



Committee Report

Planning Committee South – 25 May 2021

Application no DC/21/0541/FUL

Location

Former Deben High School
Garrison Lane
Felixstowe
Suffolk
IP11 7RF

Expiry date 6 May 2021
Application type Full Application
Applicant East Suffolk Council

Parish Felixstowe

Proposal Hybrid Application - Full Application for the construction of 45 apartments and maisonettes and 16 houses in buildings ranging in height from 2 to 3 storeys, conversion of retained assembly hall to provide 250m² community space, 16 residential car parking spaces, 1 car park space for community hall, 137 cycle parking spaces, highways and public realm works, hard and soft landscaping, access and associated works and Outline application (with all matters reserved except for access, use and scale) for redevelopment and extension of retained sports hall to provide indoor bowls facility and cricket pitch with pavillion, 32 car parking spaces, 24 cycle spaces, landscaping and associated works. All matters reserved except for access, use and building heights.

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1 Summary

1.1 The proposal is a hybrid planning application for the redevelopment of the former Deben High School on Garrison Lane in Felixstowe. The application is made in two parts. The FUL aspect deals with the residential element of the proposal and the OUT submission relates

to the sports provision. Section 2 of the report provides further clarification on the nature of the proposal.

- 1.2 The proposed development is considered to be an innovative, high quality design introducing a wide mix of properties, high level of affordable housing and high sustainability credentials, with the properties designed to Passivhaus standards, on a vacant brownfield site in a highly sustainable location. Whilst noting the objections received, the benefits of the scheme, as contained in Section 2 of this report, outweigh the limited perceived harm in this instance. It is also important to acknowledge the support received, including that from Suffolk Preservation Society

Reason for Committee

- 1.3 The application is referred to the South Planning Committee as East Suffolk Council is both the applicant and landowner and therefore in accordance with the Scheme of Delegation (as laid out in the Constitution) there is a requirement for all such applications to be determined by elected members.
- 1.4 Members attention is drawn to the consultation responses contained in section 4 of this report highlighting the significant level of public interest in the application. The comments of all responders (with the exception of the Town Council) are summarised with the full transcripts being available on the Council's Public Access system.

Recommendation

- 1.5 The application is recommended for approval subject to the imposition of appropriate conditions. Members should note that as East Suffolk Council is landowner it is not possible to enter into a Section 106 Agreement (S106) with itself, and therefore matters which would under normal circumstances be dealt with via a legal agreement are in lieu dealt with by planning condition. Where S106 requests have been sought, the assessment of these is contained in the relevant section of the report.

2 Site description

- 2.1 The 3.98 hectare application site is located within the settlement boundary of Felixstowe and within a sustainable location close to services and facilities to support additional residential development.
- 2.2 The proposed development site consists of an existing school building and its associated car park, sports hall, and ancillary buildings. The use of the site is currently vacant with the school use (Deben High School and latterly Felixstowe International College - FIC) having been abandoned and re-homed in alternative locations.
- 2.3 Primary vehicular, pedestrian and cyclist access to the site is provided off Garrison Lane to the east of the site, with further pedestrian and cyclist access provided via Valley Walk to the north. There is currently no public access to the site.
- 2.4 The site is well connected to transport links and sits within close proximity to Felixstowe National Rail Station to the north-east.

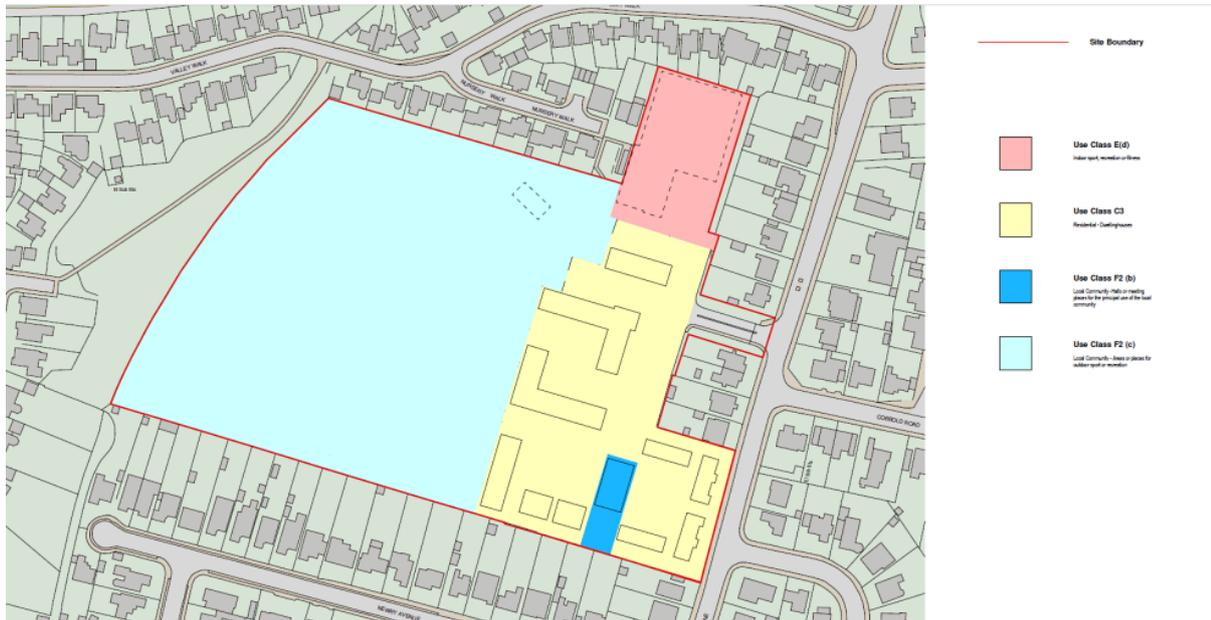
- 2.5 Bus services run along Garrison Lane directly adjacent to the eastern boundary with links to Woodbridge and Ipswich. Local amenities are a approximately a six minute walk from the site and it is a 12 minute walk to the seafront.
- 2.6 The site is bound by predominately residential buildings of between 2 and 2.5 storeys in height with large pitched roofs. The site comprises a number of school buildings including a sports hall in the north east corner, which will be re-purposed to provide an indoor bowls facility and assembly hall which will be retained for community use.
- 2.7 Along the eastern edge, part of the site fronts onto Garrison Lane, with the remainder backing onto the rear gardens of existing houses at 107-113 and 117-127 Garrison Lane.
- 2.8 To the north and south the site is bound by the rear gardens of houses along Valley Walk, Nursery Walk and Newry Avenue. To the west is the existing school playing field which will be re-purposed as a cricket pitch.
- 2.9 The primary vehicular access is along the eastern boundary, off Garrison Lane. The topography of the site is generally flat.
- 2.10 There are a number of mature trees which bound the back gardens to residential properties, none of which are protected. To the west of the site there is a park separated from the site by a band of trees and a secure metal wire fence. None of the trees are protected.

3 Proposal

- 3.1 Planning permission is sought for the entire site including the access and public realm for the proposed leisure facilities which are submitted in outline, with the proposals for residential development and the conversion of the existing school hall building submitted in detail:
 - Full application for the construction of 45 apartments and maisonettes and 16 houses in buildings ranging in height from two to three storeys, conversion of retained assembly hall to provide 250m² community space, 61 residential car parking spaces, 1 car parking space for community hall, 137 cycle parking spaces, highways and public realm works, hard and soft landscaping, access and associated works.
 - Outline application (with all matters reserved except for access, use and scale) for redevelopment and extension of retained sports hall to provide indoor bowls facility and cricket pitch with pavilion, 31 car parking spaces, 24 cycle spaces, landscaping and associated works. All matters reserved except for access, use and building heights.
- 3.2 A hybrid planning application is one where it seeks outline planning permission for one part of the submission and full planning permission for another part of the same site. The term 'hybrid' is not set out in statute and is at the discretion of a local authority as to whether to accept such a submission. The application is therefore seeking approval for the detail for the residential element. A further reserved matters submission will be required to be submitted for the outline element in due course, and upon receipt will be subject to

appropriate consultation in accordance with the Council's Statement of Community Involvement (SCI).

- 3.3 The plan below (reference A-PL-X (03)-135 Revision 00 sets out the parameters of the proposal. As can be seen the majority of the development is on a small portion of the site and only on land currently occupied by built form. The remainder is to be within use classes E and F of the Use Classes Order, for community use.



- 3.4 The redevelopment of this brownfield site will retain and refurbish two existing buildings and provide 61 new homes (at a density of 53 dwellings per hectare) designed to Passivhaus standards, including 16 houses, 45 apartments and maisonettes, a new indoor bowls facility, a community hall, 93 parking spaces, 163 cycle parking spaces, cricket pitch and landscaped courtyards. Vehicular access to the site would be secured via the current access off Garrison Lane.

- 3.5 The proposed dwellings to nationally described space standards plus 5% to enable home working, a particular benefit arising from the Covid-19 pandemic. In addition, all homes are to be dual aspect to ensure that rooms receive good daylight and natural ventilation and constructed in manner which ensures they are fully accessible, and in their broadest sense, lifetime homes.

4 Consultations/comments

- 4.1 There have been sixty letters of representation received. Of those letters, fifty make representations of objection; two are representations of support; and eight are neutral representations offering comments on the scheme.

- 4.2 In the letters/emails of objection received, the key planning issues raised (inter alia) include:

- There has not been appropriate consultation as the national lockdown has meant that usual practices have not been followed.

- The applicant has not followed Paragraph 128 of the National Planning Policy Framework which expects applicants to work closely with those directly affected by the proposals.
- Design & detrimental effect upon residential amenities.
- Landscape Impact.
- Parking/Traffic generation.
- There are already new housing developments in Trimley St Martin consisting of 640 properties, 150 in Trimley St Mary, 1800 in Felixstowe and 2000 more as a result of the Felixstowe Garden Neighbourhood.
- Overlooking and potential loss of light to the rear garden of properties on Garrison Lane.
- Object to the removal of the existing fence as it provides a boundary that works both ways, e.g., keeping dogs and small children within Valley Walk, and keeps sports field activities within the field.
- Design concept is inappropriate and unsympathetic to the existing and established developments surrounding the Deben School site.
- Existing properties are predominantly of a pitched roof design and the flat roof green space proposal is ugly and unwelcome.
- If residents have access to the green roof space, there are serious concerns regarding privacy and unsociable behaviour.
- The three storey buildings exceed the height of the current two storey school buildings backing onto Newry avenue. This proposal for the whole site should be of two storey dwellings with pitched roofs.
- The balance of private to social housing is unacceptable and will eventually lead to the deterioration of the site over time and possibly unwanted anti-social behaviour.
- Inadequate parking provision for the development, including both housing and leisure elements.
- Concern that development will impact protected trees and area of habitat.
- Open plan nature of the proposals could cause anti-social behaviour.
- Poor housing mix contrary to policy.
- The height of the three-storey accommodation is unacceptable and is only four metres away from the existing Newry Avenue property fence line.
- Unclear who will maintain the village green.
- Inadequate parking provision of only 16 parking spaces will lead to unsafe parking on local roads where there is already congestion.
- Electric car charging points should be provided.
- Only one blue badge (disabled) space provided for the community centre.
- Development will destroy the area that is a haven for wildlife, such as Herons, Bats, Woodpeckers, Squirrels, Monk Jack Deer, Lizards, Newts and Badgers plus many species of other Fauna and Flora.
- Noise and vibration damage to residents with either 60plus underground heating pump units or a massive single pump house continually vibrating and humming to provide circulated heating.
- Density of development far too high and therefore out of character.
- The vehicle access onto Garrison Lane will be unsafe.
- Current building to be demolished is full of asbestos.
- The increase in traffic will worsen existing congestion problems in surrounding roads.
- Three-storey block will have an overbearing impact on property at Newry Avenue.

- 137 cycle spaces will not solve the parking issue.
- Lack of detail in the outline element of the proposals is a concern.
- Balconies and high-level windows will overlook residential property.
- Use of the sporting facilities would see football and cricket balls sailing over the boundary into private gardens.
- Further information needed on flood risk and surface water drainage.
- The proposal does not adequately reduce conflicts between pedestrians and cyclists at the road junctions.
- The existing building is of historic value and therefore its loss is a negative.
- Allowing access to the small park area enables easier access to the end of Valley Walk and will increase crime opportunities and greater unsociable behaviour.
- Three storey buildings will be considerably taller than buildings they replace.
- Accessible roof space on three-storey buildings will act as a fourth storey in respect of the overlooking of gardens.
- Design is lacking a designated pedestrian walkway to the gate of Colneis Division HQ building.
- The proposed placement of trees so close to the existing Colneis Division Headquarters affect the light foundations of the headquarters being an impermanent building.
- The stand of trees behind the proposed pavilion to the west of the CDCHQ would block the light to the building, as the side which faces the sports field has the majority of the windows.

4.3 The key planning issues raised in letters of support include (inter alia):

- Development on a brown field site.
- The retention of the playing field supporting sport, health and well - being.
- The commitment to reducing carbon emissions and protecting the environment in the design.
- The range of dwellings which include a good proportion of affordable homes.
- Shared green spaces with an emphasis on biodiversity should also help support a sense of well - being and community.

Consultees

Consultee	Date consulted	Date reply received
Felixstowe Town Council	17 February 2021	25 February 2021
<p>The Town Council welcomes the overall concept and principle of development and housing on this site. However, we have carefully considered the wide range of issues raised by this development and certain aspects are of great concern. We therefore recommended REFUSAL unless the following can be addressed:</p> <p>i) we are concerned about the height, massing, and intrusion – with the consequential increasing in overlooking - arising from the south-western elevation of Block D (some 12.5m high) on the amenity of residents at Newry Avenue, in contravention of SCLP11.1 (c)iii where it relates to height</p>		

and massing and SCLP11.2(a) in respect of privacy and overlooking. We would seek a modification to reduce that elevation to two storeys.

ii) the parking does not accord with SCC parking standards. The applicant asserts that this is mitigated by being a “town centre” development. We do not think this is appropriate analysis and believe that usual standards should be adhered to.

With reference to the outline element of this hybrid application, relating to the sports facilities, Committee recommended APPROVAL subject to there being no overall increase to height and massing of the elements adjacent to Valley Walk and Nursery Walk.

Statutory consultees

Consultee	Date consulted	Date reply received
Environment Agency	17 February 2021	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Natural England	11 March 2021	1 April 2021
Summary of comments: No objection		

Consultee	Date consulted	Date reply received
Suffolk County Council Archaeological Unit	17 February 2021	25 February 2021
Summary of comments: No objection and no mitigation required		

Consultee	Date consulted	Date reply received
Suffolk County Council Flooding Authority	17 February 2021	10 March 2021
Summary of comments: Holding objection on insufficient information (see report for details)		

Consultee	Date consulted	Date reply received
Suffolk County Council - Highways Department	17 February 2021	2 March 2021
Summary of comments: Holding objection due to lack of parking		

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	17 February 2021	8 March 2021
Summary of comments: Would look for funding through CIL		

Non-Statutory Consultees

Consultee	Date consulted	Date reply received
Head of Environmental Services and Port Health	17 February 2021	25 February 2021
Summary of comments: Recommend conditions		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	17 February 2021	9 March 2021
Summary of comments: No objection – make the following comments: Recommend that swift nest bricks be incorporated into the scheme The permission should be subject to a lighting strategy A biodiversity Enhancement Strategy should be produced		

Consultee	Date consulted	Date reply received
Ecology (Internal)	17 February 2021	No response
Summary of comments: Internal Planning Services Consultee, comments included within Planning Considerations section of this report.		

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	17 February 2021	No response
Summary of comments: Internal Planning Services Consultee, comments included within Planning Considerations section of this report.		

Consultee	Date consulted	Date reply received
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Head of Housing (Internal)	17 February 2021	26 February 2021
Summary of comments: Support the proposal – the comments are embodied within the report		

Consultee	Date consulted	Date reply received
Disability Forum	17 February 2021	26 February 2021

<p>Summary of comments:</p> <p>Welcome the intention that all dwellings will meet Part M4(2) of the building regulations and will therefore be accessible and adaptable. We also note that 3 dwellings will meet Part M4(3) and be fully accessible to wheelchair users.</p> <p>The hall should include a disabled toilet.</p> <p>All footpaths should be wide enough for wheelchair users, with a minimum width of 1500mm, and any dropped kerbs should be absolutely level with the road for ease of access. Surfaces should be firm, durable and level. No loose gravel, cobbles or uneven setts should be used. It is important that the setts are laid so that they are level with the grouting.</p> <p>The intention to provide Play Streets is interesting and these should also be inclusive in their design.</p> <p>Note that that the planning application in relation to the indoor bowls and cricket pitch pavilion seems to be outline. We would simply say at this stage that the pavilion needs to be fully accessible as a reminder for when a full planning application is made. There is no information that we can see that refers to the layout of the pavilion though we did find a reference to the provision of three blue badge parking spaces.</p>		
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Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	17 February 2021	19 February 2021

Summary of comments: No additional water supply is required		
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Consultee	Date consulted	Date reply received
Network Rail Property (Eastern Region - Anglia)	17 February 2021	26 February 2021

Summary of comments: No objections		
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Consultee	Date consulted	Date reply received
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Police – Design out Crime	17 February 2021	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Suffolk County Council Section 106 Officer	17 February 2021	5 March 2021
Summary of comments: Funding to be secured via CIL and S106		

Consultee	Date consulted	Date reply received
CIL (Internal)	17 February 2021	No response
Summary of comments: Internal Planning Services Consultee, comments included within Planning Considerations section of this report.		

Consultee	Date consulted	Date reply received
Sustrans (East Of England)	17 February 2021	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Head of Economic Development (Internal)	17 February 2021	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Planning Policy (Internal)	17 February 2021	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	17 February 2021	11 March 2021

Summary of comments:

Internal Planning Services Consultee, comments included within Planning Considerations section of this report.

Consultee	Date consulted	Date reply received
Waste Management Services - East Suffolk Norse	17 February 2021	No response

Summary of comments:

No response received

Consultee	Date consulted	Date reply received
Major Sites (Internal)	17 February 2021	16 April 2021

Summary of comments:

Internal Planning Services Consultee, comments included within Planning Considerations section of this report.

Consultee	Date consulted	Date reply received
Felixstowe Society	N/A	19 March 2021

Summary of comments:

Object to the application in that it is out of keeping with the character of the area. The proposal is over-development leading to inadequate space around buildings, insufficient parking and loss of privacy to neighbouring proposals.

Consultee	Date consulted	Date reply received
East Suffolk Drainage Board	N/A	22 March 2021

Summary of comments:

Recommend that ground investigation be carried out to determine the infiltration potential of the site and the depth to groundwater. If on-site material were to be considered favourable then we would advise infiltration testing in line with BRE Digest 365 (or equivalent) to be undertaken to determine its efficiency.

Consultee	Date consulted	Date reply received
Suffolk Preservation Society	N/A	19 April 2021

Summary of comments:

Support the proposal

Publicity

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

Category	Published	Expiry	Publication
Major Application	25 February 2021	18 March 2021	East Anglian Daily Times

Site notices

General Site Notice	Reason for site notice: Major Application Date posted: 26 February 2021 Expiry date: 19 March 2021
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5 Planning policy

- 5.1 National Planning Policy Framework 2019
- 5.2 East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020 policies:
 - SCLP10.1 - Biodiversity and Geodiversity
 - SCLP11.1 - Design Quality
 - SCLP11.2 - Residential Amenity
 - SCLP11.3 - Historic Environment
 - SCLP11.6 - Non-Designated Heritage Assets
 - SCLP11.7 - Archaeology
 - SCLP10.1 - Biodiversity and Geodiversity
 - SCLP5.8 - Housing Mix
 - SCLP5.10 - Affordable Housing on Residential Developments
 - SCLP7.1 - Sustainable Transport
 - SCLP7.2 - Parking Proposals and Standards
 - SCLP8.1 - Community Facilities and Assets
 - SCLP8.2 - Open Space
 - SCLP9.1 - Low Carbon & Renewable Energy
 - SCLP9.2 - Sustainable Construction
 - SCLP9.6 - Sustainable Drainage Systems
 - SCLP10.3 - Environmental Quality

6 Planning considerations

Planning Considerations

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. For the purposes of this application, the

Development Plan comprises the Suffolk Coastal (East Suffolk) Local Plan (adopted September 2020).

6.2 The NPPF (2019) is a material planning consideration and also states in paragraph 47 that

"Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing".

6.3 Paragraph 38 of the NPPF further states that:

"Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible."

Principle of development

6.4 The application site is located within the defined settlement boundary of Felixstowe and is in a sustainable location close to services and facilities required to support additional residential development.

6.5 The site is considered to be part brownfield/part greenfield with the existing school buildings (dating from around 1930) vacant and surplus to education requirements. Deben High School was subsumed within the new Felixstowe Academy site on a new campus in Walton in 2011 and more recently the buildings were occupied by Felixstowe International College who have since moved to new premises in Maybush Lane in Felixstowe. The educational provision therefore has remained in the town and there is accordingly no net loss in education facilities. As will be noted later, however, there is a net gain in public access to the site.

6.6 The proposed development is considered to be a suitable location for additional residential development, subject to matters of detail, and would be a compatible land use with the prevailing character of the surrounding area being residential in nature. The development would also seek to utilise an existing vacant brownfield site, which accords with paragraph 118 (c) of the NPPF which states that *"planning decision should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land"*.

6.7 Development of the site would constitute a windfall site for the purposes of housing delivery by virtue of its location within the settlement boundary. The Council's five year housing land supply (HLS) includes a windfall provision within its calculation. Paragraph 70 of the NPPF states that where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. In respect of this application, it is prudent to note that the application has been made in detail with specific design criteria with a commitment that East Suffolk

Council will deliver the development itself. This, in the opinion of officers, provides sufficient comfort that there is a real intent to deliver this housing within a meaningful time period

- 6.8 The western and northern parts of the site are to be retained in community use to provide a new bowls facility and cricket pitch. The existing assembly hall is also proposed to be retained to provide a 25sqm community hall. This element of the proposal was as a direct result of initial discussions with ward members and will not only secure the retention of the most historic and important aspect of the school, but also provide a modern community facility which can be easily accessed by a large geographical area.
- 6.9 It is the opinion therefore of officers that the mix of uses on the site is a sustainable, well considered balance of a number of uses which provide significant benefit to Felixstowe as a whole. The increased access of the site to the public is a benefit for the local and wider community.

Mix of housing and Density

- 6.10 The proposed application provides for the following mix of housing:

	1 bedroom	2 bedrooms	3 bedrooms	4+ bedrooms	Total
Market	2	9	2	6	19
Affordable	18	18	4	2	42
Total	20	27	7	8	61

- 6.11 The proposed development will provide for 69% of all dwellings to be affordable, set against the requirement as set out in Policy SCLP5.10 which seeks one in three units to be affordable. There is therefore an over-provision of affordable dwellings when testing against policy. Of the affordable homes, 32 are proposed as affordable rent with the balance of ten units being shared ownership for local people.
- 6.12 It is acknowledged that this is a concern of a number of local residents (but notably not the Town Council) as can be seen in the third-party consultation responses who perceive there to be an imbalance within the wider community and therefore would like to see a reduction in the level of affordable provision. Conversely, the Council's Head of Housing considers the scheme (including this mix) to be an exemplar scheme and supports accordingly.
- 6.13 The East Suffolk Housing Strategy (2017 - 2023) identifies the affordability of housing as a key challenge and includes an area of focus around having a more proactive role towards supporting the delivery of affordable housing in East Suffolk. The provision of affordable housing through the development of market housing is an integral part of the delivery of the East Suffolk Housing Strategy, including through investing commuted sums into additional affordable homes and achieving on-site affordable homes which provide the right mix of sizes and tenures to meet local need. Whilst noting the concerns of local residents, officers consider that the over-provision of affordable housing is a significant benefit weighing in support of the scheme and should not be considered as a negative aspect when weighted up against the benefits of the scheme.

- 6.14 In terms of the mix of unit sizes, Policy SCLP5.8 sets out the policy requirement for all sites being promoted for residential development. The policy states that new development should provide a mix of housing tenures, types and sizes appropriate to the site size, characteristics and location, reflecting where feasible the identified need, particularly focusing on smaller dwellings (one and two bedrooms). Referring back to the table above, it is evident that the scheme is looking to focus on smaller units of accommodation, namely the one and two bedrooms, which accords with the thrust of this policy.
- 6.15 Turning to the justification for the policy (reference made to paragraph 5.38 of the Local Plan), the Strategic Housing Market Assessment (SHMA) provides conclusions on the size of property needed in each tenure for the former Suffolk Coastal District as a whole. Evidence shows that whilst there is a variation between tenure, overall, there is a need for all sizes of property and that across all tenures there is a need for at least 40% to be one- or two-bedroom properties. Consultation feedback on this document suggests a relatively high level of demand for smaller properties, particularly those to meet the needs of first-time buyers or those looking to downsize. At present, around 30% of all properties in the plan area are one or two bedrooms, and therefore the need for 40% of new dwellings over the Plan period should not be underestimated. To ensure that smaller properties are delivered, and in particular recognising the issues around affordability and the potential demand for properties for downsizing due to the ageing population, a particular focus on smaller properties has been identified. It is acknowledged by the Council that, depending on the character of the surrounding area, some sites may present a greater opportunity to secure smaller properties and consideration will therefore be given to surrounding densities and character in this respect.
- 6.16 The table below identifies the Plan wide housing need (updated in 2019):

Number of Bedrooms	Percentage of District Wide
1	12%
2	29%
3	25%
4+	33%

- 6.17 Looking at density, as noted in the section 3 of this report, the scheme proposes a density of 53 dwellings per hectare. There are no policies in the Local Plan relating to set densities, rather policy SCLP11.1 seeks to ensure high quality design which seeks to ensure that new developments (regardless of scale) respond positively to the local context with criteria c) seeking the following criteria is respected:
- i. the overall scale and character should clearly demonstrate consideration of the component parts of the buildings and the development as a whole in relation to its surroundings;
 - ii. the layout should fit in well with the existing neighbourhood layout and respond to the ways people and vehicles move around both internal and external to existing and proposed buildings;
 - iii. the height and massing of developments should be well related to that of their surroundings;

iv. there should be a clear relationship between buildings and spaces and the wider street scene or townscape; and v. high quality materials appropriate to the local context should be used.

6.18 Turing to national guidance as laid out in the NPPF, paragraph 122 states that decisions should support the efficient use of land which includes maintaining an area's prevailing character and setting and secure well-designed, attractive and healthy places. It is not the case that just because the density is high, and indeed higher than the surrounding traditional residential area, it is wrong or over-development, but that consideration has to be had to how efficient the use of the land is and the quality of the design in terms of layout and appearance. The design elements are considered further in the report, as are the impacts in residential amenity

6.19 It is the view of officers that given the significant number of smaller units of accommodation on site and noting that the existing buildings occupy a large built footprint this level of density is something that should be supported as efficient use of land in a location which delivers a large number of smaller units of accommodation in a highly sustainable location.

Open space, community and sports provision

6.20 The proposed development, as noted earlier in the report, provides a significant level of community facilities. Within the residential element of the proposal, a community space amounting to 250sqm is set aside for a community space (use class F2(c)) following proactive dialogue with Ward Members. The space is intended to be flexible and to be managed by East Suffolk Council, as responsible landowner, which will ensure control over bookings and nature of use in the interest of residential amenity. This element is included in full within the application.

6.21 Outside of the residential element (reference drawn back to the parameter plan in this report), it shows that a significant proportion of the site is to be set aside for indoor and outdoor sport. This is the outline element of the proposal. Felixstowe Town Council recommend approval of part of the application. The existing sports hall is to be extended and adapted as an indoor bowls facility and the existing sports field to become a cricket pitch, which will also be open to the public with new footpaths around the pitch providing pedestrian links to Valley Walk and the adjacent park.

6.22 Policy SCLP8.1 advises that proposals for new community facilities and assets will be supported insofar that it meets the needs of the community, is of a proportionate scale, well related to the settlement to which it serves and would not adversely affect existing facilities. It is important to note that when discussing the community, it is not the immediate geographical area but the wider Felixstowe community and it is considered that the publicly accessible open space, cricket pitch and bowls facility will be an asset for the community as a whole. This element of the proposal accords with the aforementioned policy and also SCLP8.2 which seeks to ensure the provision of open space. It is also important to note that the site as existing offers no public use and therefore this scheme offers betterment of accessible open space.

6.23 Additional open space is included within the residential element of the scheme in the form of courtyard gardens and spaces which are intended to be communal in their use which helps create inclusive communities.

Sustainability credentials of the residential element

6.24 Policy SCLP9.2 seeks to promote the use of sustainable construction on all residential development in excess of ten units. This ethos is again picked up in the NPPF with particular reference drawn to paragraphs 153 and 154 which strongly promote the use of renewable or low carb energy when considering planning applications.

6.25 The planning application has been supported by a detailed Design and Access Statement prepared by Tate Hindle. Section 4.9 details the sustainability approach for the site. A further energy and sustainability statement (prepared by CBG consultants) accompanies the application and describes the calculations and design strategies used to address the relevant planning requirements regarding sustainability, energy efficiency and carbon emissions. The report makes the following statements:

- Construction Waste & Materials - In addition to considering the environmental impact during operation, the scheme intends to address the impact of the materials selected and construction process. Further details will be developed during the detailed design stage when the construction type and method is finalised.
- Water Efficiency - Sample calculations have been performed to show that the water efficiency meets the planning target of 110 litres/person/day for the flats. The inclusion of rainwater harvesting to the houses results in a water efficiency target of 89 litres/person/day. This is below the requirement as per Part G.
- Energy & Carbon - Passivhaus calculations have been performed to show the scheme can achieve the Passivhaus Classic target. However, with house types 1 & 3 the pass is only by a small margin, so careful consideration to heat losses will need to be given during their detailed design.
- Building Regulations & Planning - The Standard Assessment Procedure (SAP) calculations have shown that the dwellings are capable of comfortably exceeding the planning target for a 20% improvement over building regulations.

6.26 In respect of this application all dwellings are to be designed to Passivhaus standard, which is the standard for design and construction of environmentally comfortable buildings that are highly energy efficient, which results in reduced running costs for tenants and occupiers. The principles behind Passivhaus are:

- Orientation of blocks to maximise passive solar gain
- Simplification of the building form, reduction of thermal bridges and an airtight building envelope
- Allowance in walls for higher levels of insulation
- Allowance for background mechanical ventilation with heat recovery (MVHR) in dwelling layouts
- High performance triple glazed windows with appropriate natural purge ventilation. Consideration of window placement and sizing to benefit from free heat in winter and cross ventilation

- Reference to the Passive House Planning Package
- (PHPP) and engagement with a Passivhaus consultant
- Allowance for Air source heat pumps, photovoltaic panels and green roof's is also included in the developing layout.

6.27 The proposed development incorporates sustainability in a holistic way, considering environmental, economic and social issues such as:

- Improved well-being for occupants/users
- Pedestrian and child-friendly design
- Passive design principles including orientation
- Natural ventilation and daylighting;
- Reduced construction costs and waste through efficient use of materials
- Monitoring for ease of building/estate management
- Reduced embodied carbon by re-using existing buildings
- Lower operational costs for occupants and landlords
- 'Fabric first' approach to minimise energy use and address fuel poverty
- Allowances for future sustainability requirements
- Renewable energy in the form of solar panels to power common areas
- Opportunities for social interaction such as food growing and play spaces

6.28 The proposal as designed shows a strong commitment to the highest levels of sustainable development, exceeding requirements laid out in policy. This is a significant benefit of the proposal which should not be underestimated.

Highways Considerations

- Access and Internal Layout

6.29 Vehicular access to the site is via the existing access point off Garrison Lane. When the school was operational (particularly in its guise as Deben High School) this access point was heavily utilised by school traffic, both in connection with members of staff but also parents dropping off and collecting. Whilst this activity would have decreased with the use by Felixstowe International College, when considering its use class as an educational establishment, any fall back would have the potential to generate significantly greater levels of vehicular activity than the proposed residential and community use. This is a material consideration.

6.30 It is noted that the Highways Authority are seeking additional information regarding the access as below:

"It is noted that the main development access is being retained but no details are provided on the footway provision or the transition to the proposed shared surface roads. This information is necessary to ensure that the proposal provides suitable pedestrian facilities in accordance with NPPF 108 and 110. Similarly, no details of the access arrangements for the four no. dwellings that would front Garrison Lane or the proposed separate pedestrian/cycle have been provided. As these would be located adjacent to a existing Zebra Crossing, some may not be feasible so details of this is required to ensure that the proposed access arrangements are acceptable. It is also noted that the SCHOOL KEEP CLEAR and zig-zag

markings next to the main access remain and these will need to be removed as part of the highway works required to complete the access works within the highway".

6.31 Given that this is an existing situation and has a reduced impact than the previous lawful use, it is not considered that the requests from the Highways Authority are reasonable in this regard or meet the tests of condition imposition. The removal of the existing school signage is a matter which can be resolved outside of the planning application and would be under the remit of the Highways Authority. The relevant sections of the NPPF are paragraphs 108 and 110 which seek to ensure that highways impacts can be appropriately mitigated and priority should be given to cycle and pedestrian permeability and reduce conflict with the private car. It is the assessment of officers that the proposed development complies with these provisions.

6.32 It is accepted that the internal layout of roads within the site would not be adopted by the Highways Authority and this is a deliberate design of the scheme to encourage and facilitate shared space and a more communal, fluid way of living rather than conforming to rigid highways guidelines which would disrupt the design ethos of the site. These areas would however come under the control of a management company to ensure that their maintenance can be secured in perpetuity in the interest of visual amenity and so as not to dilute the design principles.

- Parking Provision

6.33 For the residential element of the scheme, it is proposed to provide parking at a level of one space per dwelling, i.e. providing 61 spaces including three blue badge spaces (5% provision). An additional 31 spaces are to be provided for the indoor bowls facility, including a further three blue badge spaces.

6.34 In addition to the vehicle parking, covered secure cycle parking has been provided for Covered, secure cycle parking has been provided for each of the 61 homes, a total of 122 spaces. An additional fifteen spaces for visitors have also been provided making a total of 137 spaces. 24 cycle parking spaces have been provided for the indoor bowls facility.

6.35 In respect of this, Felixstowe Town Council comment as follows:

"the parking does not accord with SCC parking standards. The applicant asserts that this is mitigated by being a "town centre" development. We do not think this is appropriate analysis and believe that usual standards should be adhered to".

6.36 The perceived insufficient provision of parking has also been raised by a number of third parties, as can be seen in section 4 of this report (the full transcripts of these comments are available on the Council's public access system). The County Council, as Highways Authority, have raised similar concerns in their holding objection noting that whilst they support a reduction in their standards in highly sustainable locations, and they would do so in this case, they are of the view that a single parking space for the four-bedroom dwellings, of which there are only eight, is insufficient. The County Council further state:

"For dwelling parking (that we regard as origin parking), we do not accept that on-street parking on neighbouring roads (particularly A class roads such as Garrison Lane) should be considered as overflow parking for any shortfalls in on-site parking provision. It is likely

that the dwellings and to a greater extent the other proposed facilities will result in an increase in the likelihood of parking on the surrounding highway network."

- 6.37 Firstly, it is important to acknowledge that the parking guidance referred to in the Town Council response has not been adopted by East Suffolk Council, although remains a material planning consideration. As noted elsewhere in the report, the ethos behind this proposal is to instigate the highest possible sustainability credentials and act as a vanguard for other proposals across the district. High levels of suitability include designing schemes which are not predicated on parking or cars and look to encourage alternative modes of transport. Paragraph 108 of the NPPF acknowledges this by stating that applications should ensure that there have been appropriate opportunities to promote sustainable modes of transport.
- 6.38 The site is in a highly sustainable location (approximately 0.25 miles to the town centre) where there is ease of access to public transport, education, community facilities, employment and retail to meet the needs of any future occupier. The Highways Authority have accepted that the site can support a reduction in parking standards but are concerned over the four-bedroom units (which amount to only eight dwellings across the site). All dwellings do have a parking space (with vehicle charging points) and in addition have secure cycle storage. There is also a public car park (Garrison Lane) in close vicinity of the site which can be used by residents and visitors alike. It must also be acknowledged that many town centre properties do not benefit from on-plot parking and rely solely on street parking and use of public car parks.
- 6.39 The parking provision associated with properties will be clear to any prospective occupier and there is an argument of caveat emptor on this matter.
- 6.40 Policy SCLP7.2 deals with parking and states the following:
- "Proposals will be expected to have regard to the parking standards contained in the Suffolk Guidance for Parking (including subsequent revisions), excluding the elements of the Guidance related to 'Residential Parking Design', unless other local planning considerations indicate otherwise."*
- 6.41 It is considered in this instance that the increase in parking within the development would conflict with the high sustainability criteria set for the development and also create a distraction from the design approach of minimal private hardstanding and incorporation of communal spaces which are devoid from vehicular activity as far as possible, whilst accepting that properties will require a level of provision.
- 6.42 East Suffolk Council has around 4,500 homes across the District. Just over 50% of the Council's housing stock offers allocated or designated parking. Parking statistics taken from the Office for National Statistics shows Felixstowe to have a dwelling to parking ratio of 1:1.12 (including cars and vans). The Office for National Statistics also conducted a sample survey which identified 36% of social rented tenants had access to one vehicle, this reduced to 7% for access to two vehicles.
- 6.43 Noting the national and local statistics and sustainability aspirations for the scheme the proposal for 1:1 parking is believed to be sufficient.

- Funding requests from Suffolk County Council

6.44 Suffolk County Council have sought S106 contributions in relation to the following:

- £20,000 towards RTPi (real time passenger information) screens at two bus stops in the vicinity
- £25,000 for investigation, consultation, legal order and physical road marking and signage works relating to reducing on-street parking provision in the vicinity.

6.45 As a starting point, as East Suffolk Council is both landowner, applicant and local planning authority, it is not as such possible to engage in a S106 agreement with itself and therefore all such matters need to be considered by means of planning conditions. It is therefore pertinent to consider the reasonableness of the requests.

6.46 In respect of the RTPi screens, no supporting evidence has been provided to justify how these meet the six tests of planning conditions, and paragraph 55 of the NPPF makes it clear that conditions should be kept to a minimum and only used where they satisfy the following tests:

1. necessary;
2. relevant to planning;
3. relevant to the development to be permitted;
4. enforceable;
5. precise; and
6. reasonable in all other respects.

6.47 It is unclear from the lack of information supporting the request from the Highways Authority how the need for this is evidenced given the bus stop is already in situ and was used more extensively when the site was operational as a high school. It would need to be demonstrated that without these screens the development would be unacceptable. Officers do not believe this to be the case in this instance and any funding should be secured through an appropriate CIL request to the Local Planning Authority

6.48 A similar view is reached in relation to the on-street parking. This has not been identified as a project or indeed a definite proposal and therefore would not meet the tests of condition application in officers opinions. It is considered that if there is an existing issue with on-road parking that this is a matter to be explored through the highways authority separately. It is not considered to be reasonable or relevant to the development to be determined

Design, appearance and layout of residential element (including residential amenity)

- Retention of Heritage Asset

6.49 The proposed development includes the retention of the hall which is to be converted into community use. The remainder of the buildings are proposed for demolition.

6.50 The buildings are not listed, but the submitted Heritage Assessment concludes that the frontage building, hall and boundary wall can be considered as Non-Designated Heritage Assets (NDHA) due to its communal and historic value.

- 6.51 Statutory duties are reflected in national and local planning policy. The NPPF identifies conservation and enhancement of the historic environment as an important element of sustainable development. Paragraph 184 of the NPPF makes clear that heritage assets are *“an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.”*
- 6.52 Paragraph 189 says that when determining planning applications, *“local planning authorities 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 the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”*
- 6.53 In the case of non-designated heritage assets (NDHAs), paragraph 197 of the NPPF says that the effect of a proposed development on their significance should be taken into account, and that where a development would affect a non-designated heritage asset either directly or non-directly, *“a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”*.
- 6.54 The NPPF at Paragraph 200 highlights the opportunity for local planning authorities to look for new development within the setting of heritage assets that will enhance or better reveal their significance. Proposals that therefore preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.
- 6.55 The statutory duties of The Act, and heritage objectives of the NPPF, are also reflected policy SCLP11.6 of the Local Plan.
- 6.56 Members should understand that, in determining the applications, properly applying the relevant paragraphs of the NPPF and the historic environment policies of the Local Plan means that the statutory duties of The Act will have been complied with in respect of designated heritage assets.
- 6.57 The retention of the hall and its re-use within the scheme is a welcome addition to the proposal. Consideration was had with regards to the re-use of the main frontage building. Following an internal and external inspection of this building it was concluded that the poor state of the structure (single skin) and its narrow plan form would make it inappropriate to convert into a non-educational use. Accordingly, having due regard to (a) of SCLP11.1 it is considered on balance acceptable to demolish the frontage building but retain the hall.
- Design of Dwellings
- 6.58 Three wheelchair units are to be provided within the new buildings at ground floor level - one two-bedroom and two three-bedroom apartments. This meets the requirements of East Suffolk Council for 5% of the dwellings to be for wheelchair users. These homes are designed to the requirements set out in Approved Document Part M(4)3.

6.59 All homes in the development are designed, as a minimum, to the requirements of Approved Document Part M(4)2.

- Layout and Appearance

6.60 Policy SCP11.1 of the Local Plan deals with design quality and states that the Council will support locally distinctive and high-quality design. Paragraph 131 of the NPPF further states:

“In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings”

6.61 The application has been supported by a Design and Access Statement which sets out the design principles behind the scheme. The proposed development at the Deben High School site is to provide an exemplar affordable housing scheme to set the standards for future housing development in East Suffolk.

6.62 The layout proposes to repair the street scene along Garrison Lane by locating semi-detached houses between 113 and 117 Garrison Lane. A series of green courtyards have been introduced, that link Garrison Lane to the existing playing fields and Valley Walk park to the west, maximising permeability and views over the green open space.

6.63 The layout is arranged to allow for pedestrian connections across the site and designed for pedestrian priority with shared surface streets linking the courtyards. Apartment buildings and houses are generally orientated north-south to maximise solar gain. Building heights are between two and three storeys in keeping with surrounding residential properties.

6.64 The proposed material palette at the former Deben High School site reflects the local vernacular and is predominantly brick. Detailing takes a modern approach to key architectural details found within the Felixstowe area, with arched entrance details, framing to balconies and terraces and brick patterned details. A variety of brick tones and details are provided within the development to aid wayfinding and offer variation.

6.65 Cycle storage has been incorporated into the entrance design, with brick enclosures that form part of front garden boundary walls. Materials are robust, durable and low maintenance. Material specification will consider embodied carbon and potential for future re-use and recycling including use of lime mortar for brickwork and use of locally produced materials

6.66 The ethos is for shared neighbourhood streets with a central tree lined and shared pedestrian and vehicle route connecting the north and south. This will create a safe and playful neighbourhood environment by blurring the boundary between pedestrian and vehicular, private and public spaces and will introduce planting bands to create a green and ecological rich streetscape. Pockets of playable spaces at the end of the streets to foster fun and adventure for kids of all ages.

- 6.67 A new multi-purpose social space is proposed at the heart of the community. This will improve and enhance the connecting route between the Assembly Hall and Garrison Lane to create a better pedestrian arrival experience.
- 6.68 The public realm of the site is envisaged to be a people first environment with low traffic movement. Here vehicular access is limited to residential vehicles and refuse vehicles. The use of bold, vibrant colours in the paving surface define the play streets within the public realm. Incidental play and seating elements dominate the end of the streets for all residents.
- 6.69 The streetscape character is a nod to the site's history as a school, utilising playful paving patterns and informal play elements to create playable streets where children and young adults will feel safe and encouraged to play in. The garden space around the Assembly Hall is envisioned to be the 'heart' of the community, providing a sociable and flexible space for residents and the wider community.
- 6.70 The proposed layout and design is unashamedly different when compared to the prevailing character of the immediate residential area and is in itself bold and striking. It is noted that there are objections from local residents to the modern design approach. The contrast to the surrounding area is not in itself unacceptable. The area is not within a conservation area or is sensitive in terms of any designations and contains an eclectic mix of sizes and designs of residential properties.
- 6.71 It is considered by officers that the design is forward thinking and innovative and is of high quality which is designed around high levels of sustainability and inclusive spaces. It will, once constructed, represent a new focal point and set a high bar of design standards for the District. Attention is also drawn to the comprehensive response from Suffolk Preservation Society who state:

"SPS supports the redevelopment of this highly sustainable site for a residential/mixed use and welcomes the high proportion of affordable homes proposed. SPS also welcomes East Suffolk Council's commitment to high quality contemporary design that demonstrates nature first principles and adopts many sustainable features.

Whilst we recognise that the contemporary design approach is a departure from the surrounding existing residential streets, we consider that the proposal demonstrates a high level of design that has the potential to introduce an exemplar residential development to Felixstowe. The heights of the houses closest to the existing dwellings on Garrison Lane are modest and the detailing and choice of materials, although contemporary, reflect aspects of the retained Assembly Hall and other nearby buildings.

The aspiration for all the dwellings to achieve Passivhaus Classic standard is welcomed, as are measures to reduce energy consumption, increase energy efficiency, the inclusion of solar panels on the roofs of dwellings, ground source heat pumps and electric charging points. This approach contributes towards Suffolk County Council's goal of being carbon neutral by 2030 and, in the opinion of the Society, should be required in all new developments.

We also welcome the layout and proposed landscaping approach of the site which will result in the dwellings being oriented around a number of open and communal spaces,

encouraging a sense of community. The ability to move through the landscaped areas of the site to the cricket ground and other facilities in and around the site will also integrate the development within the surrounding residential area.

- Residential Amenity

6.72 As can be seen from the extract below, six dwellings are proposed on the southern edge of the site creating a relationship to established residential properties in Newry Avenue. Local residents have raised concern resulting loss of amenity from overlooking from these properties, and the matter has also raised concern from the Town Council who state:

“i) we are concerned about the height, massing, and intrusion – with the consequential increasing in overlooking - arising from the south-western elevation of Block D (some 12.5m high) on the amenity of residents at Newry Avenue, in contravention of SCLP11.1 (c)iii where it relates to height and massing and SCLP11.2(a) in respect of privacy and overlooking. We would seek a modification to reduce that elevation to two storeys.”

6.73 These six properties are three and bedroom dwellings with the accommodation provided over two floors with a flat roof to accommodate solar panels.

6.74 In terms of block D, whilst noting it is three storeys in nature, there are no windows proposed on its southern elevation and therefore there is no direct overlooking to properties in Newry Avenue. Given the separation distances of 29m between both the proposed and existing dwellings, and the fact that large buildings already occupy the site (see below plan), this is considered a satisfactory relationship.



6.75 Regarding the relationship of H02 to the rear gardens of neighbouring properties, it is important to note from the floor plans that the two windows on the southern elevation at first floor level serve a bathroom and en-suite and therefore these windows would be obscured glazed and would be conditioned as such. Accordingly, this relationship is considered acceptable.

6.76 With regards to H04, these again are two-storey dwellings with a flat roof. There are two windows on the southern elevations serving two bedrooms. These properties are positioned 8.3m from the site boundary and maintain a back-to-back separation of 32.6m. Neither the Local Plan or the NPPF provide set distances for new development. The Council does have guidance for extensions in the form of Supplementary Planning Guidance 16 (2003). In respect of back-to-back distances where extensions are proposed it states the following (paragraph 53 refers):

“In order to maintain a reasonable level of privacy, 1st floor windows on extensions to the rear of houses should, ideally, be at least 24 metres from the back of homes directly opposite. Where this separation cannot be achieved overlooking should be avoided by the use of high level windows or opaque glazing. In dense urban areas where there is already excessive mutual overlooking a lesser standard may be acceptable.”



6.77 The extract from the block plan above, demonstrates the critical distances between these properties. When looking at these distances it is important to recognise that the more

private areas of a garden are those closely associated with the properties themselves where it is likely people would be more likely to have patio furniture etc.

- 6.78 It is accepted that there will be some overlooking to the rear section of the garden at a distance of approximately 8m but the area more likely need to be protected and from window to window are sufficient to mitigate against any significant loss of amenity and is an acceptable relationship in an urban area. The distances also exceed those in the SPG on extensions.
- 6.79 The houses bordering the southern boundary are to the north of existing houses on Newry Avenue and approximately 40m away, with minimal impact on daylight / sunlight to the gardens of those properties.
- 6.80 Similarly, the houses backing onto 107-113 Garrison Lane are 6m from the existing houses. These houses will create some minor overshadowing at the western ends of the back gardens of those properties, a maximum of 25% at 12 o'clock on 21 March, in line with BRE guidance.
- 6.81 The two houses to the south of 107 Garrison Lane will create some overshadowing the rear garden of that property at some times of the year. However, this is within the recommendations of the BRE Daylight/Sunlight guidance - Site Layout Planning for Daylight and Sunlight - A guide to good practice which recommends that at least half of the affected amenity should receive a minimum of two hours sunlight on 21st March. The application is therefore acceptable in this regard.

Biodiversity

- 6.82 A baseline ecology report has been undertaken to identify ways in which the scheme will deliver biodiversity net gain (see accompanying ecology report). There is an opportunity to make a significant contribution to improving the ecology of the site. The applicant has sought to plan the site in a manner that maximises 'greening' balanced with the requirement for housing.
- 6.83 The plan looks at maximising communal amenity space which offers an opportunity for native planting and SUDS that will benefit nature and the community. The applicant has sought to ensure that shared surface streets within the plan have ample space for trees, planting and rain gardens. Green roofs have been specified on the roofs of buildings to further enhance biodiversity
- 6.84 The dwellings are required to make the appropriate RAMS contribution for each dwelling.

Matters from Consultation Responses

- 6.85 The County Council's drainage team has recorded a holding objection to the application until further information has been received. Policy SCLP9.6 of the Local Plan states that sustainable drainage should be integrated into the landscaping scheme and green infrastructure of the development and contribute to the design quality of the scheme. Open SuDS should be delivered wherever possible, and if early consideration is given to the overall surface water drainage strategy associated with this development, it is considered that this is achievable.

- 6.86 Officers have considered this matter, and engaged with the County Council prior to submission, and consider that this matter can be addressed by means of planning condition. The built form is on the existing brownfield site which is hard surfaced and no additional hardstanding is proposed. Across the site as a whole there is sufficient space to accommodate a drainage scheme
- 6.87 In addition to highways contributions, Suffolk County Council are also seeking the following S106 contributions as they would not be covered by CIL as per the Infrastructure Delivery Plan.
- Pre-school new build £123,048
 - Primary school new build £184,572
- 6.88 The request is considered reasonable insofar it is included within the Infrastructure Delivery Plan and therefore is included as a condition as noting a S106 legal agreement is not an option.

7 Conclusion

- 7.1 The application is considered to be a dynamic, well considered proposal that will yield exemplary sustainable credentials, public open space and community uses and a high proportion of affordable housing on what is a brownfield site in a highly sustainable location. The reduction of parking levels is appropriate in this location given the strong desire to create a pedestrian friendly development with reduced conflict with cars.
- 7.2 The comments from objectors are noted and understood. Responses to the comments made are contained in the report and whilst it is accepted there will be a change of relationship to those neighbouring residential properties, the impacts are not in the opinion of officers so significant as to warrant refusal of the planning permission in this instance. The significant benefits outweigh those limited objections received and lay in favour of granting planning permission.
- 7.3 The impacts of the development can be appropriately controlled by planning condition noting that it is not possible to engage in legal agreements.
- 7.4 It is noted that the appropriate RAMS payment has been paid (made on the 12 May 2021).

8 Recommendation

The application be approved subject to the following conditions:

- 1 The development hereby permitted through the full application 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 subject of the outline planning permission hereby approved shall be begun within the time limits specified on the outline permission and is subject to any conditions imposed thereon.

Reason: In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)

- 3 a) Application for approval of any reserved matters must be made within three years of the date of this outline permission and then
b) The development hereby permitted must be begun within either three years from the date of this outline permission or within two years from the final approval of the reserved matters, whichever is the later date.

Reason: In accordance with Section 92 of the Town and Country Planning Act 1990, and as amended by the Planning and Compulsory Purchase Act 2004 (applicable since 24th August 2005)

- 4 Samples of all external facing and roofing materials of the dwellings hereby approved shall be submitted to the Local Planning Authority before development commences. The development shall be carried out in its entirety in accordance with the approved samples.

Reason: To ensure the satisfactory external appearance of the development.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any order revoking and re-enacting that Order) (with or without modification), no building or structure permitted by Classes A (extensions or alterations), B (changes to the roof) or E (buildings or enclosures within the curtilage of the house) of Schedule 2 Part 1 of the Order shall be erected without the submission of a formal planning application and the granting of planning permission by the Local Planning Authority.

Reason: To secure a properly planned development.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) (with or without modification), no building, walls or fences of any kind shall be erected without the prior written consent of the Local Planning Authority.

Reason: To secure the properly planned nature of the development.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any order revoking and re-enacting that Order) (with or without modification), no windows shall be constructed at first floor level or above in any of the dwellings hereby approved/

Reason: to preserve the amenity of existing and proposed residential properties and in the interests of preserving the quality of the design.

- 8 The windows serving bathrooms or en-suites at first floor or above on all the dwellings hereby approved shall be fitted with obscure glazing [glazed with opaque glass, or other

appropriate screening] and shall be retained in that condition and retained as such in perpetuity.

Reason: To preserve the amenity of existing and proposed residential properties.

- 9 The development hereby permitted shall not be brought into use until it has been completed in all respects strictly in accordance with the following plans received on the 2 February 2021 ;, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

15410-A-PL-X-(03)-001 - Site Existing Plan
15410-A-PL-X-(03)-002 - Site Ground Floor Plan
15410-A-PL-X-(03)-003 - Site First Floor Plan
15410-A-PL-X-(03)-004 - Site Second Floor Plan
15410-A-PL-X-(03)-005 - Site Roof Plan
15410-A-PL-X-(05)-006 - Existing Site Elevations
15410-A-PL-X-(05)-007 - Site Elevations
15410-A-PL-X-(05)-008 - Site Sections

15410-A-PL-X-(03)-100 - Block A - ground and first floor plans
15410-A-PL-X-(03)-101 - Block A - second floor plan and roof plan
15410-A-PL-X-(05)-102 - Block A - sections
15410-A-PL-X-(05)-103 - Block A - Bay Sections and Elevations

15410-A-PL-X-(03)-104 - Block B&C A - ground floor plans
15410-A-PL-X-(03)-105 - Block B&C - first floor plans
15410-A-PL-X-(03)-106 - Block B&C - second floor plans
15410-A-PL-X-(03)-107 - Block B&C - roof plan
15410-A-PL-X-(05)-108 - Block B elevations
15410-A-PL-X-(05)-109 - Block B elevations
15410-A-PL-X-(05)-110 - Block B bay sections and elevations
15410-A-PL-X-(05)-111 - Block C bay sections and elevations

15410-A-PL-X-(03)-112 - Block D ground and first floor plans
15410-A-PL-X-(03)-113 - Block D second floor plan and roof plan
15410-A-PL-X-(05)-114 - Block D elevations
15410-A-PL-X-(05)-115 - Block D sections

15410-A-PL-X-(05)-116 - Housetype bay elevations

15410-A-PL-X-(03)-117 - Housetype 1 floor plans
15410-A-PL-X-(05)-118 - Housetype 1 elevations

15410-A-PL-X-(03)-119 - Housetype 2 ground floor plans
15410-A-PL-X-(03)-120 - Housetype 2 first floor plan
15410-A-PL-X-(03)-121 - Housetype 2 roof plan
15410-A-PL-X-(05)-122 - Housetype 2 elevations

15410-A-PL-X-(03)-123 - Housetype 3 floor plans

15410-A-PL-X-(03)-124 - Housetype 3 elevations

15410-A-PL-X-(03)-125 - Housetype 4 roof plan

15410-A-PL-X-(03)-126 - Housetype 4 elevations

15410-A-PL-X-(03)-130 - Assembly Hall Plans

15410-A-PL-X-(03)-131 - Assembly Hall sections and elevations

15410-A-PL-X-(03)-133 - Site Location Plan - outline

15410-A-PL-X-(03)-134 - Site Location Plan - full planning application

15410-A-PL-X-(03)-135 - Parameter Plan - Land Use

15410-A-PL-X-(03)-136 - Parameter Plan - Heights

15410-A-PL-X-(03)-137 - Parameter Plan - Access

774-FH-XX-00-DP-L-201 - General arrangement

774-FH-XX-00-DP-L-301 - Edges and boundaries

774-FH-XX-00-DP-L-401 - Softworks

Reason: To secure a properly planned development

- 10 The areas to be provided for storage of Refuse/Recycling bins as shown the approved plans shall be provided in their 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.

- 11 The areas to be provided for storage of Refuse/Recycling bins as shown the approved plans shall be provided in their entirety before the development to which they are associated 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 full application hereby permitted shall not be occupied until details of all Sustainable Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk
<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>

- 13 No development of the full application hereby approved shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed by the local planning authority. The

CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include:

- a. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
 - i. Temporary drainage systems
 - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
 - iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater

- 14 No development of the full application hereby approved shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

- 15 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 remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing.

The scheme shall include:

i) the numbers, type, tenure and location on the site of the affordable housing provision to be made, which shall consist of not less than 42 affordable dwellings. The details to include a mechanism for delivering an alternative method of providing affordable housing at the same level as approved in the event that no affordable housing provider acquires some or all of the affordable housing within a reasonable timescale.

ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing,

iii) the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing;

iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

v) 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 Policy SCLLP5.10 of the Suffolk Coastal Local Plan (2020) to secure the appropriate provision of affordable housing on the site

- 16 No external lighting shall be installed within the site unless details have first been submitted to the Local Planning Authority. The approved lighting shall be maintained in its approved form in perpetuity.

Reason: To ensure any external lighting is designed in a manner having regard to visual amenity and residential amenity in accordance with Policy SCLP11.1 of the Local Plan.

- 17 No external lighting shall be installed within the site unless details have first been submitted to the Local Planning Authority. The approved lighting shall be maintained in its approved form in perpetuity.

Reason: To ensure any external lighting is designed in a manner having regard to visual amenity and residential amenity in accordance with Policy SCLP11.1 of the Local Plan and in the interest of protecting biodiversity

- 18 The hours of operation for all construction activities on site shall be limited to - Monday to Friday 07:30 until 18:00 Saturday 08:00 until 13:00 Sunday & Bank Holidays none Unless otherwise agreed in writing with the Local Planning Authority. Deliveries to and collection from the construction site shall be undertaken between - Monday to Friday 07:30 until 18:00 Saturday 08:00 until 13:00 Sunday & Bank Holidays.

Reason: In the interest of residential amenity

- 19 No development shall take place until the existing trees on site, agreed with the Local Planning Authority for inclusion in the scheme of landscaping, have been protected by the erection of temporary protective fences of a height, size and in positions which shall previously have been agreed, with the Local Planning Authority. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the tree to be protected. Any trees dying or becoming severely damaged as a result of any failure to comply with these requirements shall be replaced with trees of appropriate size and species during the first planting season, or in accordance with such other arrangement as may be agreed in writing with the Local Planning Authority, following the death of, or severe damage to the trees.

Reason: For the avoidance of damage to protected trees included within the landscaping scheme in the interests of visual amenity and the character and appearance of the area.

- 20 Within three months of the commencement of development, a noise assessment should be submitted to consider the likely impact of noise from the development both on existing residential properties in the area and on properties to be built as part of the development. This should consider all potential sources of noise including but not restricted to use of the community hall and sports facilities and any plant to be installed as part of the development. This assessment should be carried out by a competent person.

Reason: In the interest of residential amenity

- 21 Prior to commencement of the development hereby approved through the full application, an air quality assessment is required. The assessment shall be in accordance with the following document: 'EPUK & IAQM Land-Use Planning & Development Control: Planning for Air Quality January 2017'. The assessment should be proportionate to the nature and scale of development proposed and the level of concern about air quality. The scope and content of supporting information is therefore best discussed and agreed between the local planning authority and applicant before it is commissioned.

Reason: To ensure air quality is appropriately controlled

- 22 Prior to first operational use of the site, at least 5% of car parking spaces shall be equipped with working electric vehicle charge points, which shall be provided for staff and/or visitor use at locations reasonably accessible from car parking spaces. The Electric Vehicle Charge Points shall be retained thereafter.

Reason: To promote and facilitate the uptake of electric vehicles on the site in order to minimise emissions and enhance local air quality in line with the National Planning Policy Framework (NPPF) paragraphs 105 and 110.

- 23 Prior to first occupation, all dwellings with off street parking shall be provided with an operational electric vehicle charge point at safe, accessible and convenient locations. Prior to first occupation, at least 10% of car parking spaces in private communal parking areas shall be provided with an operational electric vehicle charge point at reasonably and practicably accessible locations. The Electric Vehicle Charge Points shall be retained thereafter.

Reason: To promote and facilitate the uptake of electric vehicles on the site in order to minimise emissions and enhance local air quality in line with the National Planning Policy Framework (NPPF) paragraphs 105 and 110.

- 24 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 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.

25 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 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.

26 Prior to any occupation or use of the approved development the RMS approved under condition 25 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.

27 A validation report must be submitted to 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.

- 28 Within three month(s) of commencement of development, precise details of a scheme of landscape works (which term shall include tree and shrub planting, grass, earthworks, driveway construction, parking areas patios, hard surfaces etc, and other operations as appropriate) at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.

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

- 29 No development shall commence until there has been a management plan for maintenance of all the communal areas within the approved application site. The maintenance plan should include, long term design objectives, management responsibilities and a scheme of maintenance for both the hard and soft landscaped areas for a period of 20 years. The schedule should include details of the arrangements for its implementation. The development shall be carried out in accordance with the approved management plan.

Reason: To ensure the access drive and landscaping areas are properly maintained in the interest of visual amenity.

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

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

- 31 The development shall not begin until a scheme for provision improvements to pre-school and primary school education has been submitted to the local planning authority.

Reason: To ensure that sufficient provision is made for education facilities as a direct result of additional residential development.

- 32 Within three months of the date of the development hereby approved a biodiversity enhancement scheme shall be submitted to the local planning authority and implemented in accordance with this strategy before the beneficial occupation of the dwellings hereby

approved. This strategy shall include the provision of integral swift nest bricks with the buildings hereby approved. The improvements shall be retained in perpetuity.

Reason: In the interest of providing enhanced biodiversity across the site.

Informatives:

- 1 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>

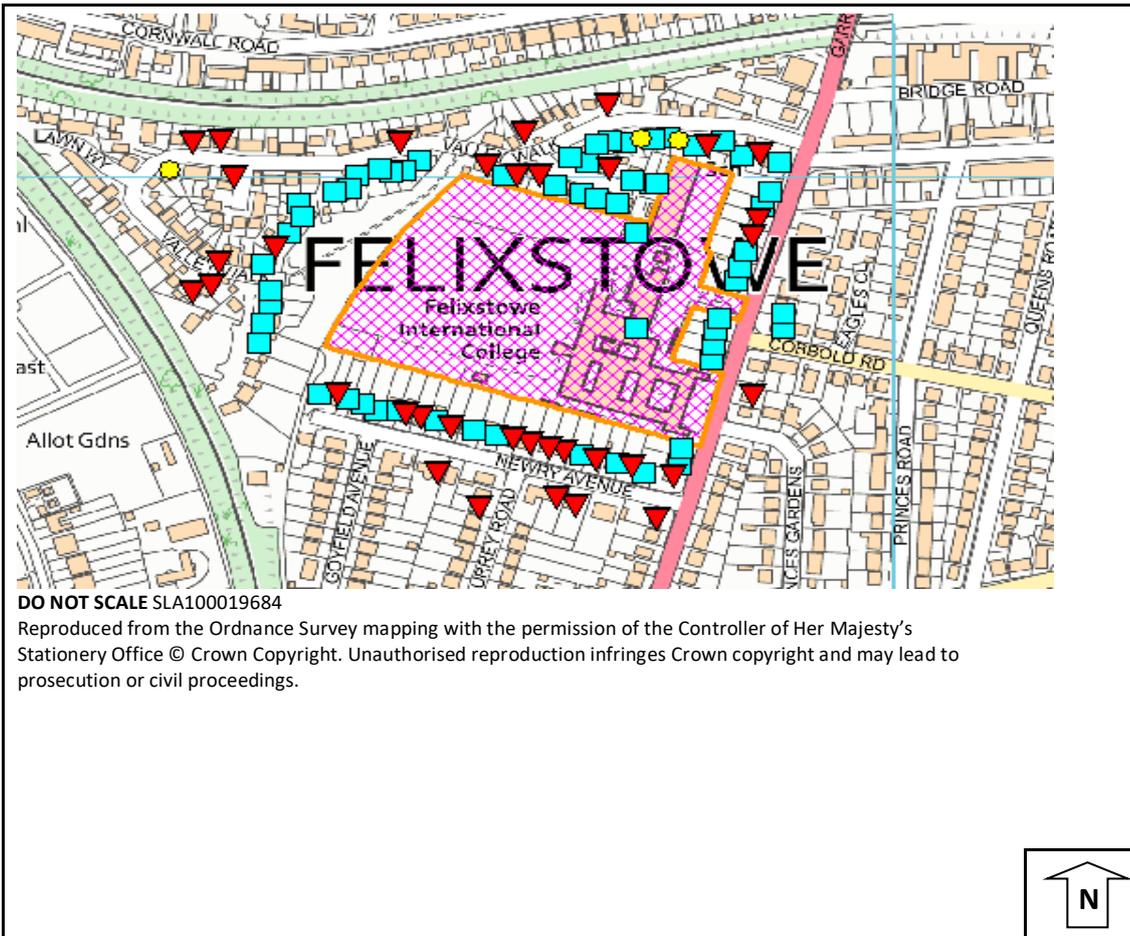
- 2 The applicant is advised that the proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business 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 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.
- 4 Noise from fixed plant or machinery (e.g. heat pumps, compressors, extractor systems, fans, pumps, air conditioning plant or refrigeration plant) can be annoying and disruptive. This is particularly the case when noise is impulsive or has tonal characteristics. A noise assessment should therefore be submitted to include all proposed plant and machinery and be based on BS4142:2014. A rating level (LAeq) of at least 5dB below the typical background (LA90)

should be achieved. Where the rating level cannot be achieved, the noise mitigation measures considered should be explained and the achievable noise level should be identified and justified.

Background information

See application reference DC/21/0541/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support