equipment, cleaning regimes, removal of baby change facilities and maintenance of the hall and parking areas (in addition to other reasons cited within Appendix GC-1) have also resulted in a need to relocate.

- 7.3. Community facilities and assets are an important part of the social fabric of neighbourhoods and communities. Facilities can include shops, post offices, public houses, medical facilities, police facilities, sports venues, cultural buildings, places of worship and places which promote social interaction and provide opportunities for meetings between people who might not otherwise come into contact with each other. Individually, and collectively, these provide places for people to meet and socialise as well as valuable services which encourages active communities and fosters a sense of identity and well-being for those who live in and visit the area.

- 7.4. The National Planning Policy Framework reflects the need to plan positively for and promote the retention and development of local services and facilities which is supported by the Council. Paragraph 83 of the National Planning Policy Framework (NPPF) states that planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and

d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

- 7.5. Local Plan Policy SCLP6.1 states that proposals for new community facilities and assets will be supported if the proposal meets the needs of the local community, is of a proportionate scale, well related to the settlement which it serves and would not adversely affect existing facilities that are easily accessible and available to the local community. As noted above, the site lies adjacent to the settlement boundary of Dennington, therefore considered to be well related to the settlement.
- 7.6. The proposal would not adversely affect existing facilities, rather would compliment and expand on those already available within the locality. The scale is also considered to be appropriate for the location and its proposed uses.
- 7.7. Local Plan Policy SCLP11.1 (Design Quality) states that the Council will support locally distinctive and high-quality design that clearly demonstrates an understanding of the key features of local character and seeks to enhance these features through innovative and creative means. Whilst material finishes are not yet known; the details of which are subject to agreement by condition. It is considered that the proposed building responds to the local context by being positioned to the western side of the site and of a scale which will not obstruct views of St Marys Church when approaching from the south and it would be located adjacent to other community facilities such as the allotments, village hall and church. Whilst a number of criterion of SCLP11.1 are not applicable to this proposal (as this is intended to cover all scale of applications) it is broadly considered that the proposal accords with SCLP11.1 as the proposal has been presented with an understanding of the character of the built, historic and natural environment, which has resulted in the scale and position of the building mitigating the impact on the local character, whilst providing a fully functionable and purpose built community facility.
- 7.8. The applicant has provided details of other sites which have been investigated as potential options for the proposed development (including existing sites and other sites for purpose built facilities). During the application a considerable number of representations of support have also been received, whilst it is noted that not all of these are from within the parish of Dennington, these are likely to be from existing, prospective or former users of the daycare/nursery facility. There is no policy requirement within the Local Plan for a sequential test of other sites for community facilities, however it is useful in understanding what alternatives have been considered prior to the submission of the application; these are included in appendix GC-3 of the Design and Access Statement.
- 7.9. Within the Local Plan, Policy SCLP12.49 – Land off Laxfield Road, Dennington includes the provision of a new years setting. SCLP12.49(g) states: *“If required, 0.1ha of land on the site should be reserved for a new early years setting or a contribution made towards a new early years setting off-site.”* There is currently no timescale for the delivery of this allocation, which could come forwards at any stage within the plan period. Appendix GC-1 of the applicants Design and Access Statement also outlines the extensive reasons for needing to relocate, which outlines that the relocation is required with some urgency; thus unable to wait for the allocated site to come forwards. At the time of this report, no applications on the allocated site have been received.

- 7.10. Furthermore, the allocation does not guarantee that a new early years would be provided within the allocated site, but could still be provided off-site, as is proposed by this application.
- 7.11. One of the concerns raised relates to an appeal for the erection of a dwelling at Bay Tree/Church Cottage (application C/02/1646 - Erection of detached house & construction of new vehicular access) on part of garden of Baytree Cottage, Framlingham Road, Dennington). Bay Tree Cottage is directly north of the application site, abutting the northern boundary. In considering whether this appeal sets a precedent for new development in this area, the appeal decision states that “there is some support for the proposed development in accordance with AP27 [a former local plan policy for infilling within the settlement boundary]” however dismissed the appeal on harm identified to the setting of the church and the character and appearance of the Dennington Conservation Area (which will be considered further under the ‘Impact on Heritage Assets and Conservation Area section below). The principle of development was therefore found acceptable in the appeal, subject compliance with other policies which formed the development plan.
- 7.12. Whilst the allocation and previous appeal are considerations, this is the proposal/site which has been presented for determination and is assessed on its own merits.
- 7.13. For the above reasons it is considered that the principle of development is acceptable, subject to compliance with other policies within the Local Plan.

Impact on Heritage Assets and Conservation Area

- 7.14. The proposal is for the erection of a nursery school and day care facility in the Dennington Conservation Area, in the setting of the Grade II listed The Old Rectory and Baytree Cottage, and in the wider setting of the Grade I listed Church of St Mary and a scheduled moated site at Glebe Farm. The heritage concern relates to the impact of the proposal on the setting of the listed buildings, which contributes to their significance, and on the character and appearance of the Conservation Area.
- 7.15. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that *“in considering whether to grant planning permission [or permission in principle] for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”*
- 7.16. Paragraph 189 of the NPPF states that the Local Planning Authority should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to asset's importance. In this case, the heritage section in the Design and Access Statement does not describe the significance of the heritage assets and the impact of the proposal in depth. Due to the scope and nature of the proposal and the significance of the assets which could be affected, a higher level of detail would have been expected as part of the submission. Nonetheless, the Council's Design and Conservation Team have considered the proposal on the information submitted.

- 7.17. The Dennington Conservation Area as illustrated within the Dennington Conservation Area Appraisal (2012) is a relatively small area. It could be described as having two distinctive parts; the northern area which covers the historic village core on The Street, and the southern area which includes the church, the village hall and the Old Rectory, along with large areas of green space. Whereas in the northern area there is a dense arrangement of buildings, in the southern area the few existing buildings are spaced out and set-in large grounds, which makes the green character of the area much more apparent.
- 7.18. The application site is a parcel of undeveloped land on the west side of the B1116, surrounded by the heritage assets noted above, and a historic building called Glebe Farm Cottage (an unlisted building that contributes positively to the Conservation Area). The Conservation Area Appraisal (CAA) states: "[The southern part of the Conservation Area] is included within the Conservation Area very much for its landscape quality and because of its major contribution to the traditional character and appearance of the village. It incorporates not only the grassed playing field, with its well-treed boundaries, but also areas of pasture, tree belts, woods and hedgerows. The sylvan approach to the village from Framlingham contrasts sharply with the open, arable fields further to the south and forms, particularly in the summer, a distinctive green approach to the village." Accordingly, the application site is identified as Important Green Space, together with the grounds of the Old Rectory, the playing fields, the modern village green and the churchyard.
- 7.19. As can be seen on historic OS maps, the area to the south of the church has experienced very little alteration in terms of development; only the village hall has been developed here. The listed buildings are therefore still largely experienced in their historic context, which enhances their historic interest. Additionally, the openness of the land around the listed buildings enhances their current rural setting and their relationship to the wider countryside and to each other.
- 7.20. It is therefore clear that the application site in its current undeveloped state contributes positively to the character of the Conservation Area, as well as to the setting, and the significance, of the nearby listed buildings. While the proposed area of development would occupy approx. a third of the site, and the building would be low in height, the proposal would result in the loss of the openness of the land, which has been identified as contributing positively to the Conservation Area and the setting of the listed buildings.
- 7.21. The building and parking area would be located abruptly in the centre of the site and would appear disconnected from existing development to the north or south. The associated fencing, hard surfacing and lighting, as well as the heightened level of activity and vehicle movement, would also have an urbanising effect on the landscape character of the area. The details of landscaping which have been submitted show that a certain level of screening is proposed. While this would soften the visual impact of the development, it would not negate the effects of the loss of the open land. Concerns have also been raised by Historic England and the Georgian Group which accord concerns identified above.
- 7.22. Overall, the proposal would be considered to cause less than substantial harm of a low/medium level to the character and appearance of the Conservation Area, as well as a low level of less than substantial harm to the significance of the surrounding listed

buildings. Whilst it is acknowledged that additional detail in the heritage statement as well as visualisations/streetscene elevations, could provide further insight on how the proposed development and how they may affect the settings of the listed buildings and the Conservation Area would have been useful in the assessment of the proposal, the loss of the openness of the site would not be overcome.

- 7.23. In assessing the application Officers are mindful of the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Paragraph 193 of the National Planning Policy Framework states that *"when considering the impact of a proposed development on the significance of designated heritage assets, great weight should be given to the assets contribution. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance"*.
- 7.24. Appeal decision APP/J3530/A/03/1121008 dated 10 March 2004 for the erection of detached house & construction of new vehicular access) on part of garden of Baytree Cottage, Framlingham Road, Dennington (north of the application site) stated that:
- "The site is in a prominent location on the bend of the southern approach road to the village. On this side the village is open and rural. Views are dominated by the grade I listed Church of St Mary. The Church is a substantial building and I consider that its immediate rural setting is important to its relationship of the village. In my view, that setting is the most significant feature of the Dennington Conservation Area... A new access drive is proposed. It would involve a realignment of the existing roadside hedge to create essential visibility splays and the drive itself would have a hard surface. To some extent it would open the new dwelling to views on approach to the village. In my opinion, these changes would detract from the rural character of the foreground to the church. I have found this to be a significant element in the setting of the listed church and the character and appearance of the Dennington Conservation Area. I consider that the setting would be harmed... In this case the need to protect the setting of the church is overriding in my opinion. The proposed development would therefore harm the setting of the listed church and the character and appearance of the Dennington Conservation Area."*
- 7.25. In considering the application site, less than substantial harm has been identified.
- 7.26. The building has also been set towards the western side of the site, so that views on approach to the Church from the south is not obscured, which was the one of the main concerns identified within the appeal decision for the proposed dwelling at Baytree Cottage. The aforementioned appeal decision also refers to other houses which have been built within the village around the time of the decision, and states that *"each case must be decided on its own merits"*.
- 7.27. Whilst it is noted that the proposed landscaping would have the potential to partially obscure these views, the majority of the planting seeks to screen the development, on approach to the heritage assets. It is also noted that the existing site could be landscaped as it would not be development, which could also change the open character on approach to the church.

- 7.28. Paragraph 196 of the National Planning Policy Framework states "*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*" The proposal seeks to provide a community facility, which would have public benefit. The public benefits of the proposal would ensure the relocation of the existing nursery and day care facility, which without relocation is unlikely to be able to continue providing the level of services currently available; which currently provides nursery/day care quality, affordable day care for children between 3 months and 5 years (and school holiday care for children up to 8 years), including disadvantaged children and those with special education needs, and supports parents in times of crisis by being extremely flexible in care provision, providing food, clothing and footwear for children. The nursery is a non-profit charity which is managed by volunteers and employs 12 local residents to help with the running of the nursery/daycare. The group also provides opportunities for work experience for local students. This proposal will also seek to increase the number of children attending the facility (to approximately 45-50) to accommodate growth from new developments in neighbouring parishes. The proposal will also provide a purpose-built facility for the group's needs, which overcomes the need for additional storage space offsite and conflict in bookings for other events.
- 7.29. In this instance the public benefit is considered, on balance, to outweigh the harm identified. Conditions for details of external materials have been requested in accordance with the Design and Conservation Teams comments.
- 7.30. In addition, Suffolk County Council Archaeological Services have confirmed that there would be no significant impact on known archaeological sites or areas with archaeological potential within the site. Therefore, do not object to the development and have not requested any archaeological mitigation (SCLP11.7).

Impact on Landscape and Ecology

- 7.31. The Council's Landscape Manager has reviewed the submitted planting plan and is satisfied that if fully implemented, the described development will not have any undue adverse landscape impact. It is considered that the proposed use of the site, to a degree reflects the village hall use on the other side of the road, and with the village allotments to the west, a combined community land use character could be established. As such, the Landscape Manager does not raise any objections to the proposal, subject to a condition for the implementation of the landscaping proposal as submitted and details of hard landscaping to be submitted, it is considered that the development accords with SCLP10.4, which requires development proposals to demonstrate that their location, scale, form, design and materials will protect and enhance the special qualities and features of the surrounding area.
- 7.32. Local Plan Policy SCLP10.1 (Biodiversity and Geodiversity) states that Development will be supported where it can be demonstrated that it maintains, restores or enhances the existing green infrastructure network and positively contributes towards biodiversity and/or geodiversity through the creation of new habitats and green infrastructure and improvement to linkages between habitats, such as wildlife corridors and habitat 'stepping stones'.

- 7.33. The Council's Ecologist has read the Preliminary Ecological Appraisal (PEA) (Greenlight Environmental, August 2020) and is satisfied with the conclusions of the consultant. As such does not raise any objection to the proposal, subject to conditions listed at the base of this report. It is noted that concern has been raised that not all of the ponds were tested for protected species or habitats as part of the above report, however this is not uncommon where ponds may be inaccessible or dry, etc at the point of testing. Irrespective of the data from the ponds not surveyed, the PEA considers it highly unlikely that Great Crested Newts would be present on site due to the lack of suitable terrestrial habitat. In the absence of any clear evidence to the contrary and given the lack of objection from the Council's Ecologist, it is therefore considered that the proposal accords with SCLP10.1.

Highways Considerations

- 7.34. Paragraph 108 of the National Planning Policy Framework states that

"In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

a) appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;

b) safe and suitable access to the site can be achieved for all users; and

c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree."

- 7.35. Paragraph 109 of the NPPF subsequently states that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."
- 7.36. Whilst there is currently only informal access onto the site for farm machinery and/or maintenance of the site, this proposal seeks to create a new access onto Framlingham Road (B1116). The access will be located centrally within the site. There is a ditch along the eastern boundary of the site, adjacent to the highway which is to be retained. It is understood that the ditch will be bridged (with relevant culvert consent/permits) to provide the access.
- 7.37. The proposed development will provide car & cycle parking for staff (eight car bays & four cycle spaces, to include space for electric vehicle charging station/s) and parking (12 spaces, including two disabled bays) for parents drop off/pick-ups. Whilst not connected to the village by footway (footway running from the church to public right of way 20, stops to the north-western corner of the site), the site is accessible via public rights of way and an informal footway from the allotments back into the village.
- 7.38. The proposal includes a new footpath to be laid on the site, to join the existing permissive footpath owned by Dennington Consolidated Charities (owners of the

application site) which runs through the village green, around the allotments and into the application site, running along the north end of the site toward the B1116. These are not considered to be all weather, all user routes, but do provide some form of connectivity for residents to the site.

- 7.39. Cycle storage has also been provided on site. It is however noted that not all users of the facility will live in Dennington, and cycling may not be a viable option (particularly if multiple children within the same household are using the facility); it is therefore expected that there will be a reliance on the car by users of the site, but opportunities to promote sustainable transport modes have been implemented to extent which is considered acceptable for the proposed development and its location.
- 7.40. It is considered that the proposal can provide a safe and suitable access for all users. Due to the nature of the proposal, it is likely that there will be increased traffic movements at peak times (morning drop off, after school and closing). The applicants sought advice from Suffolk County Council as Local Highways Authority prior to the submission of the application. A speed survey was also undertaken.
- 7.41. Whilst concerns over increase of traffic and highways safety have been raised by local residents through the consultation process, Suffolk County Council, as Highways Authority, were consulted on the application and have not raised any objection in respect of the proposal subject to conditions, as outlined at the base of this report. In the absence of any clear evidence to the contrary and considering the lack of objection from the Local Highways Authority, it is therefore considered that the proposal accords with SCLP7.1 and SCLP7.2.

Residential Amenity

- 7.42. Hours of operation are proposed to be 8am-6pm Monday to Friday during term time and three days a week during school holidays. It is likely that only staff will be present on site before and after this time (to open up, cleaning, etc). Local Plan Policy SCLP11.2 states that in considering the impact of development on residential amenity, the Council will have regard to the following:
- a) Privacy/overlooking;
 - b) Outlook;
 - c) Access to daylight and sunlight;
 - d) Noise and disturbance;
 - e) The resulting physical relationship with other properties;
 - f) Light spillage;
 - g) Air quality and other forms of pollution; and
 - h) Safety and security.
- 7.43. The building is proposed to be single-storey, therefore any potential loss of privacy, outlook, or overlooking is significantly reduced. Whilst the building is set away from the northern and eastern boundaries, where the nearest residential properties are located, should a first-floor or mezzanine be introduced, there could be potential for overlooking, particularly as no additional screening or landscaping is proposed to the north. A condition has been included to restrict the addition of a first-floor. Again, due to distances, the proposal will not reduce access to daylight or sunlight to existing

properties. The building has been located away from the properties to the north and east, whilst remaining relatively centrally within the plot to provide sufficient visibility splays for the access. A condition has been included for details of any external lighting to be submitted prior to installation, in the interests of local amenity and biodiversity. The main consideration of the SCLP11.2 in this instance is considered to be the potential noise or disturbance from the proposed use.

- 7.44. A noise assessment was requested during the application and undertaken in respect of the proposed development (Adrian James Acoustics dated 15 March 2021). The noise assessment was requested to understand the potential impacts which would be associated with outdoor play and noise from vehicles arriving and departing from the site. The report has been assessed by the Council's Environmental Protection team.
- 7.45. The report is based upon measurements of the background and ambient sound levels representative of the nearest noise sensitive receptors. The environmental protection team are largely satisfied with this exercise though notes the short duration of the survey taken on a single day, and that roads were mostly dry. It is however accepted that this reasonably represents the baseline for the assessment. The survey covered the quieter middle part of the day, and therefore provides a robust (low) baseline against which to compare predicted sound levels from nursery activity.
- 7.46. With respect to the assessment of vehicles, it is accepted that this staggered activity of dropping off and collection is not likely to have any adverse noise impact on neighbouring noise sensitive receptors. It is considered however that it would be prudent for this element to be incorporated in a Noise Management Plan for the Nursery. With respect to external play, the acoustic report relies on measurements of typical noise levels from play/activities at the existing facility on one occasion. External play is likely to be reasonably frequent and therefore the higher values as presented are the ones considered for the purposes of the assessment, as these are likely to be more robust and comparable to the projected noise levels.
- 7.47. Whilst it is noted that there appears to be a few discrepancies within the report; Section 2.4 should possibly refer to an external limit of 50 dB rather than 60 dB and at Section 5.1 in the assessment, predicted levels would be 1 dB below indoor residential guidelines and not more than 10 dB below as quoted; these matters do not change the overall assessment outcomes and conclusions made.
- 7.48. The Interim Head of Environment and Port Health have surmised that the assessment of the play activities is that the worst case predicted noise levels at times would be a few dB only above the existing ambient sound levels as measured, and achieve WHO (1999) and BS 8233:2014 guidelines and criteria for resident external amenity areas and indoor habitable rooms. The outdoor play would not be continuous throughout the day and therefore there would likely be periods with no detectable noise from the nursery. The children's outdoor play would introduce sounds/noise of a different character to the area than exists now. These could include screaming, shouting and crying from children which could be a disturbance; something which a Noise Management Plan could seek to mitigate against.
- 7.49. It is therefore considered that the proposed children's nursery is not an unsuitable use for the development site in respect of noise. Effective management of the premises in

terms of both outdoor activities with the children, and also the parent/guardian dropping off and collections can minimise the possibility of noise disturbance and likelihood of complaints from neighbours. As discussed therefore in the acoustic assessment report, it is recommended that a Noise Management Plan be required as a condition on any planning consent granted, the detail of which would be subject to approval by the Local Planning Authority. The plan should also include for recording and dealing with any noise complaints in future should they arise.

- 7.50. In addition to the above, the application has confirmed that they seek to install an air source heat pump. Details of this and any fixed plant would need to be submitted prior to installation in the interests of neighbouring amenity.

8. Conclusion

- 8.1. The application seeks the use of land opposite the Village Hall (western side of the B1116), Framlingham Road, Dennington for the siting of a 'Mock-barn' Style Building for Use as a Nursery School and Day Care Facility [Use Class E(f)] for provision of the relocation of Badingham Playschool. The principle of development is considered acceptable in accordance with Local Plan Policy SCLP8.1, subject to compliance with other policies within the plan.
- 8.2. Concern has been raised by Historic England and the Council's Design and Conservation team in respect of the developments impacts on designated heritage assets, including the Dennington Conservation Area. It is considered that the proposal would have less than substantial harm of a low/medium level to the character and appearance of the Conservation Area, as well as a low level of less than substantial harm to the significance of the surrounding listed buildings. In accordance with Paragraph 196 of the National Planning Policy Framework, "*where a proposed development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.*" This balance is considered in paragraphs 7.22 and 7.23 of this report.
- 8.3. The proposal is considered to provide a community facility which has a public benefit, which in this instance and on balance is considered outweigh the harm identified. Furthermore, the Council's Landscape Officer has reviewed the submitted planting plan and is satisfied that if fully implemented, the described development will not have any undue adverse landscape impact. The proposed use of the site, to a degree reflects the village hall use on the other side of the road, and with the village allotments to the west, a combined community land use character could be established. Subject to conditions as outlined in this report, the application is, on balance, recommended for approval.
- 8.4. Officers are therefore seeking Authority to Approve subject to the consideration of any additional material planning considerations being raised during the consultation process (advertisement in press for the following: Conservation Area, Public Right of Way Affected, Affects Setting of Listed Building).

9. Recommendation

- 9.1. Approve planning permission subject to the imposition of appropriate conditions, as listed below:

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 Drawing No's BPS/238/A1/05C, BPS/238/A1/04B, BPS/238/A1/01B and the Landscape Plan (August 2020) received 08/12/2020.

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

3. 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. Prior to the installation of any fenestration of the hereby approved development, details of materials, finishes, method of opening, glazing and colour of all new or replacement windows, roof lights and doors and their surrounds to be installed shall be submitted to and approved, in writing, by the Local Planning Authority and shall thereafter be entirely implemented as approved.

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

5. Within three month(s) of commencement of development, precise details of a scheme of hard landscape works (which shall include boundary treatment (proposed fencing), 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.

6. 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.

7. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Greenlight Environmental, August 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.

8. 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.

9. Prior to any above ground works taking place, 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:

a) 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.

10. No part of the development shall be commenced until details of the proposed access have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to any other part of the development taking place. Thereafter the access shall be retained in its approved form.

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

11. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number BPS/238/A1/05 C Rev. C shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

12. The use shall not commence until the area(s) within the site on dwg. no. BPS/238/A1/05 C Rev. C for the purposes of Loading, Unloading, manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety.

13. Before the access is first used visibility splays shall be provided as shown on Drawing No. BPS/238/A1/05 c Rev. C and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely and vehicles on the public highway would have sufficient warning of a vehicle emerging in order to take avoiding action.

14. The working hours in connection with the use/buildings hereby permitted, shall not be other than between 08:00am and 18:00pm Monday to Friday; and no work shall be carried out on Saturdays, Sundays, or Bank Holidays, or outside the specified hours, unless otherwise agreed in writing by the Local Planning Authority.

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

15. No more than 50 children shall attend the nursery school/day care facility during any morning or afternoon session unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the protection of the residential amenity of the surrounding area and in the interests of highway safety.

16. The premises herein referred to, shall be used as a nursery school/day care and for no other purpose (including any other purpose in Class E(f) of the Schedule to the Town and Country Planning [Use Classes] Order 2020 or any Order revoking and re-enacting that Order with or without modification).

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 local environment.

17. Prior to the installation of air source heat pumps, air conditioning, extract ventilation, refrigeration or 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 from thereafter.

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

18. No mezzanine, entresol or additional floors shall be inserted within the hereby permitted building, except pursuant to the grant of planning permission on an application made in that regard.

Reason: To prevent intensification of use that may result in detrimental impact on nearby residential amenity and highways safety due to potential increase in traffic.

19. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a site investigation consisting of the following components has been submitted to, and approved in writing by, the local planning authority: a) A desk study and site reconnaissance, including: - a detailed appraisal of the history of the site; - an inspection and assessment of current site conditions; - an assessment of the potential types, quantities and locations of hazardous materials and contaminants considered to potentially exist on site; - a conceptual site model indicating sources, pathways and receptors; and - a preliminary assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed). b) Where deemed necessary following the desk study and site reconnaissance an intrusive investigation(s), including: - the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy; - an explanation and justification for the analytical strategy; - a revised conceptual site model; and - a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed). All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including: BS 10175:2011+A1:2013 and CLR11.

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

20. 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.

21. Prior to any occupation or use of the approved development the RMS approved under condition 20 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.

22. 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.

23. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety. An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works. Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

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

24. Prior to the first use, a Noise Management Plan (NMP) shall be submitted to the local planning authority for approval. The NMP shall set out controls to minimise noise from outdoor play, and from vehicles associated with drop-off and pick-up, and include procedures for recording and dealing with any noise complaints that may arise.

Reason: In the interests of residential 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.
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/

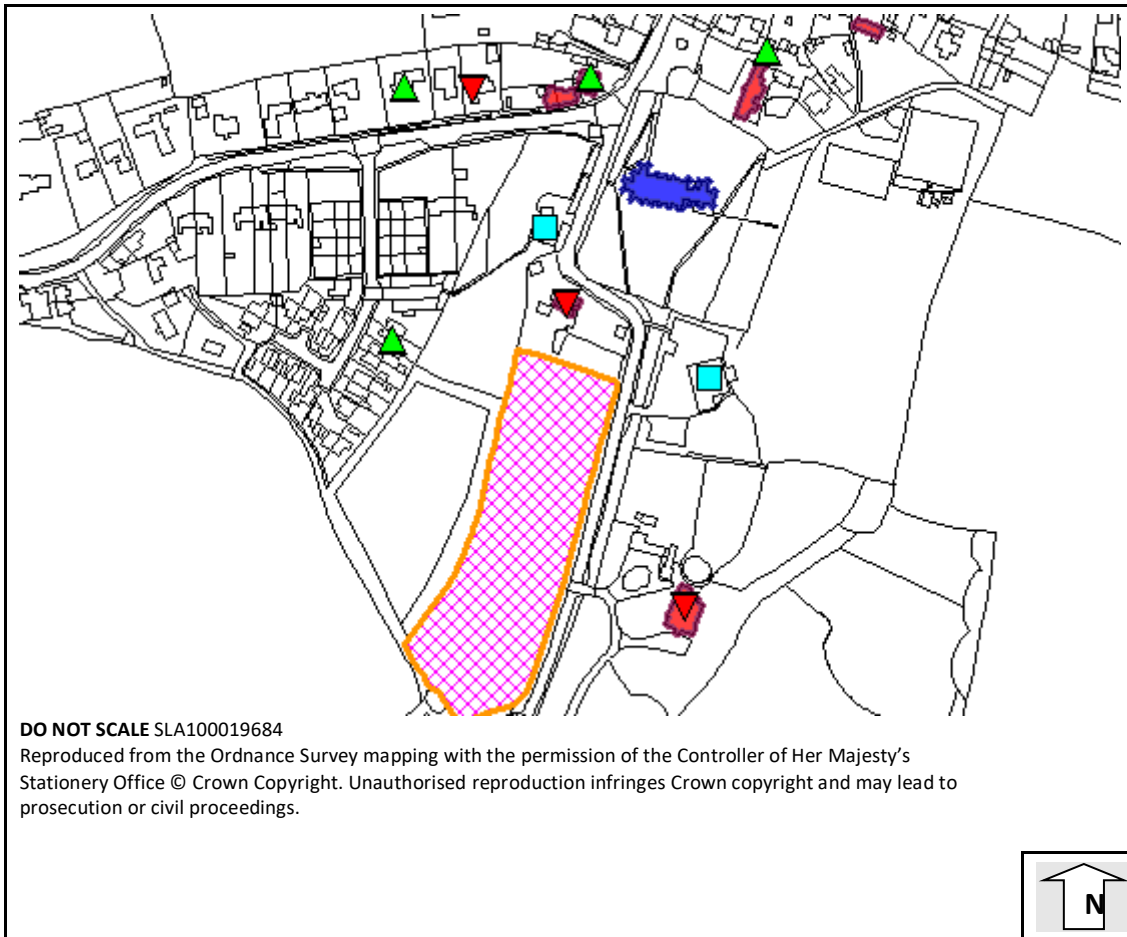
A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

4. The construction of the access appears to affect a drainage ditch along the boundary of the site which may require Land Drainage Consent from Suffolk County Council. The applicant is advised to contact Suffolk County Council's Flood and Water Management Team prior to commencing works for the access.

Background information

See application reference DC/20/5019/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support