



Committee Report

Planning Committee - 9 June 2020

Application no DC/19/4128/FUL

Location

Glen House
Blackheath Road
Wenhaston With Mells Hamlet
Suffolk
IP19 9HD

Expiry date 1 January 2020

Application type Full Application

Applicant Michael Howard Homes

Parish Wenhaston

Proposal Residential Development Comprising of 8no. new Dwellings

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1. Summary

- 1.1 This application seeks full planning permission for the development of eight dwellings on land at Glen House, Blackheath Road, Wenhaston with Mells Hamlet.
- 1.2 The site benefits from an extant planning permission (ref. DC/18/3899/FUL) for the development of six dwellings, to include four affordable homes and two open market dwellings. The principle of development in the extant permission was supported by policy DM1 of the East Suffolk (Suffolk Coastal) Core Strategy DPD that allows affordable housing on 'exception' sites in the countryside. Under Policy DM1, housing proposals can provide 1in3 dwellings as open market properties in order to facilitate the delivery of exceptional affordable housing.
- 1.3 This application proposes eight dwellings with a 50/50 split between affordable homes (4) and open market dwellings (4). That represents a departure from the 1in3 allowances of Policy DM1 and, therefore, the application is brought direct to committee for determination.

- 1.4 The proposal would see a more efficient use of land and the provision of four, smaller, three-bedroom units, when compared to the two open market dwellings (1no. five-bed and 1no. three-bed) in the extant permission. The site is also sustainably located, being adjacent the settlement boundary which is identified in the Core Strategy as a Local Service Centre.
- 1.5 Officers consider that, whilst the proposal represents a departure from Policy DM1 in terms of the ratio of affordable housing to open market housing, the more efficient use of land; the provision of additional smaller dwellinghouses; and the sustainable location of the site, indicate in favour of the proposal and justify a recommendation of approval.
- 1.6 Officers are seeking authority to approve, subject to securing the per-dwelling financial contribution to the Suffolk Coast Recreational Avoidance Mitigation Strategy.

2. Site description

- 2.1 The proposal site is located to the south of Blackheath Road. It is a section of land to the west of the junction between Blackheath Road and Hall Road.
- 2.2 The site lies to the east of Glen House, where four dwellings were granted consent in February 2019 (reference DC/18/4313/FUL). These four dwellings are to be open market properties.
- 2.3 The dwellings on the opposite side of the road from the application site and on both sides of the road to the west, are a mixture of sizes, ages and styles.
- 2.4 The application site immediately abuts the settlement boundary and is directly opposite other residential properties. Whilst the site is technically in the countryside, for planning purposes, the prevailing character of the immediate area is evidently one of residential development.
- 2.5 The site was formally occupied by a garden centre and it is 'greenfield' in nature (by definition in the National Planning Policy Framework). However, there is hardstanding on the land associated with its former use. The nursery use could recommence at any time and could be populated with buildings and ancillary structures, and generate the associated vehicular activity.
- 2.6 The site benefits from planning permission ("The Extant Permission") for the development of six dwellings (reference DC/18/3899/FUL). This permission would include 4 affordable homes and 2 open market dwellings.
- 2.7 The site lies within the Wenhaston Neighbourhood Plan (WNP) Area which has been 'made' and is therefore part of the Development Plan for the purposes of determining planning applications.

3. Proposal

- 3.1 The application seeks full planning permission for the development of eight dwellings: four affordable dwellings and four open market dwellings.
- 3.2 Access to the site would be from the western end of the site frontage onto Blackheath Road, and a shared driveway through the site would provide access to the dwellings. A total of 14 parking spaces would be provided within the site.
- 3.3 Plots 1 and 2 are to contain two bedrooms in each of the properties and Plots 3 and 4 are to be flats containing one bedroom. An area of amenity space is to be provided to the rear of the buildings. These are the proposed affordable units.
- 3.4 In the extant permission, plots 5 and 6 were a 3-bedroom and a 5-bedroom dwelling, respectively. As proposed, plots 5 and 6 would be omitted to be replaced by four plots: two pairs of semi-detached, 3-bedroom dwellings. These would be open market dwellings, two storeys in scale and built from brick.
- 3.5 The proposed layout essentially continues the ribbon of development along Blackheath Road, and then plots 7 and 8 at the eastern end of the site turn and face east to face toward Hall Road.
- 3.6 During the consideration of the proposals, officers have sought a minor design change to plots 7 and 8, so that the first floor windows to the rear wall have been omitted, and re-located to the flank (north or south) walls. This is to ensure that residents of plots 7 and 8 cannot overlook the rear gardens of plots 5 and 6.

4. Consultations/comments

- 4.1 Nine letters of objection have been received that raise the following key concerns (inter alia):
 - The site is outside the settlement limits.
 - No more houses needed in Wenhaston.
 - The proposal is contrary to the Local Plan and Neighbourhood Plan so must be refused.
 - Support the concerns of the Parish Council.
 - Local infrastructure cannot cope with additional development.
 - Visitors to the site will have to park on the road.
 - Extra traffic onto a narrow road with poor visibility.
 - Proposal will spoil the character of the village.
 - No footway for pedestrians to use.
 - The proposal will detract from the character of the Special Landscape Area.
 - The site is of ecological value and should be assessed fully.

Consultees
Parish Council

Consultee	Date consulted	Date reply received
Wenhaston With Mellis Hamlet Parish Council	8 November 2019	22 November 2019

Summary of comments:

“Objection to Application for Planning Ref DC/19/4128/FUL

Neighbourhood Development Plan (NDP)

The Wenhaston with Mellis Neighbourhood Development Plan was formally ‘Made’ by Suffolk Coastal District Council on 17th July 2018 and is now part of the Statutory Development Plan for the district. Planning Law requires that applications for planning permission must be determined in accordance with the development plan, ‘unless material conditions indicate otherwise’. The planning application ref: DC/19/4128/FUL falls outside the Wenhaston with Mellis Hamlet physical limits boundary. (Ref: Neighbourhood Development Plan (NDP) Section 3 – Policies, Page 27, Map 2.)

Local Plan Special Landscape Area

The new development as proposed falls within the Local Plan Special Landscape Area (SLA) (NDP Page 66 – Appendices) and would produce more noise, light pollution, air pollution and increased traffic. The application expects an additional 14 motor vehicles to be employed by the new residents.

Access to the existing site is restricted along a narrow lane, in places a single track, and is without footpaths. The lane is already heavily burdened by agricultural vehicles and holiday traffic. There is also no footpath access to the village and therefore pedestrians, including any children attending the local school would face a walk along narrow, busy and unlit roads if undertaking this journey. This has obvious inherent danger.

Housing quota

Wenhaston has met its quota for new builds. With the establishment of 26 new houses on an estate within the village in 2017 the local Planning Authority acknowledges that the parish has exceeded its 15-year quota and has stated that ‘no further development is required’.

No Local Support or Need

There is no local support or need for this development. It is in clear conflict with the adopted Neighbourhood Development Plan for the Parish which sets out that housing should be related to employment, transport and infrastructure, thereby reducing the need to travel. Public transport is poor to very poor and there are few opportunities for employment in the local area.

Arboricultural Impact

According to the comprehensive assessment by Skilled Ecology Consultancy Ltd, the development would demand the removal of some hedgerows and the modification of Root Protection Areas and crown reduction (pruning) of mature trees. Residents are very concerned that such treatment presents significant risks to tree life and to wildlife habitats. The village supports dedicated groups of volunteers, together with the Suffolk Wildlife Trust, in the conservation of the heath commons and woodland in the area.”

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	N/A	26 November 2019
Summary of comments: Conditions recommended to secure ground investigation.		

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	8 November 2019	4 December 2019
Summary of comments: Holding objection for more information on vehicular access.		

Non statutory consultees

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	8 November 2019	11 November 2019
Summary of comments: Conditions recommended to secure further investigation of ground contamination.		

Consultee	Date consulted	Date reply received
Ecology (Internal)	8 November 2019	4 December 2019
Summary of comments: Internal consultee; see report.		

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	8 November 2019	5 December 2019
Summary of comments: Internal consultee; see report.		

5. Publicity

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

Category	Published	Expiry	Publication
Departure	27 February 2020	19 March 2020	East Anglian Daily Times

Site notices

General Site Notice
Reason for site notice: New Dwelling; Contrary to
Development Plan
Date posted: 12 November 2019
Expiry date: 13 December 2019

6. Planning policy

National Planning Policy Framework (2019)

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

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

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

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

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

SP27 - Key and Local Services Centres (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

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

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

DM1 - Affordable Housing on Exception Sites (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

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

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

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

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

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

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

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

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

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

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

SSP1 - New Housing Delivery 2015 - 2027 (East Suffolk Council - Suffolk Coastal District Local Plan - Site Allocations and Area Specific Policies Development Plan Document (January 2017))

SSP38 - Special Landscape Areas (East Suffolk Council - Suffolk Coastal District Local Plan - Site Allocations and Area Specific Policies Development Plan Document (January 2017))

WwM P1 - Residential Development Management (Wenhaston with Mells Hamlet Neighbourhood Plan - 'Made' July 2018)

WwMP6 - Biodiversity (Wenhaston with Mells Hamlet Neighbourhood Plan - 'Made' July 2018)

WwMP7 - Local Landscape Value (Wenhaston with Mells Hamlet Neighbourhood Plan - 'Made' July 2018)

WwMP9 - Areas of Special Village Character (Wenhaston with Mells Hamlet Neighbourhood Plan - 'Made' July 2018)

WwMP11 - Drainage, Flood Risk and Energy (Wenhaston with Mells Hamlet Neighbourhood Plan - 'Made' July 2018)

7. Planning considerations

Principle of Development, Affordable Housing and Housing Mix

7.1 It is accepted that the application site lies outside the physical limits boundary adopted within the Wenhaston with Mells Neighbourhood Plan (WNP) which was 'made' in July 2018, and any application must therefore be tested against policies relating to residential development in such locations in both the Local Plan and Neighbourhood Plan.

- 7.2 In instances where the Council is able to demonstrate a five year supply of housing (as is currently the case), there is a policy of restraint for housing development (Policies SP29, DM3 and WwMP1) which should generally be directed to sites located within the settlement boundary.
- 7.3 Notwithstanding these policies, Policy DM1 of the Local Plan recognises the importance of the Council being an 'enabler' for the delivery of affordable homes. As such, it is recognised that a way of achieving affordable housing is to deliver sites outside the settlement boundaries, and to incentivise such there should be an element of market housing to enable the affordable housing to be delivered at a rate of one market house per three affordable houses.
- 7.4 The extant permission was supported by this policy completely as an exception site proposal fully in accordance with Policy DM1. The extant permission has established the principle of residential development on the land, and that represents the fallback position for this site.
- 7.5 The proposal now represents a departure from Policy DM1 as the development would comprise four open market dwellings and four affordable dwellings, going beyond the 1in3 allowances of the policy. That being said, there is benefit to the proposal beyond the extant permission: it would represent a more efficient use of the land at approximately 40 dwellings per hectare; and the large 5-bedroom dwelling would be omitted, with three additional 3-bedroom dwellings being provided instead.
- 7.6 The housing mix now proposed would be 50% as 3-bedroom dwellings; 25% as 1-bedroom dwellings; and 25% as 2-bedroom dwellings. That is a mix that broadly accords with the objectives of Local Plan policy SP3, and would provide a number of small and medium sized units for both affordable and open market housing.
- 7.7 Setting aside that the site is in the countryside, for planning purposes, it is of note that the development site is well related to settlement boundary, and would be read as a natural extension to the existing urban form. Wenhaston is a higher order settlement (Local Service Centre) and the site is within easy access of its services and facilities and is therefore considered to be a sustainable location. This also weighs in favour of the principle of development.
- 7.8 Whilst there is some conflict with Policy DM1, officers consider that the principle of residential development on the site is established by the extant permission, which represents a very realistic fallback position for the applicant. The proposal to increase the number of open market dwellings to four delivers a better housing mix and a more efficient use of land. That the site is adjacent the settlement boundary and sustainably located only indicates in favour of the proposals. Thus, whilst officers acknowledge that the proposal represents a departure from Policy DM1, it is considered that there are material grounds to support the principle of development despite that policy conflict.

Design and Impact on the Character and Appearance of the Area

- 7.9 The site lies adjacent an area of special village character, identified in the Wenhaston Neighbourhood Plan Policy WwM P9, which states that areas defined within the Proposal

map will be given special attention to their relationship with new development. Area 4 Blackheath Settlement, Blackheath Road is located within the Proposal map.

- 7.10 The current proposals respond to the eclectic mix of property sizes, and styles within the vicinity. Once developed officers consider that the design and appearance of the development would sit as a comfortable addition to the village. Furthermore, it could be argued that a well-designed scheme could improve the current appearance of the site which still contains remnants from its former use.
- 7.11 The development would be seen as an adjoin to the existing residential development, a logical extension to the urban form, which is located immediately adjacent and opposite and would not be read as a discordant feature. The proposed buildings are traditional in form and not out of character with the context. Their scale is appropriate, and the proposal would not be an overdevelopment of the site. Compared to the extant permission, it is actually a more efficient use of land and arguably the semi-detached 'cottage' style dwellings (plots 5-8) are better related to the prevailing property size in the vicinity. Accordingly, it is considered that the site is well designed and compliant with the objectives of WwMPP9, DM21, DM22 and SP15.

Residential Amenity

- 7.12 Policy DM23 of Local Plan and the NPPF both seek to ensure that there would be no significant or demonstrable impact on the amenity of neighbouring and future occupants of residential dwellings.
- 7.13 The north facing windows of the proposed development would be at least 25 metres from the front walls of dwellings to the opposite side of Blackheath Road. The private sides of existing residential properties would not be overlooked by development and, given the scale of the proposed buildings and separation distances (including an intervening highway), it is considered that there would not likely be any direct harmful impact from the built development on the amenities of local residents. Whilst there would be some traffic generation from the proposal, that would not likely be so significant as to cause harm to local living conditions, and the extant permission or the authorised nursery use could create similar activity, in any case. As the site context is predominantly residential in nature, the proposed use would form part of that and not be at odds with it, in terms of amenity.
- 7.14 The proposal site would make efficient use of land but the gardens to each plot would be acceptable with parking areas provided. Plots 7 and 8 have been amended during the application to make sure that first floor windows do not directly overlook plots 5 and 6, with their respective outlooks now to the south and north. Whilst there would be a relatively tight relationship between proposed buildings, it is not considered to be cramped or at the detriment to future occupiers living conditions.
- 7.15 The proposal accords with the residential amenity objectives of policy DM23 and the NPPF.

Highways Safety

- 7.16 It is proposed that this site is to be accessed from Blackheath Road to the north west of the site. Car parking and garaging is to be provided on the site.

- 7.17 Comments have been received from the Suffolk County Council Highways Officers registering a holding objection asking for further details on the proposed site access. This response does not acknowledge that access has already been approved under the extant permission, and in this application that access arrangement is again proposed. Whilst the two additional dwellings now proposed would generate some additional vehicle traffic, it is unlikely to be a considerable increase beyond the traffic arising from the extant permission for 6 dwellings if that were to be implemented.
- 7.18 It is also important to note that the former use of a nursery could be re-commenced lawfully with limited recourse to the local planning authority (save for the design and appearance of any buildings). The use of the site as a nursery, utilising the same access point, has the real potential to generate significantly more vehicular activity than the proposal.
- 7.19 In any case, the site is in a 30mph zone and Blackheath Road is relatively narrow. The site access is near to the Blackheath Road/Hall Road junction and, therefore, cars are likely to be travelling at a lower speed as they either approach the junction or leave it to travel along Blackheath Road.
- 7.20 Given the fallback positions (the extant permission for 6 dwellings or the lawful nursery use), in addition to the nature of the immediate road layout where vehicle speeds are quite low, the proposal is deemed to be acceptable, in highways terms, in accordance with the objectives of policy DM22 and the sustainable transport objectives of NPPF paragraph 109, which seeks to secure safe and suitable access for all users of development.

Flooding

- 7.21 The proposal site is located within flood zone 1, the lowest risk area sequentially preferable for residential development. The proposal accords with the flood risk prevention objectives of Policy DM28 of the Core Strategy.

Ecology

- 7.22 The site is part of a former nursery and from the information provided is predominantly comprised of hardstanding/bare ground with some colonisation by ruderal vegetation. The north, south and east boundaries are formed of hedgerows and there are a number of mature and semi-mature trees on the northern boundary, as well as on the eastern and western sides of the site.
- 7.23 The southern boundary hedgerow is not shown on the layout plan, although it is shown on the plans within the Tree Survey Report (Skilled Ecology, October 2019). This hedgerow separates the application site from Merton Wood and must be protected from any development impacts and retained for its landscape and biodiversity value.
- 7.24 Merton Wood and the site boundaries (particularly the southern boundary) will provide suitable habitat for nocturnal species such as bats, therefore should permission be granted a condition controlling external lighting must be applied to ensure that there is no illumination of the habitats within the neighbouring site.

7.25 In addition to the above, the site is within the Suffolk Coast Recreational Avoidance Mitigation Strategy (RAMS) Zone of Influence (Zone B) and therefore a financial contribution to the scheme (or equivalent mitigation identified via a Habitats Regulations Assessment (HRA)) would be required in order to mitigate in-combination recreational disturbance impacts on habitats sites (European designated sites). This must be secured prior to the application being determined as it was on the extant permission. Officers have carried out an Appropriate Assessment and consider that, with this mitigation secured, planning permission could be granted without a likely significant effect on the integrity of any designated European sites within the 13km zone of influence. Any recommendation to approve would be subject to the RAMS contribution being secured before a permission is issued.

Landscape and Trees

7.26 The proposal site is located in a special landscape area (SLA) therefore Policy SSP38 is relevant. This policy states that development will not be permitted in the SLAs where it would have an adverse impact on the qualities of the landscape that make it special.

7.27 There are five key trees affected by this development including the Oak just inside the former nursery entrance and the maturing Beech inside the corner of Blackheath Road and Hall Road. These together with the oak and field maples on the northern boundary can be retained provided that the various tree protection measures described in the submitted report are fully implemented. These include the usual protective fencing together with specialist driveway construction methods. Provided the described measures are fully implemented it is not anticipated that there will be any significant impacts on retained trees.

7.28 The site falls within an SLA and within the setting of the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB), the boundary of which is on the opposite side of Hall Road. To the north and west the site forms part of the existing village landscape. To the south there will be a degree of exposure to the open meadow area that forms part of Mertons Wood, although it should be noted that, unlike previous applications for this site, the southern site boundary hedge is now indicated in the supporting documents for removal, leaving this sensitive site boundary exposed to open countryside. Officers do not support the removal of this hedgerow, and therefore two recommended conditions require the submission of a tree/hedge protection strategy and landscaping proposals to be submitted and approved prior to commencement of development.

7.29 To the eastern edge of the site is also an existing hedge that is shown for retention. In the wider landscape, Mertons Wood will screen views from the south within the SLA. Mertons Wood young trees will also largely screen views from the east apart from a small gap directly east of the proposed building line. This will be partially screened by the existing hedge, and where there is visibility of the new development, it will be seen against the backdrop of the existing village built area.

7.30 The current appearance of the site is relatively unkempt and not of the prevailing landscape or settlement character. A well-designed housing scheme, such as that proposed, will appear as a logical semi-urban extension, and cause no harm to the SLA or setting of the AONB. Officers consider it necessary to control tree protection and site landscaping by

condition but, with those conditions applied, the scheme is acceptable in the context of policies SSP38 and SP15, in addition to WNP policies WwMP7 and WwMP9.

8. Conclusion

- 8.1 The site benefits from an extant planning permission (ref. DC/18/3899/FUL) for the development of six dwellings, to include four affordable homes and two open market dwellings, and the proposed scheme would result in no additional harm to the local residential environment. The design of development is acceptable, and the proposal would utilise a highways access already approved under the extant permission. The site is sustainably located adjacent the settlement boundary and forms part of a residential context.
- 8.2 Officers consider that, whilst the proposal represents a departure from Policy DM1 in terms of the ratio of affordable housing to open market housing, the more efficient use of land; the provision of additional smaller dwellinghouses; and the sustainable location of the site, indicate in favour of the proposal. There would also be benefits including (but not limited to): provision of four affordable homes; 8-dwelling contribution to housing supply; creation of short-term construction jobs; and spend by future occupants in the local economy. Those are benefits that, collectively, attract considerable weight and far outweigh any negatives, including the conflict with Policy DM1. The proposal therefore represents a sustainable form of development and officers recommend that planning permission be granted.

9. Recommendation

- 9.1 Authority to Approve, subject to officers securing the per-dwelling financial contribution to fund the Suffolk (Coast) RAMS, and with the recommended conditions.

Conditions:

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

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

2. The development shall be carried out in accordance with Drawing Nos. P1002 revB, P1005 and P1004 rev, received 26 May 2020; and P1001 & P1003, received 22 October 2019.

Reason: For the avoidance of doubt and to secure a properly planned development.

3. The materials and finishes shall be as indicated within the submitted application unless otherwise approved by the local planning authority.

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

4. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it and shall be retained in perpetuity. The scheme shall include:

- i. the tenure of the affordable housing provision to be made, which shall consist of not less than 4 affordable dwellings;

- ii. the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing;

- iii. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

- iv. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: In accordance with Policies DM1 and DM2 of the Core Strategy to secure the appropriate provision of affordable housing on the site.

5. No other part of the development hereby permitted shall be occupied until the existing vehicular access has been improved, laid out and completed in all respects in accordance with DM01; and with an entrance width of 4.5 metres. Thereafter the access shall be retained in the specified form.

Reason: In the interests of highway safety to ensure that the layout of the access is properly designed, constructed and provided before the development is commenced.

6. Prior to the development hereby permitted being first occupied, the vehicular access onto the highway shall be properly surfaced with a bound material for a minimum distance of five metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.

Reason: To secure appropriate improvements to the vehicular access in the interests of highway safety

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

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

8. The use shall not commence until the area(s) within the site shown on Drawing No. 1002 A for the purposes of loading, unloading and manoeuvring and parking of vehicles has been provided and thereafter those areas shall be retained and used for no other purposes unless otherwise approved by the local planning authority.

Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in the interests of highways safety.

9. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved 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 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 SP15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the heritage objectives of the National Planning Policy Framework.

10. 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 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.

11. No operations (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) shall commence on site in connection with the development hereby approved until the branch structure and trunks of all trees shown to be retained and all other trees not indicated as to be removed and their root systems have been protected from any damage during site works, in accordance with a scheme to be submitted to and approved by the Local Planning Authority.

The protective measures, including fencing, shall be undertaken in accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

Reason: This condition is a pre commencement condition to prevent damage to trees during construction

12. No development shall take place until a scheme of hard and soft landscaping has been submitted to and approved by the Local Planning Authority. The scheme shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development.

All hard landscaping works required by the approved scheme shall be carried out and completed prior to the first occupation of the development hereby permitted. All soft landscaping works required by the approved scheme shall be carried out in accordance with a programme to be agreed before development commences and shall be maintained including the replacement of any trees or plants which die are removed or become seriously damaged or diseased in the next planting season with others of a similar size or species, for a period for five years from the date of the approved scheme was completed.

Reason: This condition is a pre commencement condition in the interests of visual amenity to ensure an appropriately designed landscaping scheme is agreed at an early stage and implemented in a timely manner.

13. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to, and approved by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 9 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.

14. Prior to any occupation or use of the approved development the RMS approved under condition 10 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

15. A validation report must be submitted to and approved 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.

16. 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.

17. No external lighting shall be installed on the site or affixed to any buildings on the site unless the Local Planning Authority has first approved details of the position, height, design and intensity. The lighting shall be installed in accordance with the approved details before the use commences.

Reason: In the interests of visual amenity and biodiversity.

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:

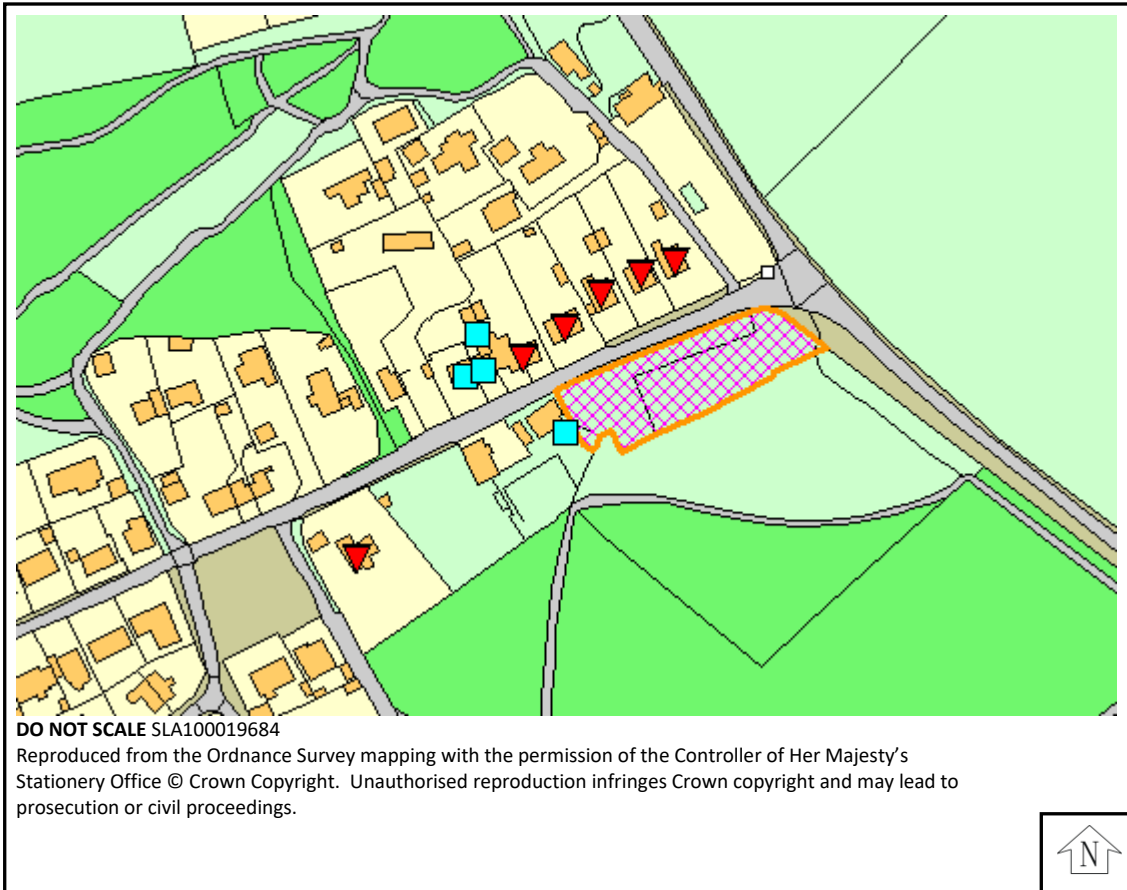
https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5

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





Background Papers

See application reference DC/19/4128/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PZS6THQXFKL00>

Map



Key

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