



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

# **Planning Committee South**

## **Members:**

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

Members are invited to an **Extraordinary Meeting of Planning Committee South**

to be held in the Deben Conference Room, East Suffolk House,  
on **Monday, 7 March 2022 at 2.00pm**

This meeting is being held in person in order to comply with the Local Government Act 1972. In order to comply with East Suffolk Council's coronavirus arrangements and guidance, the number of people at this meeting will have to be restricted to only those whose attendance is reasonably necessary.

Ordinarily, East Suffolk Council encourages members of the public to attend its meetings but on this occasion would encourage the public to watch the livestream, via the East Suffolk Council YouTube channel instead at <https://youtu.be/GtGO7M-uwmE>

If you do believe it is necessary for you to be in attendance we encourage you to notify Democratic Services, by email to [democraticservices@eastsoffolk.gov.uk](mailto:democraticservices@eastsoffolk.gov.uk), of your intention to do so no later than 12 noon on the working day before the meeting so that the meeting can be managed in a COVID secure way and the

Team can endeavour to accommodate you and advise of the necessary health and safety precautions.

However, we are not able to guarantee you a space/seat and you are advised that it may be that, regrettably, we are not able to admit you to the meeting room.

An Agenda is set out below.

## **Part One – Open to the Public**

**Pages**

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<b>1</b>	<b>Apologies for Absence and Substitutions</b>	
<b>2</b>	<b>Declarations of Interest</b> Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.	
<b>3</b>	<b>Declarations of Lobbying and Responses to Lobbying</b> To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.	
<b>4</b>	<b>DC/21/5479/FUL - Beach Platform, South Beach, Felixstowe ES/1066</b> Report of the Head of Planning and Coastal Management	<b>1 - 11</b>
<b>5</b>	<b>DC/21/5102/FUL - Area on beach materials seawards in front of the prom and steps at Clifflands, Cliff Road, Felixstowe, IP11 9SA ES/1067</b> Report of the Head of Planning and Coastal Management	<b>12 - 22</b>
<b>6</b>	<b>DC/21/5174/FUL - Area between Front Row of Beach Huts at Golf Road Car Park, Golf Road, Felixstowe, IP11 1NG ES/1068</b> Report of the Head of Planning and Coastal Management	<b>23 - 32</b>
<b>7</b>	<b>DC/21/4756/FUL - Beach Hut Area, South Seafront, Langer Road, Felixstowe ES/1069</b> Report of the Head of Planning and Coastal Management	<b>33 - 42</b>
<b>8</b>	<b>DC/21/1322/ARM - Land North of Walton High Street, Felixstowe ES/1070</b> Report of the Head of Planning and Coastal Management	<b>43 - 93</b>

There are no Exempt or Confidential items for this Agenda.

Close



Stephen Baker, Chief Executive

### Speaking at Planning Committee Meetings

Interested parties who wish to speak will be able to register to do so, using an online form. Registration may take place on the day that the reports for the scheduled meeting are published on the Council's website, until 5.00pm on the day prior to the scheduled meeting.

To register to speak at a Planning Committee, please visit <https://www.eastsuffolk.gov.uk/speaking-at-planning-committee> to complete the online registration form. Please contact the Customer Services Team on 03330 162 000 if you have any queries regarding the completion of the form.

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

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

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

For more information, please refer to the Code of Good Practice for Planning and Rights of Way, which is contained in the East Suffolk Council Constitution (<http://www.eastsuffolk.gov.uk/assets/Your-Council/East-Suffolk-Council-Constitution.pdf>).

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## Committee Report

**Planning Committee South - 7 March 2022**

**Application no** DC/21/5479/FUL

**Location**

Beach Platform  
South Beach  
Felixstowe  
Suffolk

**Expiry date** 9 February 2022

**Application type** Full Application

**Applicant** East Suffolk Council

**Parish** Felixstowe

**Proposal** Beach platform repairs and extension and the provision of 6 new beach hut sites.

**Case Officer** Marianna Hall  
07880 019354  
[marianna.hall@eastsuffolk.gov.uk](mailto:marianna.hall@eastsuffolk.gov.uk)

### 1. Summary

- 1.1. The proposal is to repair and extend an existing beach platform to the southwest of Felixstowe Pier to provide six additional beach hut sites.
- 1.2. The application has come before members because the applicant and landowner is East Suffolk Council.
- 1.3. Policy SCLP 12.14 Spa Pavilion to Manor End supports additional beach huts in this area provided that they are in locations which complement the existing resort uses and do not fill important gaps between huts. The proposals comply with this policy and the application is recommended for approval subject to conditions.

## **2. Site Description**

- 2.1. The application site is located approximately 150 metres southwest of the pier and includes the existing raised beach platform and an area of the promenade behind the platform. The platform has concrete retaining walls and is filled with beach gravel and sand. It sits between groynes numbered A58 and A61 and two groynes numbered A59 and A60 extend off the retaining wall. At this particular location the promenade is 7.5 meters wide, with the existing raised platform on the beach measuring between 7 and 7.5 metres wide.
- 2.2. The existing platform accommodates 16 beach huts which are positioned on the platform between the beginning of April and the end of September each year. They are repositioned by their owners over the winter months to the promenade, against the sea wall, to reduce the risk of damage.
- 2.3. The beach platform and the areas to be extended are adjacent to but outside of the Felixstowe South Conservation Area. The winter storage area, on the promenade, is within the Conservation Area. The site is owned and managed by East Suffolk Council and it is adjacent to the Council owned car park and events space.

## **3. Proposal**

- 3.1. The application seeks to undertake engineering works to the existing beach platform retaining wall, including repairs to the existing wall and its extension at both the northern and southern ends to lengthen the platform. The platform would be extended by 10.5 metres at its northern end and 6 metres at its southern end. The new concrete retaining wall would match the existing wall and would remain flush with the level of the promenade and front wall. The wall would be approximately 1 metre above the level of the beach, although this would vary depending on the level of beach material. The wall would be 1.5m deep and 300mm wide.
- 3.2. The repairs and extension to the platform will enable the platform to accommodate 6 additional beach hut sites. The huts would each be a maximum of 2.4m high, 3.5m deep and 2.4m wide and constructed in painted timber with felt roofing. An area of at least 2.5m wide would be provided in front of the huts on the platform.
- 3.3. Unlike other beach hut applications considered at this same Planning Committee meeting, this application is not described as being for the relocation of existing beach huts.

## **4. Relevant Planning History**

- 4.1. Planning permission was previously sought for the proposals in 2018, reference DC/18/0272/FUL, and that application was refused on 27 June 2019 for the following reason:
- 4.2. The proposed development is contrary to Policy FPP20 of the Felixstowe Peninsula Area Action Plan (2017), which states that "the provision of beach huts will be carefully monitored and limited to those which currently exist. Any increased provision will be directed towards other parts of the sea front (namely Felixstowe Ferry Golf Club to

Cobbolds Point Policy FPP18) as appropriate". Additional beach huts within this area would result in a loss of visual amenity, such an impact would outweigh any benefits to local tourism.

- 4.3. The Felixstowe Peninsula Area Action Plan (2017) has since been superseded by the East Suffolk Council Suffolk Coastal Local Plan (2020).

## 5. Consultees

### Third Party Representations

- 5.1. Two representations in support of the proposals have been received making the following comments:
- Beach huts should provide access to beach. The Spa huts should have these sort of platforms AND more of these platforms should be available.
  - I am in support of these 6 new spaces for beach huts because if I have to move from the Spa Pavilion it is the only site that I can access from the ones which have been offered due to my disability needs.

### Parish/Town Council

Consultee	Date consulted	Date reply received
Felixstowe Town Council	19 January 2022	26 January 2022
<p>Summary of comments:            Committee recommended REFUSAL. The application is contrary to policy 11.14 covering Spa Pavilion to Manor End which states that "additional beach huts in this area will be limited to locations that complement the existing resort uses and do not fill in the important gaps between huts" we feel that the proposal as presented for a row of 22 huts without significant gaps between them will not comply with this policy. We also note that the applicants submitted Flood Risk Assessment at para 1.6 incorrectly refers to SCLP12.12 which relates to the area from the Golf Club to Cobbolds Road, not this location which has a different policy with regards to beach huts.</p>		

### Statutory consultees

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	8 February 2022	No response
<p>Summary of comments:            No response received at the time of writing.</p>		

Consultee	Date consulted	Date reply received
East Suffolk Head Of Coastal Management	19 January 2022	3 February 2022
<p>Summary of comments:</p> <p>The planning application is for development of land that is within the Coastal Change Management Area and seaward of predicted 100 year shoreline position that is the seawall. The SCDC Local Plan Policy SCLP9.3: Coastal Change Management Area states: Planning applications for all development within and 30 metres landward of the Coastal Change Management Area and within and 30 metres landward of areas where the intent of management is to Hold the Line, identified on the Policies Map must be accompanied by a Coastal Erosion Vulnerability Assessment (CEVA). There is not yet guidance on a CEVA format within the Suffolk Coastal Local Plan and so reference must be made to the Waveney Local Plan equivalent document 'Development and Coastal Change Supplementary Planning Document'. A Level A (small scale) assessment is appropriate in this case and has been submitted. It is of an acceptable standard. There is a minor error in that it identifies the site as being within the 30m risk zone, it is within the CCMA, but that is not significant. The Supporting Statement includes other information that demonstrates a reasonable awareness of the risk posed to the development by coastal change and by sea action.</p>		

#### Non statutory consultees

Consultee	Date consulted	Date reply received
SCC Flooding Authority	8 February 2022	16 February 2022
<p>Summary of comments:</p> <p>Suffolk County Council, as Lead Local Flood Authority (LLFA), is a statutory consultee under the Town and Country Planning Act for major applications only. Therefore, as this is a minor application we have no comment to make.</p>		

Consultee	Date consulted	Date reply received
SCC Highways Department	19 January 2022	10 February 2022
<p>Summary of comments:</p> <p>No objection.</p>		

Consultee	Date consulted	Date reply received
Felixstowe Society	19 January 2022	No response
<p>Summary of comments:</p> <p>No response received.</p>		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	19 January 2022	24 January 2022
Summary of comments: Recommend a condition concerning unexpected contamination.		

## Publicity

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

Category	Published	Expiry	Publication
Conservation Area	27 January 2022	17 February 2022	East Anglian Daily Times

## Site notices

General Site Notice	Reason for site notice: Conservation Area Date posted: 31 January 2022 Expiry date: 21 February 2022
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## 6. Planning policy

- 6.1. National Planning Policy Framework (NPPF) 2021
- 6.2. East Suffolk Council Suffolk Coastal Local Plan 2020:
  - Policy SCLP6.1: Tourism
  - Policy SCLP6.2: Tourism Destinations
  - Policy SCLP6.4: Tourism Development outside of the AONB
  - Policy SCLP9.3: Coastal Change Management Area
  - Policy SCLP10.3: Environmental Quality
  - Policy SCLP10.4: Landscape Character
  - Policy SCLP11.2: Residential Amenity
  - Policy SCLP11.5: Conservation Areas
  - Policy SCLP12.14: Spa Pavilion to Manor End
- 6.3. Felixstowe South Conservation Area Appraisal (June 2009)
- 6.4. Historic Environment Supplementary Planning Document (2021)

## 7. Planning Considerations

### Principle of development

- 7.1. The Suffolk Coastal Local Plan continues to recognise the importance of the tourism industry in Felixstowe primarily centred on the coastal location, resort activities and proximity of the town to the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). Felixstowe is the largest tourist resort in the former Suffolk Coastal area and offers a wide range of attractions and facilities to cater for a variety of tourist needs and requirements, as well as those of local residents and businesses. The Local Plan emphasises that protecting the distinct character of various parts of the sea front is necessary, but flexibility needs to be promoted to ensure that appropriate redevelopment opportunities can be taken up at the appropriate time, to boost Felixstowe's wide ranging tourist industry. It is therefore essential that the wide range of tourism activities taking place in Felixstowe are maintained and regenerated to promote year round tourism based on the environmental, cultural and social attractions of Felixstowe.
- 7.2. The site lies within the area identified in the Local Plan as 'Spa Pavilion to Manor End' under Policy SCLP12.14. This area of Felixstowe provides a number of traditional seaside uses such as amusement arcades, crazy golf, fairground rides, eating and drinking establishments, Pier head and Leisure Centre. The mix of uses along this section of the sea front provides attractions for residents and visitors. Policy SCLP12.14 states that additional beach huts in this area will be limited to locations which complement the existing resort uses and do not fill the important gaps between huts.
- 7.3. As mentioned previously, planning permission was refused in 2019 for additional beach huts in this location (DC/18/0272/FUL). At that time the proposals were contrary to Policy FPP20 of the Felixstowe Peninsula Area Action Plan Development Plan Document (2017) which stated the following regarding beach huts:
- 7.4. *The provision of beach huts will be carefully monitored and limited to those which currently exist. Any increased provision will be directed towards other parts of the sea front (namely Felixstowe Ferry Golf Club to Cobbolds Point Policy FPP18) as appropriate.*
- 7.5. The Felixstowe Peninsula Area Action Plan has since been superseded by the East Suffolk Council Suffolk Coastal Local Plan 2020. Whilst the superseded policy for this area of Felixstowe stated that any increased provision of beach huts would be directed elsewhere, the current Local Plan policy does not preclude additional beach huts in this area, provided that they complement the existing resort uses and do not fill important gaps between huts. The principle of additional beach huts in this location is therefore considered to be acceptable when assessed against the current Local Plan. It should be noted that the reference to 'important gaps' does not relate to the small gaps between individual huts, but rather wider spaces between groups of huts. This proposal does not fill an important gap but modestly expands an existing group of huts.

### Visual impact

- 7.6. The platform currently provides space for a row of 16 beach huts, and the proposal would provide space for 6 additional huts. The Town Council has objected to the

proposals on the basis that a row of 22 huts without significant gaps between them will not comply with Policy SCLP12.14 which states that proposals must not fill important gaps between huts. As per the paragraph above, this is a misinterpretation of the intent of that policy wording. However, the spacing of huts is important as too narrow gaps or excessive spacing between huts can affect their appearance on the seafront.

- 7.7. The plan submitted with the application showing the existing arrangement shows a gap between a row of 5 huts and a row of 11 huts, however, this gap does not appear to relate to any feature on the ground or in the wider area. Photographs of the site also show the 16 beach huts previously arranged on the platform as a single row without any significant gap. Officers are aware that because these existing huts are lifted on and off the beach each year, they do not have specifically arranged plots so there can be slight variances year to year.
- 7.8. The proposals are not considered to fill important gaps between groups of huts for the purposes of Policy SCLP12.14. Suitable spacing between huts will remain along with circulation movement at both ends of the row of huts. The addition of 6 additional huts to this existing row is not considered to have an adverse impact visually, and will be in keeping with the character of the area.

#### Impact on the Conservation Area

- 7.9. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area. Policy SCLP11.5 states that development within or which has potential to affect the setting of conservation areas will be assessed against the relevant Conservation Area Appraisals and Management Plans. As outlined previously, the beach platform and the areas to be extended are adjacent to but outside of the Felixstowe South Conservation Area. The winter storage area, on the promenade, is within the Conservation Area.
- 7.10. The Felixstowe South Conservation Area Appraisal (June 2009) notes that the promenade south of the pier is peppered with groups of beach huts, entirely characteristic of their location, and states that these are important to retain as a feature and for local use. The proposal for additional beach huts on the extended platform, which will be stored on the promenade in the winter, has been discussed with the Design and Conservation Team and no concerns have been raised. The proposals would not have an adverse impact on the character or appearance of the conservation area or its setting.

#### Coastal Management

- 7.11. The application site is within the Coastal Change Management Area and seaward of predicted 100 year shoreline position that is the seawall. Policy SCLP9.3 states that planning applications for all development within and 30 metres landward of the Coastal Change Management Area (CCMA) and within and 30 metres landward of areas where the intent of management is to Hold the Line, identified on the Policies Map must be accompanied by a Coastal Erosion Vulnerability Assessment (CEVA). A Level A (small scale) assessment has been submitted with the application and the Coastal Management Team has confirmed it as being acceptable. They note a minor error in that it identifies the site as being within the 30m risk zone, rather than the CCMA, but advise that this is

not significant. The Supporting Statement includes other information that demonstrates a reasonable awareness of the risk posed to the development by coastal change and by sea action. The Coastal Management Team raises no objections to the proposals.

### Other matters

- 7.12. The Environmental Protection Team has been consulted on the application and raise no concerns, recommending a condition to deal with any unexpected contamination on the site.
- 7.13. The proposals have also been discussed with the Council's Senior Ecologist who raises no concerns in relation to impacts on biodiversity.

## **8. Conclusion**

- 8.1. Policy SCLP 12.14 Spa Pavilion to Manor End supports additional beach huts in this area provided that they are in locations which complement the existing resort uses and do not fill important gaps between huts. The proposed works to the existing beach platform to provide 6 additional beach hut sites comply with this policy and would be in keeping with the character and appearance of the area. The proposals furthermore do not raise any adverse issues in respect of the effects on the conservation area, biodiversity, contamination or coastal management. The proposals will make a positive contribution to tourism and the seaside appeal of Felixstowe.

## **9. Recommendation**

- 9.1. Approve subject to conditions.

### **Conditions:**

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

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

- 2. The development hereby permitted shall be completed in all respects strictly in accordance with the following plans, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority:

Drawing no. SR353-1002-B

Drawing no. SR353-1003-B

Drawing no. SR353-1004

Drawing no. SR353-1000-A

All received on 6 December 2021.

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

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

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

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

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

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

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

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and

ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

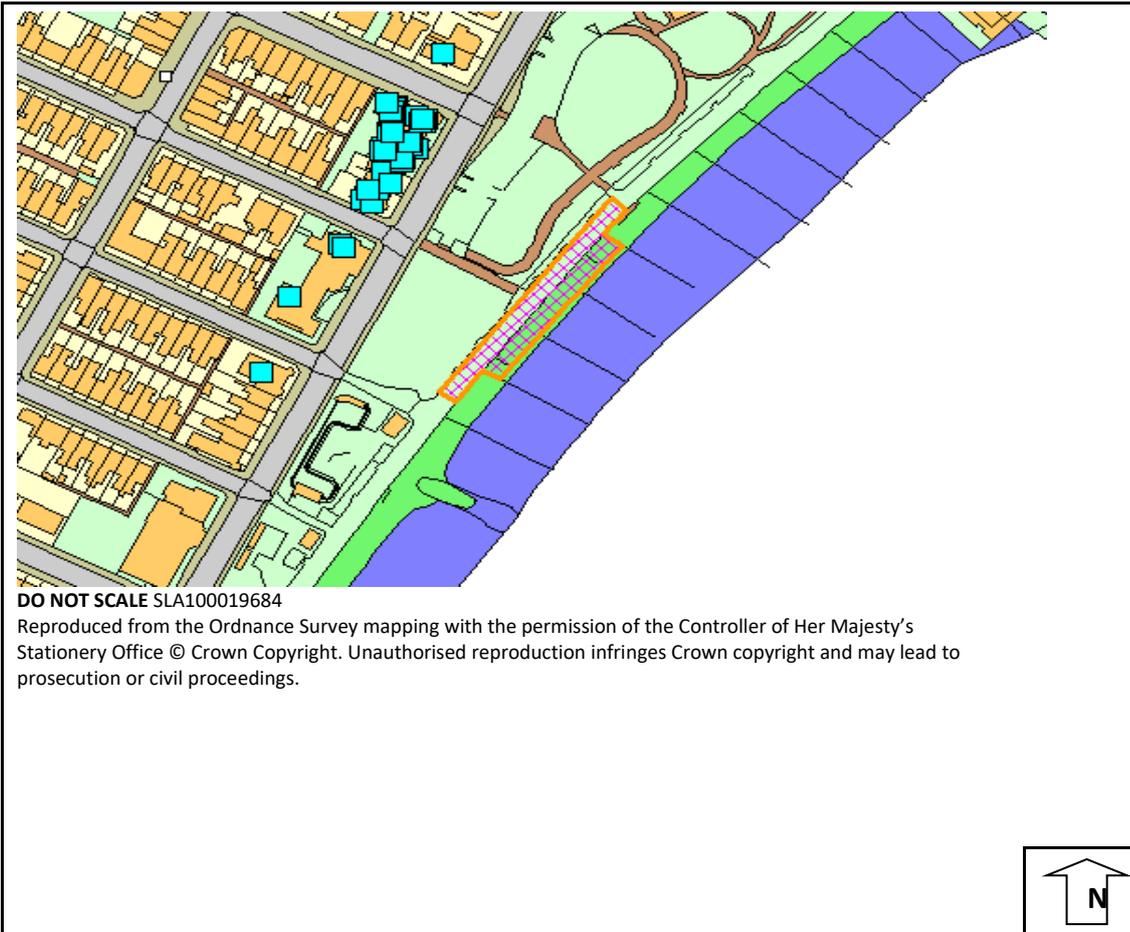
**Informatives:**

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

**Background information**

See application reference DC/21/5479/FUL on [Public Access](#)

## Map



## Key



Notified, no comments received



Objection



Representation



Support

## Committee Report

Planning Committee South - 7 March 2022

Application no DC/21/5102/FUL

### Location

Area on beach materials seawards in front of prom and steps at Clifflands  
Cliff Road  
Felixstowe  
Suffolk  
IP11 9SA

**Expiry date** 19 January 2022

**Application type** Full Application

**Applicant** East Suffolk Council

**Parish** Felixstowe

**Proposal** Formation of 18 new beach hut sites for the proposed repositioning of existing beach huts from the spa area, to form a row of huts on the shingle material on the foreshore at Clifflands.

**Case Officer** Rachel Lambert  
01394 444574  
[rachel.lambert@eastsoffolk.gov.uk](mailto:rachel.lambert@eastsoffolk.gov.uk)

### 1. Summary

- 1.1. This application seeks full planning permission for 'the siting of 18 beach huts (relocated from the spa area) to shingle material on the foreshore at Clifflands'. The scheme is considered acceptable in principle and is recommended for approval subject to conditions.
- 1.2. As the applicant and landowner is East Suffolk Council, the proposal is to be determined at planning committee in accordance with the scheme of delegation.

### 2. Site description

- 2.1. The subject site is located to the eastern extent of Felixstowe, to the east of Cliff Road Car Park and immediately south of Felixstowe Ferry Golf Course, which forms part of the

Suffolk Coasts & Heaths Area of Outstanding Natural Beauty (51.976146, 1.382709). A schedule monument and Grade II listed building (Martello Tower) is located approximately 0.5km to the north-east.

- 2.2. The site is located within Flood Zone 3 and inside a 30-metre risk zone landward of an area where the intent of management is to Hold the Line (HTL).
- 2.3. The location of the proposed beach huts is seaward side of the existing promenade, on the beach level, above the mean high-water mark (approximately 25m). There is a notable drop from the promenade and sea defences to the beach below. A line of existing beach huts sits further up the bank and run along the full extent of the car park (approximately 0.3 km), with stairs provided to the promenade / walkway (Footpath 62). The nearest residential properties are a located over 150km to the west, and nearby amenities include public toilets and a refreshment kiosk (approximately 500m southwest).

### **3. Proposal**

- 3.1. East Suffolk Council strategic team is seeking planning permission for the siting of 18 beach huts within the described location. They will be sited on wooden supports, directly on beach material, in front of the existing sea wall (as described above) and will remain in situ all year round. The huts are of a standard size – 2.13m x 2.43m – with a spacing of 3 to 5m between each hut.
- 3.2. The applicant advises that the relocation of the beach huts, which currently sit ‘temporarily’ along the promenade near the Spa Pavilion, is due to coastal erosion and subsequent health and safety concerns that restricts the huts being placed directly back onto the beach. As noted within the supporting statement, an agreement on which huts would move to this area has not yet been made and this process will take place in consultation with the Felixstowe Beach Hut and Chalet Association.
- 3.3. Whilst the description does refer to these as relocated beach huts, this application is being considered on the basis of beach huts in general in this location. Therefore, the determination of this application would not require the huts to be used for relocations, it is not necessary to condition the application as such and effect of these huts should be considered on the basis of additional huts on the Felixstowe Seafront. Therefore, for planning purposes, there is no reason why a consent for these huts could not in future be used for new huts for sale or rent.

### **4. Consultees**

#### **Third Party Representations**

- 4.1. Thirty-six third party responses were received and a large number of these are from existing beach hut owners facing potential relocation. They raise the following matters:
  - Inadequate access for all users
  - Loss of beach huts at spa pavilion/heritage impact
  - Risk of vandalism
  - Unsuitable location for swimming
  - Flood risk

- Lack of local amenities/facilities
- Cost of relocation
- Restriction of sea views
- Impact on footpath/cycleway to Felixstowe Ferry
- Impact on landscape and habitat
- Lack of parking during summer months

Consultee	Date consulted	Date reply received
Felixstowe Town Council	3 December 2021	16 December 2021
"Committee recommended APPROVAL, subject to ESC making prospective tenants aware of the potential flooding risks of a beach hut at this site."		

Consultee	Date consulted	Date reply received
East Suffolk Head of Coastal Management	3 December 2021	14 December 2021
Summary of comments: Internal consultee - comments included with reporting.		

Consultee	Date consulted	Date reply received
SCC Highways Department	3 December 2021	23 December 2021
"The proposed location of the relocated beach huts is adjacent to the Cliff Road car park and as such this application will not have a detrimental impact on the adopted highway."		

Consultee	Date consulted	Date reply received
Felixstowe Society	3 December 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Environment Agency	22 December 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	22 December 2021	24 January 2022
Summary of comments: No objection subject to condition(s).		

Consultee	Date consulted	Date reply received
Marine Management Organisation	22 December 2021	22 December 2021
Summary of comments: Comments noted within reporting.		

Consultee	Date consulted	Date reply received
SCC Coasts and Heaths Project	22 December 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Historic England	22 December 2021	12 January 2022
"On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant. It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request."		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	22 December 2021	No response
Summary of comments: No response.		

### Publicity

None

### Site notices

General Site Notice	Reason for site notice: General Site Notice Date posted: 8 December 2021 Expiry date: 31 December 2021
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## **5. Planning policy**

5.1. The National Planning Policy Framework

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

5.3. Relevant policies from the East Suffolk Council – Suffolk Coastal Local Plan (adopted on 23 September 2020) are:

SCLP6.1 - Tourism (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP6.2 - Tourism Destinations (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP6.4 - Tourism Development outside of the AONB (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP9.3 - Coastal Change Management Area (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.1 – Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.4 – Landscape Character (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP12.2 - Strategy for Felixstowe (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP12.12 - Felixstowe Ferry Golf Club to Cobbolds Point (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

## **6. Planning considerations**

### Principle of development

6.1. As encouraged by the area specific policy for Felixstowe Ferry Golf Club House to Cobbolds (Policy SCLP12.2), beach huts are to be concentrated within this location and where possible kept below the level of the cliff to avoid obstruction of the sea view from Cliff Road. They will also need to be kept clear from the promenade where appropriate, to avoid unnecessary blockages. Within this in mind, the proposed siting of beach huts within this general location is considered acceptable in principle, subject to being well-related to existing beach huts, and of a scale and nature that reflects the surrounding area without causing adverse impacts on the natural environment or local landscape character.

### Landscape and visual amenity

- 6.2. The proposed design of the beach huts is considered to be in keeping with the general aesthetic of their location, in terms of their ‘concentrated’ siting among a dense cluster of existing beach huts. Sited at beach level, their overall scale would not adversely impact neighbouring beach hut uses, are sufficiently set back from any nearby residential properties and they are considered no more intrusive in the wider protected landscape compared with the existing development.

### Ecology

- 6.3. The local planning authority’s ecologist has reviewed the submitted Preliminary Ecological Appraisal (PEA) (by SWT Trading Ltd, date October 2021) and is satisfied with the conclusions, with no objection raised subject to a condition requiring the development to be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the report. In this respect, ecological receptors are considered adequately protected and enhanced as part of the development.

### Coastal environment and flood risk

- 6.4. The East Suffolk Council coastal management team has reviewed the application alongside submitted material and has confirmed that from the 100-year forecast shoreline position, taken from maps in Shoreline Management Plan 7 Policy Development Zone 6<sup>1</sup>, the huts are located within the Coastal Change Management Area. A ‘Level B (detailed) Coastal Erosion Vulnerability Assessment (CEVS)’ is therefore required.
- 6.5. A completed Level B CEVA was submitted by the applicant on 19 February 2022, an updated response from the coastal management team is still pending, and any response will be provided within the Committee Update Sheet.
- 6.6. Due to the exposed location of the development and the intent for the huts to remain in-situ during winter months, consideration of the below matters is required and will be secured via condition:
- Risk level to be monitored by the applicant and the 12-month site occupation plan be kept under review: the location on a beach renders them exposed to damage from storms and exceptionally high sea levels through winter months, the risk will vary with width and shape of the beach and nearshore.
  - Licences for the beach huts should include provision for: Their temporary removal if work (including access) by East Suffolk Council or the Environment Agency where necessary to maintain or renew coastal defences, including beach management.
  - The removal of debris arising from damage to the huts caused by storms and / or exceptionally high sea levels.
- 6.7. As concluded by desk-based analysis, the siting of the beach huts is not within 20m of a main river or within 20m of an Environment Agency flood defence. As per Environment

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<sup>1</sup> [Microsoft Word - PDZ6v9g post consultation vFINAL.doc \(suffolksmp2.org.uk\)](#)

Agency guidance, planning restrictions will apply to require non-habitable use of the development and the submission of a Flood Response Plan to ensure that owners/occupiers of the huts are aware that the land is at risk of flooding and the appropriate course of action to be taken in the event of a flood.

## **7. Conclusion**

- 7.1. Overall, the siting of 18 beach huts seaward side of the promenade, to the south of the existing row of huts, is considered acceptable in principle subject to accordance with a number of planning conditions relating to restricted use, flood risk, coastal management and ecological mitigation. The siting of the huts at beach level retains visual amenity from both the cliff top and the existing beach huts above the promenade and are generally in-keeping with the immediate area.
- 7.2. Although the principle of the proposal is considered policy compliant, it is apparent that the proposed location has its limitation/constraints that fail to achieve the long-term solution that the existing beach hut owners are seeking if these were to be relocations, comparative to that of their existing location on the spa pavilion promenade. Comments raised by third-party consultees regarding objection to the relocation of their beach huts from the spa pavilion area of the seafront are duly acknowledged but are not a material planning consideration in the context of the assessment of the policy compliance and effects of new beach huts in this location. The needs of individual beach huts owners who may be relocated in the future is purely a matter for the Council as a beach hut site provider, rather than as the local planning authority.

## **8. Recommendation**

- 8.1. Authority to approve subject to confirmation from East Suffolk Council Coastal Management team that the submitted 'Level B CEVA' satisfies their requirements.

### **Conditions:**

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

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

2. The development hereby permitted shall not be carried out other than in complete accordance with the following drawings, received on 10 November 2021:

Site location plan (drawing number 15-12-58 01)

Block plan (drawing number 15-12-58 02)

Proposed elevations (drawing number 15-12-58 03)

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

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

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

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

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

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

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

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

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

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

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

8. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (by SWT Trading Ltd, dated October 2021) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

#### **Informatives:**

1. The local planning authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework (2021) and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. Environmental permit - advice to applicant  
The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

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

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

### 3. Marine Licensing

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

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

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

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

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

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

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

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

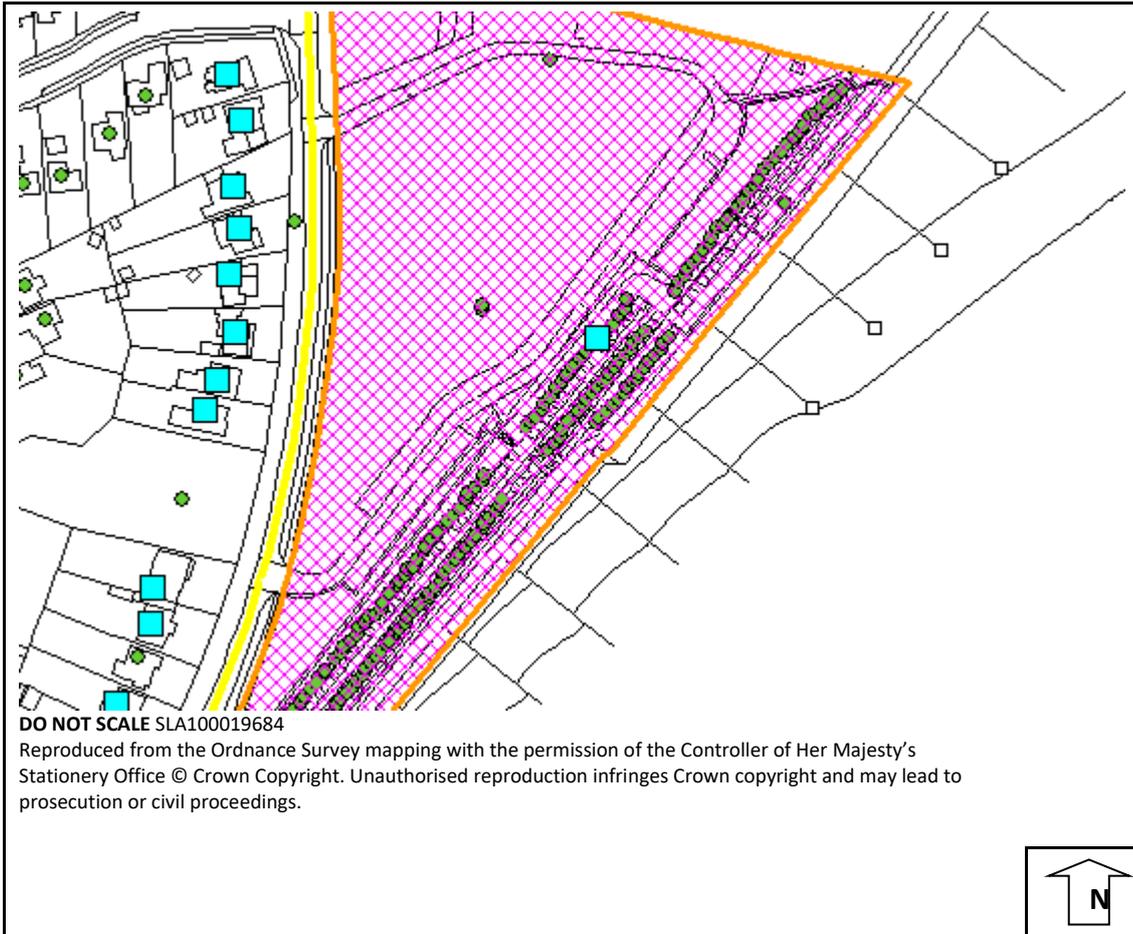
- \* local planning authority name,
- \* planning officer name and contact details,
- \* planning application reference.

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

**Background information**

See application reference DC/21/5102/FUL on [Public Access](#)

## Map



## Key



Notified, no comments received



Objection



Representation



Support

## Committee Report

**Planning Committee South - 7 March 2022**

**Application no** DC/21/5174/FUL

**Location**

Area Between Front Row Of Beach  
Huts At Golf Road Car Park  
Golf Road  
Felixstowe  
Suffolk  
IP11 1NG

**Expiry date** 26 January 2022

**Application type** Full Application

**Applicant** East Suffolk Council

**Parish** Felixstowe

**Proposal** Formation of 18 new beach hut sites for the proposed repositioning of existing beach huts from the spa

**Case Officer** Mark Brands  
07881 234242  
[mark.brands@eastsuffolk.gov.uk](mailto:mark.brands@eastsuffolk.gov.uk)

### 1. Summary

- 1.1. Full planning permission is sought for Formation of 18 new beach hut sites for the proposed repositioning of 4 existing beach huts at land to the northeast of Golf Road car park.
- 1.2. As the applicant and landowner is East Suffolk Council, the proposal is to be determined at Planning Committee in accordance with the scheme of delegation.
- 1.3. The application is recommended for approval.

### 2. Site Description

- 2.1. The site is outside the Felixstowe settlement boundary, but forms part of recreational / green open space between Golf Road and Cliff Road and the sea. The land drops from the

road towards the sea where there are cliffs / steep banks to the promenade below with stairs connecting to the promenade. There is an established wooded area that partly mitigates the view from Golf Road towards the beach huts from the North, with more intervisibility through the trees towards the Southern end of the green space from Golf Road.

- 2.2. The site is to the east of the Golf Road car park and toilet block. The proposed siting will be behind an existing row of beach huts, and some of the front row will be repositioned, moved further back from the edge of the cliff.

### **3. Proposal**

- 3.1. The proposal is for the siting of 18 beach huts and repositioning of existing beach huts at land to the northeast of Golf road car park.
- 3.2. The applicant advises that the relocation of the beach huts, which currently sit 'temporarily' along the promenade near the Spa Pavilion, is due to coastal erosion and subsequent health and safety concerns that restricts the huts being placed directly back onto the beach. As noted within the supporting statement, an agreement on which huts would move to this area has not yet been made and this process will take place in consultation with the Felixstowe Beach Hut and Chalet Association.
- 3.3. Whilst the description does refer to these as relocated beach huts, this application is being considered on the basis of beach huts in general in this location. Therefore, the determination of this application would not require the huts to be used for relocations, it is not necessary to condition the application as such and effect of these huts should be considered on the basis of additional huts on the Felixstowe Seafront. Therefore, for planning purposes, there is no reason why a consent for these huts could not in future be used for new huts for sale or rent.

### **4. Consultees**

#### **Third Party Representations**

- 4.1. 64 objections from public comments have been received. A number of these have been received from beach hut owners facing potential relocation. One objection was received from the District Councillor for the Melton Ward. Main concerns are set out below:
  - Detrimental to local wildlife and ecology the felling of trees - should be retained
  - Setting of precedent to fell trees to make way for beach huts, and infringing open space
  - Beach huts should be sited on existing hardstanding areas
  - Too far from the sea and more hazardous location, less desirable location than the Spa area
  - Site considered less accessible particularly for people with disabilities
  - Impact on views and increased disturbances for beach huts
  - Detrimental to tourism and historic resort image re-siting the beach huts
  - Detrimental to amenity space and wider landscape additional beach huts in this location
  - Insufficient parking / facility provision

- Relocation of beach huts unjustified and setting of precedent of relocating beach huts
- Alternative options not fully explored (inc replenishing and re-siting on beach, or siting these on the grassy banks by the Spa if the beach is not an option etc)
- Insufficient consultation between the beach hut owners and East Suffolk District Council
- Loss of value of beach huts following relocation
- Increased distance to facilities and services
- Waste of public money relocating the beach huts, and reputational damage to council
- Planting at Langer Park does not offset the loss of trees at the affected site, nor be to the benefit of people using the amenity space
- Location more vulnerable to vandalism based on lack of visibility of the site

4.2. 1 supporting comment from public comments

- Reasonable area to re-site beach huts

4.3. A number of informal representations (not officially logged in the absence of addresses, or not registered as a petition) have also been received objecting to the proposal on the basis of the loss of trees and detriment to the ecology and wider landscape.

4.4. Children of Fairfield Infant School and Colneis Junior School undertook a project on the planning application, their email stated:

*“After finding out that there were plans to chop more trees down in Felixstowe, some of our children decided to make a stand and produce a video to explain why they believe the trees should not be felled. They believe there must be an alternative option, rather than destroying another forest area that many species rely on for their habitat. The children produced a video to express their views and asked the rest of the school to vote 'for' or 'against' the trees being chopped down. 465 children voted against felling the trees, 17 children voted for felling the trees.”*

**Parish/Town Council**

Consultee	Date consulted	Date reply received
Felixstowe Town Council	9 December 2021	12 January 2022

Summary of comments:

Committee recommended REFUSAL of this application. Whilst we recognise that under policy SCLP12.2 additional beach huts are not precluded at this location, we feel that the application is in contravention of that policy for the following two reasons:

the policy states that beach huts should be kept below the level of the cliff;

the area is described in the policy as being 'characterised by the open green cliff top and undeveloped nature', and we therefore feel that additional huts are not in compliance with that policy.

We strongly object to the removal of trees at this location and question the figure of five trees quoted in the planning documents. We ask that this be clarified, as our examination of the block plan suggests that more than 5 will be required to be felled. We also recognise that these mature

trees and their root systems contribution to the stability of the cliff at this location, which may be compromised should they be removed.

We are also separately asking the East Suffolk Council Principal Trees and Landscape Officer to consider a Group TPO for this prominent and significant group of affected trees, and the small woodland at this location, which contributes to the character of the area. Therefore its overall impact and quality merits protection.

We also believe that an additional 18 huts at this site will be intrusive on the open vista at this location.

Furthermore, we also feel that this application does not comply with policy SCLP9.3, as any proposed development within 30m of the landward side of a vulnerable cliff requires a Coastal Erosion Vulnerability Assessment, which has not been submitted.

### Statutory consultees

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	9 December 2021	No response
Summary of comments: No response received, consultation period has expired		

Consultee	Date consulted	Date reply received
SCC Highways Department	9 December 2021	24 December 2021
Summary of comments: No objections		

### Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	9 December 2021	23 December 2021
Summary of comments: No comments		

Consultee	Date consulted	Date reply received
East Suffolk Head of Coastal Management	9 December 2021	21 December 2021
Summary of comments: Insufficient information - requires Coastal Erosion Vulnerability Assessment (level B)		

Consultee	Date consulted	Date reply received
Felixstowe Society	9 December 2021	No response
Summary of comments: No response received, consultation period has expired		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	N/A	24 January 2022
Summary of comments: Comments received,  8th February 2022 - correspondence received deferring comments for the Landscape and Arboricultural officer		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	N/A	15 February 2022
Summary of comments: No objections		

### Publicity

None

### Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 17 December 2021

Expiry date: 12 January 2022

## 5. Planning policy

National Planning Policy Framework 2021

SCLP9.3 - Coastal Change Management Area (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.1 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP12.2 - Strategy for Felixstowe (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP12.12 - Felixstowe Ferry Golf Club to Cobbolds Point (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

## **6. Planning Considerations**

- 6.1. The resort of Felixstowe, located on the coast and adjacent to the Area of Outstanding Natural Beauty (AONB), is a priority for new tourist activity, where improving the tourism potential is seen as an important element in achieving the regeneration of the town and where providing continued support in principle to the tourist industry remains a priority within the local plan. However, it is recognised that such support needs to be tailored to ensure that any expansion does not materially harm, in particular, the natural, historic and built environment assets that are the main attractions for visitors to the area and which are so important to the quality of life of local residents.
- 6.2. The land in question is covered by local policy SCLP12.12 (Felixstowe Ferry Golf Club to Cobbolds Point), which recognises the importance of the character of the open green cliff top and undeveloped nature of the seafront, with traditional beach huts adding to the unique character. The supporting text sets out that development of such areas of the cliff top will be restricted to certain developments including beach huts to ensure the open character of the cliff top is retained and views to the sea are not obstructed.
- 6.3. The principle of siting further beach huts in this location behind the existing row is considered suitable. There will be some reduction of the open space and tree loss, but the key characteristics of the area and views to be protected from Golf and Cliff Roads towards the sea over the open green cliff top will largely be unaltered given the presence of the existing row of beach huts. The site is also adjacent to the Golf Road car park and toilet block, given the context, topography and facilities in situ this area is capable of supporting the additional beach huts in the area, the views will additionally be partly obscured by the woodland.
- 6.4. Local policy SCLP10.1 requires development to positively contribute towards biodiversity, protecting and enhancing habitat and providing environmental net gains. New development must secure ecological enhancements as part of its design and implementation, and should provide a biodiversity net gain that is proportionate to the scale and nature of the proposal. This is also set out in the NPPF (part 15 - Conserving and enhancing the natural environment), paragraph 174 emphasising the importance of recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services including trees and woodland, minimising impacts and providing ecological net gains.
- 6.5. The preliminary ecological appraisal set out that the installation of the beach huts at this location will result in the loss of a small area of broadleaved woodland within the development footprint. Although it does not meet the criteria for the Priority habitat: Lowland Mixed Deciduous Woodland this loss should be addressed by enhancement of the remainder of the woodland habitat. Currently the woodland is in poor condition; its species diversity is relatively poor and it is structurally dominated by sycamore.

Consequently, selective thinning of the sycamore and white poplar to let in more light, along with additional planting of native shrub species suitable for coastal locations, including wild privet, hawthorn and blackthorn, would provide enhancement.

- 6.6. Compensatory tree planting was proposed at Langer Park to at a ratio of planting 3 trees for every tree lost. Following discussions and comments received through the consultation process the compensatory planting and habitat creation will take place by the Golf Road site. Details of this are provided in the 'proposal to mitigate for tree felling at Golf Road'. The report sets out that at least 7 trees will need to be felled and identified in the photographs, in a worst case scenario 16 trees may need to be removed. The replacement planting of native shrub species will take place on site at the same ratio of 3 to 1 (resulting in the planting of between 21 to 48 shrub plants). The trees are of limited amenity and ecological value, as such no objections have been received from the council's Ecologist and Arboricultural officer. The replacement with more appropriate native shrub species such as wild privet, hawthorn and blackthorn would help diversify the habitat and provide ecological enhancement to offset the loss of the trees and provide ecological net gains. This is considered acceptable in principle, and details of the compensatory planting will be secured by condition, and approach considered to accord with local policy SCLP10.1.
- 6.7. Minor development such as this is unlikely to raise significant flood risk issues. Although the site does not fall within the defined Coastal Change Management Area, it is located within 30m of the coastal defence line and all of it is a soft cliff within 60m of the sea defence line. A Coastal Erosion Vulnerability Assessment (level B) is therefore required to ensure that access to coastal defences is not inhibited by new and replacement development, confirmed by the Coastal Management team. A completed CEVA was submitted by the applicant on 21 February 2022, an updated response from the coastal management team is still pending, and any response will be provided within the Committee Update Sheet.

## **7. Conclusion**

- 7.1. While the proposal will result in the loss of trees there will be compensatory planting of more appropriate native species to offset this loss and provide ecological enhancements in accordance with the aforementioned policy requirements. The repositioning and siting of further beach huts in this location are considered to accord with the area policy that permits beach huts in this location subject to retaining the key characteristics of the site including protecting the open views across the green cliff top.
- 7.2. Although the principle of the proposal is considered policy compliant, it is apparent that the proposed location has its limitation/constraints that fail to achieve the long-term solution that the existing beach hut owners are seeking if these were to be relocations, comparative to that of their existing location on the spa pavilion promenade. Comments raised by third-party consultees regarding objection to the relocation of their beach huts from the spa pavilion area of the seafront are duly acknowledged but are not a material planning considerations in the context of the assessment of the policy compliance and effects of new beach huts in this location. The needs of individual beach huts owners who may be relocated in the future is purely a matter for the Council as a beach hut site provider, rather than as the Local Planning Authority.

## **8. Recommendation**

- 8.1. Authority to approve subject to confirmation from East Suffolk Council Coastal Management team that the submitted 'Level B CEVA' satisfies their requirements

### **Conditions:**

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with application form, drawings proposed block plan 15-12-55 01, 15-12-55 03, 15-12-55 04 received 16 November 2021, Preliminary Ecological Appraisal received 1 December 2021, Proposal to Mitigate for Tree Felling report received 8 February 2022.

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

3. Within 3 month(s) of commencement of development, precise details of a scheme of landscape works (which term shall include tree and shrub planting and any clearances, earthworks, soft and hard surfacing etc, and other operations as appropriate) at a scale not less than 1:200 and landscape report 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.

4. The approved landscaping scheme shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of 5 years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

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

5. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (by SWT Trading Ltd, dated October 2021) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

6. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided

written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that nesting birds are protected.

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

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

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

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

**Informatives:**

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

**Background information**

See application reference DC/21/5174/FUL on [Public Access](#)

## Map



## Key

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

## Committee Report

**Planning Committee South - 7 March 2022**

**Application no** DC/21/4756/FUL

**Location**

Beach Hut Area  
South Seafront  
Langer Road  
Felixstowe  
Suffolk

**Expiry date** 26 December 2021

**Application type** Full Application

**Applicant** East Suffolk Council

**Parish** Felixstowe

**Proposal** Resiting of 16 Existing huts from current location at the Spa Con Prom to permanent site at manor End - Area between Sea Wall and Promenade

**Case Officer** Mark Brands  
07881 234242  
[mark.brands@eastsoffolk.gov.uk](mailto:mark.brands@eastsoffolk.gov.uk)

### 1. Summary

- 1.1. Full planning permission is sought for the resiting of 16 Existing huts from current location at the Spa Con Prom to permanent site at manor End - Area between Sea Wall and Promenade
- 1.2. As the applicant and landowner is East Suffolk Council, the proposal is to be determined at Planning Committee in accordance with the scheme of delegation.
- 1.3. The application is recommended for refusal.

## **2. Site Description**

- 2.1. The proposed site for the siting of the beach huts will be between the sea wall flood defence and promenade in front of the Martello Park play area. Martello Tower P is positioned around 150m to the southwest of the site which is a Scheduled Ancient Monument and Grade II listed building.
- 2.2. It is located within Flood Zone 2, within 16 meters of a tidal river (includes the sea as per Environment Agency guidance) and inside a 30-metre risk zone landward of an area where the intent of management is to Hold the Line (HTL).
- 2.3. An area of shingle immediately in front of the Scheduled Monument is a habitat for rare, vegetated shingle and foredune plants, and is designated as a County Wildlife Site
- 2.4. There are beach huts further along this section of promenade to the north of the Orford shelter, with toilet facilities and small parking area also to the north with ramp access to one of the beach sections also in this vicinity. There is also a ramp over the sea wall closed off, but with planning permission for this to be replaced (DC/21/2701/FUL). The other side of the sea wall is the Martello Park and associated playground equipment. To the South beyond the vegetated shingle areas there are more beach huts and facilities with the Martello Park and playground equipment behind the site

## **3. Proposal**

- 3.1. The proposal is for the re-siting of 16 Existing huts from current location at the Spa Con Prom to permanent site at manor End - Area between Sea Wall and Promenade.
- 3.2. The applicant advises that the relocation of the beach huts, which currently sit 'temporarily' along the promenade near the Spa Pavilion, is due to coastal erosion and subsequent health and safety concerns that restricts the huts being placed directly back onto the beach. As noted within the supporting statement, an agreement on which huts would move to this area has not yet been made and this process will take place in consultation with the Felixstowe Beach Hut and Chalet Association.
- 3.3. Whilst the description does refer to these as relocated beach huts, this application is being considered on the basis of beach huts in general in this location. Therefore, the determination of this application would not require the huts to be used for relocations, it is not necessary to condition the application as such and effect of these huts should be considered on the basis of additional huts on the Felixstowe Seafront. Therefore, for planning purposes, there is no reason why a consent for these huts could not in future be used for new huts for sale or rent.

## **4. Consultees**

### **Third Party Representations**

- 4.1. 47 objections from public comments have been received. A number of these are from existing beach hut owners facing potential relocation. Main concerns are set out below;
  - Site considered less accessible particularly for people with disabilities

- Less desirable location than the Spa area
- Impact on views and increased disturbances for residents of Martello Park
- Detrimental to tourism and historic resort image re-siting the beach huts
- Detrimental to historical character and conservation area around the Spa the relocation of the beach huts
- Relocation of beach huts unjustified and setting of precedent of relocating beach huts, and not necessary as promenade considered to be of sufficient width
- Alternative options not fully explored (inc replenishing and re-siting on beach, or siting these on the grassy banks by the Spa if the beach is not an option etc)
- Insufficient consultation between the beach hut owners and East Suffolk District Council
- Loss of value of beach huts following relocation
- Increased distance would result in greater car usage to get to beach huts to the detriment of the environment
- Increased distance to facilities and services
- Waste of public money relocating the beach huts, and reputational damage to the image of the town
- Shingle at proposed site includes rare plant habitat.

4.2. It should be noted that most of the objections relate to the relocation of the beach huts by the Spa, not the use of this land for the siting of additional beach huts, with a number of comments indicating they do not object to this aspect.

#### Parish/Town Council

Consultee	Date consulted	Date reply received
Felixstowe Town Council	3 November 2021	18 November 2021
Summary of comments: Committee recommended APPROVAL		

#### Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	3 November 2021	22 November 2021
Summary of comments: No objections		

Consultee	Date consulted	Date reply received
Historic England	3 November 2021	22 November 2021
Summary of comments: No objections		

## Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Head Of Coastal Management	3 November 2021	17 November 2021
Summary of comments: Comments received		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	3 November 2021	4 November 2021
Summary of comments: Comments received including attaching standard condition in event of discovering unexpected contamination.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	3 November 2021	14 December 2021
Summary of comments: Objects - loss of priority habitat, contrary to local policy (Further comments received 2 February 2022) and incorporated in the report.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	3 November 2021	No response
Summary of comments: No response received, consultation period has expired		

Consultee	Date consulted	Date reply received
East Suffolk Economic Development	3 November 2021	12 November 2021
Summary of comments: No comments		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	3 November 2021	10 November 2021
Summary of comments: Comments received but further confirmation required.		

Consultee	Date consulted	Date reply received
Victorian Society	N/A	1 December 2021
Summary of comments: Objects		

## Publicity

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

Category	Published	Expiry	Publication
Affects Setting of Listed Building	11 November 2021	2 December 2021	East Anglian Daily Times

## Site notices

General Site Notice	Reason for site notice: Affects Setting of Listed Building Date posted: 10 November 2021 Expiry date: 1 December 2021
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## 5. Planning policy

National Planning Policy Framework 2021

SCLP9.3 - Coastal Change Management Area (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.1 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.3 - Historic Environment (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.4 - Listed Buildings (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP12.2 - Strategy for Felixstowe (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP12.14 - Spa Pavilion to Manor End (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

## 6. Planning Considerations

- 6.1. The resort of Felixstowe, located on the coast and adjacent to the Area of Outstanding Natural Beauty (AONB), is a priority for new tourist activity, where improving the tourism potential is seen as an important element in achieving the regeneration of the town and where providing continued support in principle to the tourist industry remains a priority within the local plan. However, it is recognised that such support needs to be tailored to ensure that any expansion does not materially harm, in particular, the natural, historic and built environment assets that are the main attractions for visitors to the area and which are so important to the quality of life of local residents.
- 6.2. The site is within the settlement boundary and covered by a site specific policy SCLP12.14 Spa Pavilion to Manor End, which sets out that additional beach huts in this area will be supported in locations that complement the existing resort uses and do not fill the important gaps between huts.
- 6.3. As noted there are other beach huts present further along this part of the promenade, the visual impact from introducing further beach huts in this location would therefore not appear out of character in this location and add to the beach-scene aesthetic. Concerns have been raised over loss of views and increased footfall, however the site is sufficiently separated from neighbouring amenity and separated by the sea wall, the promenade, the park area and play equipment are public areas the impact on footfall or disturbances from beach huts in this setting is therefore cumulatively going to be negligible so as not to adversely impact neighbouring amenity.
- 6.4. The setting of the Martello Tower P has changed notably over the years following the redevelopment of the surrounding Martello Park development eroding the open space around the scheduled monument and listed building. The Martello Tower formed part of a chain to protect the coast from invasion, the uninterrupted views of the coast is therefore important to its significance, with the open view towards the sea representing an important gap that needs to be retained to preserve the setting. The HIA sets out sightlines from Tower P to be protected and exclude siting of beach huts within these suggested sightlines to protect the setting of the scheduled monument from the seaward side. As noted in the comments from Historic England and conservation team, the HIA suggests a larger area extending further south is proposed, but this has been reduced in size and number as shown in the plans but still of relevance including the sightlines that the revised scheme has sought to protect with the reduced site area. The conservation team have commented the submission is of insufficient details and quality to be able to make comments. Historic England have raised no objection, considering the application meets the requirements of the NPPF, paragraphs 199 and 200 however the Historic England commentary should be limited to the Scheduled Monument status and the Grade II Listed Building consideration is the responsibility of the District Council. Before concluding on this, officers are seeking further Conservation Officer advice on the level of harm or loss of significance to the designated asset or its setting as a Listed Building. This will be covered in the update sheet.
- 6.5. A number of comments received on the proposal cite concerns on the impact of the loss of beach huts from the areas around the Spa Pavilion and impact on the historic character of the area. While the description sets out the proposal is to accommodate the relocation,

the planning consideration relates to the use of the land for beach huts. As such Historic England and the Conservation Officer have raised no comments on this aspect. The application under consideration concerns the siting of beach huts at the south seafront, relocating beach huts would not constitute development with a policy in place that supports additional beach huts in this part of the town subject to adherence with the rest of the Local Plan.

- 6.6. Minor development such as this is unlikely to raise significant flood risk issues. Although the site does not fall within the defined Coastal Change Management Area, it is located within a 30-metre risk zone landward of areas where the intent of management is to Hold the Line (HTL) as detailed in Shoreline Management Plan 7. A Coastal Erosion Vulnerability Assessment is therefore required to ensure that access to coastal defences is not inhibited by new and replacement development. The Coastal Management Team have viewed the application and are satisfied the CEVA submitted with the application complies with the requirements of the Local Plan, and no concerns raised over the proposal.
- 6.7. The proposal would result in the loss of priority habitat (coastal vegetated shingle) as recognised in the submitted preliminary ecological appraisal, for which the overarching emphasis of local policy SCLP10.1 seeks to protect such habitat, requiring all development to follow a hierarchy of seeking firstly to avoid impacts, mitigate for impacts so as to make them insignificant for biodiversity, or as a last resort compensate for losses that cannot be avoided or mitigated for. Adherence to the hierarchy has not been demonstrated. Furthermore the policy sets out that proposals would not be supported unless it can be demonstrated with comprehensive evidence that the benefits of the proposal, in its particular location, outweighs the biodiversity loss. Should this be met it goes on to set out that where compensatory habitat is created, it should be of equal or greater size and ecological value than the area lost as a result of the development. While the submitted documentation indicates that there will be compensatory habitat, no specific details have been submitted to set out or evidence that this could be accommodated in other land in the councils ownership or whether suitable such areas are available for such offsetting. Any creation of compensatory habitat would need to be of equal or greater size and ecological value than the area lost as a result of the development.
- 6.8. The Natural Environment and Rural Communities (NERC) Act (2006) is the legislation which identifies coastal vegetation shingle as one of a suite of habitats of conservation importance in the UK. The NERC Act places a duty on local authorities to have regard to conserving these habitats when "exercising their functions".
- 6.9. Coastal vegetated shingle is a relatively rare habitat not only in the UK but in the world, being restricted mainly to parts of north-west Europe, Japan and New Zealand. Suffolk contains approximately 20% of the vegetated shingle habitat found in the UK (including at Orford Ness which is the second largest area in the country). It is so restricted because it needs a particular set of conditions to occur, including the right range of sediment size, proximity to the coast and acceptable levels of disturbance. Generally speaking it is a dynamic habitat due to the influence that the sea has on it, although in some places where it occurs slightly separated from the sea (like at Manor End/Martello Park) this dynamism is in part mimicked by human and weather disturbance.
- 6.10. At the Manor End site the main indicator plant species that the Preliminary Ecological Appraisal identified were Sea Pea (a Nationally Scarce species), Sea Kale, and Sea Beet,

with other species such as Yellow-horned Poppy also a common occurrence elsewhere in the area. The Nationally Scarce plant Dittander was also found at the Manor End site.

- 6.11. Because of the specific range of conditions which it requires, creating new areas of coastal vegetated shingle is very difficult which is why in the first instance any loss should be avoided. Given the importance of conserving this habitat as recognised in the Local Plan and national legislation and the habitat not being readily replicable it is clear the benefits of the proposal in this location does not outweigh the biodiversity loss. The proposal is therefore contrary to local policy SCLP10.1.

## **7. Conclusion**

- 7.1. While the site is within an area where new beach huts are generally supported subject to important spaces and gaps being retained, and the siting has considered the protected sightlines from the Martello Tower to ensure the siting of beach huts in this location will not detract from the setting of the Martello Tower, the land forms part of a vegetated coastal shingle habitat that is designated as a priority habitat. Local policy SCLP10.1 and national legislation is clear that such habitat needs to be protected for which the benefits of accommodating beach huts in this location will not overcome the harm that would result in the irreversible loss of such priority habitat.
- 7.2. Notwithstanding the recommendation of refusal, it is apparent that the proposed location has its limitation/constraints that fail to achieve the long-term solution that the existing beach hut owners are seeking if these were to be relocations, comparative to that of their existing location on the spa pavilion promenade. Comments raised by third-party consultees regarding objection to the relocation of their beach huts from the spa pavilion area of the seafront are duly acknowledged but are not a material planning consideration in the context of the assessment of the policy compliance and effects of new beach huts in this location. The needs of individual beach huts owners who may be relocated in the future is purely a matter for the Council as a beach hut site provider, rather than as the Local Planning Authority. No case has been made in the submission of any heritage or visual gain resulting from relocations from the existing location so that has no material bearing on the proposal either.

## **8. Recommendation**

- 8.1. Planning permission should be refused for the reason below and pending further conclusion on the effect on the setting of the Listed Martello Tower.

### **Reason:**

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

case it has not been demonstrated with comprehensive evidence that the benefits of the proposal in this location would outweigh the biodiversity loss, the proposal is therefore contrary to the aforementioned policy considerations.

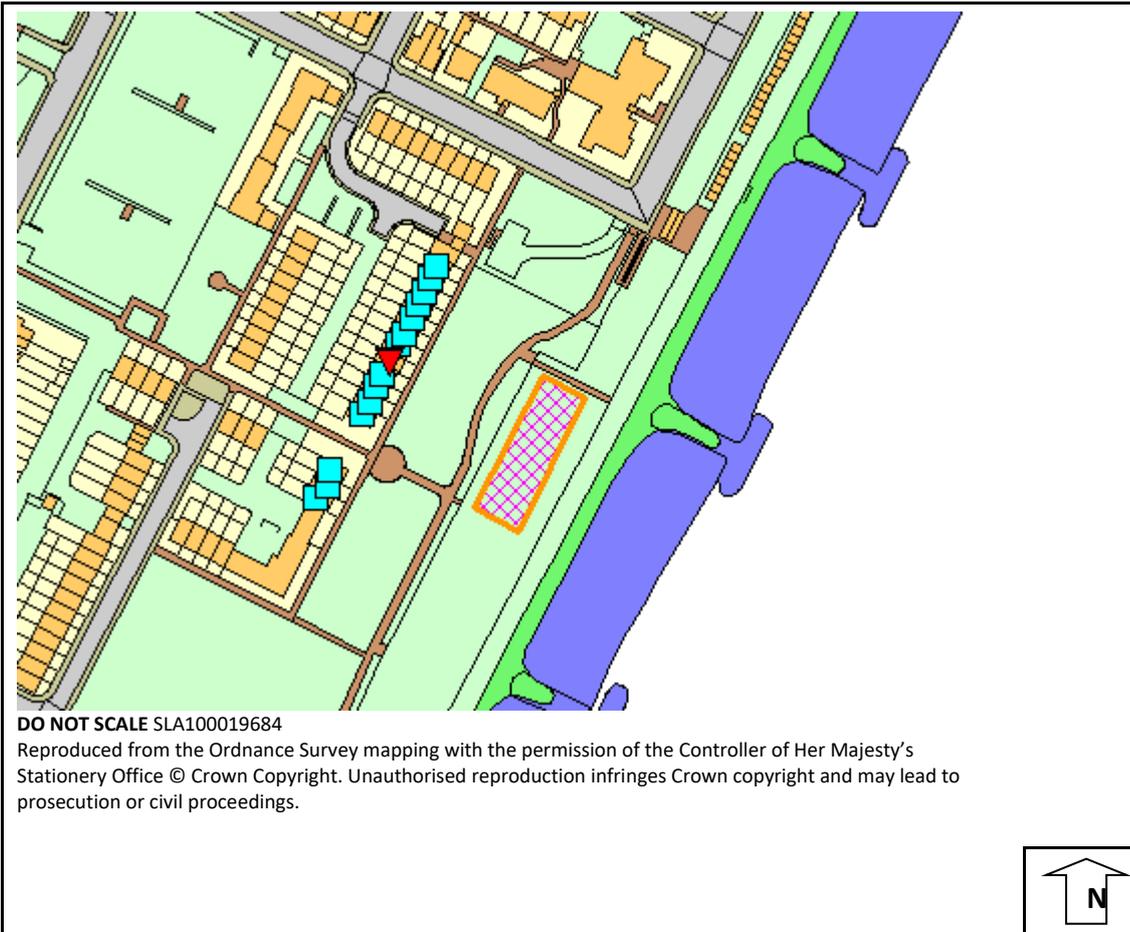
**Informatives:**

1. The local planning authority has identified matters of concern with the proposal and the report clearly sets out why the development fails to comply with the adopted development plan. The report also explains why the proposal is contrary to the objectives of the National Planning Policy Framework and local plan to deliver sustainable development.
2. In determining this application, the local planning authority has considered the following documentation submitted in association with the application:
  - Application form - received 18 October 2021
  - Heritage statement - received 18 October 2021
  - Topographical plan PLS-NP-FT-TS-00 - received 18 October 2021
  - Proposed site plan 15-12-57-02 - received 18 October 2021
  - Proposed elevations 15-12-57-03 - received 18 October 2021
  - Coastal Erosion Vulnerability Assessment - received 19 October 2021
  - Preliminary Ecological Appraisal - received 24 November 2021

**Background information**

See application reference DC/21/4756/FUL on [Public Access](#)

## Map



## Key



Notified, no comments received



Objection



Representation



Support



## Committee Report

Planning Committee South – 7 March 2022

Application no DC/21/1322/ARM

### Location

Land North Of  
Walton High Street  
Felixstowe  
Suffolk

**Application type** Approval of Reserved Matters

**Applicant** Bloor Homes Eastern

**Parish** Felixstowe

**Proposal** Approval of reserved matters (layout, scale, appearance and landscaping) on DC/16/2778/OUT: Hybrid application seeking outline planning permission for demolition of existing buildings and phased construction of up to 385 dwellings, associated infrastructure, new public open space and a new link road and linear park between Walton High Street and Candlet Road with all matters reserved except access and full planning permission and listed building consent for demolition of existing buildings and conversion of curtilage listed stables to B1 business use, associated infrastructure and enhancements to the curtilage of 362 High Street.

The development is not EIA development - the Hybrid Planning Permission was the subject of an EIA Screening Opinion (EIA).

**Case Officer** Rachel Lambert  
01394 444574  
[rachel.lambert@eastsoffolk.gov.uk](mailto:rachel.lambert@eastsoffolk.gov.uk)

## **1. Summary**

### Proposal

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

### Committee reason

- 1.2. In accordance with the scheme of delegation, the Head of Planning and Coastal Management has requested that the decision is to be made by members at the respective planning committee due to the significance of public interest in the proposal.

### Recommendation

- 1.3. Authority to approve subject to agreement of conditions with the applicant (this may be confirmed in the committee update sheet) and an upfront payment of RAMS under Section 111 of the Local Government Act 1972.

## **2. Site description**

- 2.1. The subject site comprises a broadly rectangular parcel of land to the north of Walton High Street, measuring approximately 14.3 hectares, and currently comprises agricultural land and the remnants of a rifle range. It is located within the wider urban area of Felixstowe, on the western edge of Walton, bounded by the A14 (Felixstowe Road) and Candlet Road, to the west and north respectively. The subject site also includes land to south of Walton High Street, which currently provides access to Felixstowe Academy and a housing development; this aspect of the site will deliver new landscaped open space.
- 2.2. Topographically, the site is relatively flat, and trees/hedgerows demarcate the site boundaries. A public footpath (Footpath 28) crosses through the middle of the site in a north/south direction between Walton High Street and Candlet Road, continuing north and connecting with the wider public rights of way network.
- 2.3. The site lies within 13km of the Stour and Orwell Estuaries SPA; the Stour and Orwell Estuaries Ramsar Site; the Deben Estuary SPA; the Deben Estuary Ramsar Site; the Sandlings SPA; the Alde-Ore Estuary SPA; the Alde-Ore Estuary Ramsar Site; the Alde-Ore and Butley Estuaries SAC and the Orfordness-Shingle Street SAC.
- 2.4. It is located within Flood Zone 1; it does not lie within a Conservation Area or Special Landscape Area; and there are no listed buildings within the site extent.

### Planning history

- 2.5. Relevant extant planning history for the site includes the following:
  - DC/16/2778/OUT - Hybrid application seeking outline planning permission for demolition of existing buildings and phased construction of up to 385 dwellings, associated infrastructure, new public open space and a new link road and linear park

between Walton High Street and Candlet Road with all matters reserved except access and full planning permission and listed building consent for demolition of existing buildings and conversion of curtilage listed stables to B1 business use, associated infrastructure and enhancements to the curtilage of 362 High Street – Permitted.

- DC/19/0906/DRC - Details reserved by Condition 18\* (Design Brief) of DC/16/2778/OUT – Permitted.

*\*Condition 18: Notwithstanding the submitted Indicative Masterplan, a Site Wide Masterplan Document (SWMD) shall be submitted to the local planning authority either prior to or alongside the first application for approval of reserved matters. The SWMD shall include a set of Design Principles including: a. the principles for determining the design, form, heights and general arrangement of external architectural features of buildings; b. the principles of the hierarchy for roads and public spaces; c. potential arrangements for car parking; d. the principles for the design of the public realm; and e. the principles for the laying out of the green infrastructure, including the access, location and general arrangements of the sports pitches and play areas. The SWMD shall include a two-dimensional layout drawing that shows a. the broad arrangement of development blocks including indications of active frontages; b. density ranges; c. maximum building heights; d. character areas; e. the location and general extent of public open space, including Play Areas; f. existing landscape features to be retained; and g. proposed structural planting. Submissions for the approval of the reserved matters shall accord with the approved SWMD, unless otherwise agreed in writing by the local planning authority.*

*Reason: To secure a high-quality design and layout of the development having regard to the sensitive nature of the site as a gateway location and presence of heritage assets.*

- DC/20/0062/LBC - Application for a new Listed Building Consent to replace existing Listed Building Consent DC/16/2820/LBC to allow for the demolition of existing buildings, the conversion and reconstruction of curtilage listed stable buildings to B1 business use and enhancements to the curtilage of 362 High Street. Listed building consent required to support the extant planning permission for the demolition of existing buildings and the phased construction of up to 385 dwellings, new public open space and a new link road and linear park between Walton High Street and Candlet Road the conversion of curtilage listed stables to B1 business use, together with associated infrastructure (ref: DC/16/2778/OUT) – Permitted.

2.6. Pending applications in relation to the hybrid application include the following:

- DC/21/3662/ARM - Approval of reserved matters (layout, scale, appearance, and landscaping) on DC/16/2778/OUT.

*This is a duplicate application to DC/21/1322/ARM; the applicant has confirmed that they will withdraw this duplicate application upon approval of the DC/21/1322/ARM. If this is not actioned, then the item will be presented and the March planning committee.*

- DC/21/4182/DRC - Discharge of Condition 3 (Phasing Plan) and Condition 12 (Construction Management Plan) on DC/16/2778/OUT.
- DC/21/4184/DRC - Discharge of Condition 6 (Link Road between Candlet Road and High Street) on DC/16/2778/OUT.
- DC/21/4183/DRC - Discharge of Condition 4 (Roundabout Junctions) on DC/16/2778/OUT.
- DC/21/5394/DRC - Discharge of Condition 16 (Archaeology) of DC/16/2778/OUT.

### **3. Proposal**

- 3.1. This reserved matters submission relates to the outline element of the extant permission for the development of 'up to 385 dwellings, associated infrastructure, new public open space and a new link road and linear park between Walton High Street and Candlet Road with all matters reserved except access' – ref. DC/16/2778/OUT. Following design revisions, the proposal now comprises 366 dwellings.
- 3.2. The full aspect of the hybrid permission, which relates to the listed stables, is being delivered by a different developer and does not form part of this reserved matters submission.
- 3.3. As per Condition 1 of DC/16/2778/OUT – the submission seeks confirmation on the following:

*Plans and particulars showing the detailed proposals for all the following aspects of the development ("the reserved matters") shall be submitted to the Local planning authority and development shall not be commenced before these details have been approved:*

- *The layout including the positions and widths of roads, footpaths and cycleways including levels and gradients*
- *The density*
- *The siting of all buildings and the means of access thereto from an existing or proposed highway*
- *The design of all buildings, including the colour and texture of facing and roofing materials*
- *Landscaping*
- *A landscape design showing the planting proposed to be undertaken, the means of forming enclosures, the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels*
- *The arrangements to be made for the future maintenance of landscaped and other open areas*
- *Measures to minimise water and energy consumption and to provide for recycling of waste*
- *The layout of foul sewers and surface water drains*
- *The provision to be made for the parking, loading and unloading of vehicles*

- *The alignment, height and materials of all walls and fences and other means of enclosure*
- *The manner of treatment of existing water courses and ditches*

#### 4. Consultation

##### Third Party Representations

4.1. Eleven third-party objections were received, which raised the following matters:

- Necessity of bus stop
- Necessity of additional pedestrian crossing
- Highway safety impacts of bus stop location/cycle routes
- Increase in traffic/congestion and loss of parking
- Loss of privacy from bus stop
- Noise and disruption from bus shelter
- Visual amenity of bus shelter
- Impact on infrastructure/services
- Access to Treetops should not be available/limited for pedestrian use
- Lack of parking within the area
- Loss of agricultural land
- Construction traffic impacts
- Landscape impacts
- Impact on non-designated heritage asset

##### Statutory and non-statutory consultees

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

Consultee	Date consulted	Date reply received
Felixstowe Town Council	14 April 2021	26 April 2021
	9 September 2021	No response
	12 November 2021	23 September 2021
<p><u>“26 April 2021</u>            “Committee recommended REFUSAL. The proposals do not appear to have taken into account the updated planning policies in the Suffolk Coastal Local Plan. Committee had concerns about the insufficient level of detail on the delivery of the spine road and roundabouts which – particularly with respect to the roundabout to Candlet Road - should be required to be completed on commencement, prior to construction of any housing. It is essential that construction traffic should be via Candlet Road and not via Walton High Street. We would wish also expect to see a phasing drawing. Committee was disappointed at the clustering of affordable homes, predominately to the edges of the site, which should instead be fully integrated and tenure-blind throughout the development. We therefore support the comments of ESC housing in this regard. Committee felt that</p>		

elements of design need to be revisited, for example mock Tudor housing fronting Walton High Street, which is not in keeping with the local vernacular. Committee were concerned about the location of the play area park beside the spine road, particularly in relation to air pollution from traffic and the linear park being the only open space being provided. SCLP5.8 determines that at least 50% of the dwellings will need to meet the requirements for accessible and adaptable dwellings under Part M4(2) of the Building Regulations, we therefore query why the applicant is only delivering 45%. The application appears to indicate dedicated cycling routes, but there is insufficient detail provided and we could not identify any formal documentation confirming the arrangements for this. The parking and cycling strategy refers only to locations for bike storage, rather than any cycling strategy. We therefore seek clarification as to whether such a strategy exists. Cycling routes should not be designed in isolation and should sensibly link to onward bike journeys beyond the site. We note that there appear to be steps to the north-west of the roundabout on Candlet Road and request that this instead be a graded slope. We believe that there should be a mix of bungalow sizes, rather than all being 3 bedroom. Welcome the introduction of some innovative sustainable energy solutions delivering estimate 31% of emissions against building regulations, but would wish to see greater use throughout the site and a more formal evaluation of alternative forms of sustainable energy provision, such as GSHPs. Separate to the matters raised above in respect of this site, we would remind the planning authority that on a significant part of the drainage amelioration proposed for the development north of Candlet Road development was proposed to include a 1m drainage pipe to allow for overflow to the north west part of this site. This should be taken in to consideration when assessing drainage plans for this site.”

#### 23 September 2021

“Committee recommended REFUSAL. Committee was extremely disappointed to learn that the long-standing, and soundly-based, desire of the Town Council and local community - that the Candlet Road roundabout should be provided before commencement of the development, to enable construction traffic to access the site from the north, rather than via Trimley or Walton – is precluded by the S106 agreement with SCC. However, on behalf of many elements of the community of the town that we represent, we strongly assert that this remains the only acceptable course. Therefore, the development should not commence until that roundabout is provided. Committee is concerned that there remains a shortage of informal open space and regrets that the location of the LEAP play area remains alongside the spine road. Committee requests that the entrance to the LEAP to the north should be relocated away from its road-facing position. Focus should be given towards the ability of trees and foliage along the spine road to help reduce the risk of pollution from traffic. Committee welcome the improved cycling and walking provisions, and the priority given to cyclists over vehicular traffic. However, we request that the entrance and egress from the development at the South-West corner from the High Road, and access through to Treetops, be shared pedestrian and cycling routes up to the boundary of the site. We look forward to the new access on the Candlet Road being developed to the South-East by the County Council. We remain of the view that there should be a mix of bungalow sizes, rather than all being 3 bedroom. This Council is disappointed at the lack of environmental forethought in delivering sustainable energy solutions throughout this development. Committee noted that Anglian Water appear content with the plans as submitted. However, we refute the assertion that there is capacity to discharge into the foul sewer via Walton High Street. We therefore do

not accept this and remain concerned that, following meetings with Anglian Water and the LLFA to subsequently discuss known recent flooding events and to address this which have not been referred to in this application. We remain concerned about the proliferation and locations of crossings and bus stops proposed along the Walton High Street and the consequential loss of on-street parking.”

Consultee	Date consulted	Date reply received
Trimley St Mary Parish Council	15 September 2021	24 November 2021
Summary of comments: “The Parish Council has no comments regarding this application.”		

Consultee	Date consulted	Date reply received
Trimley St Martin Parish Council	15 September 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Anglian Water	14 April 2021 15 September 2021 12 November 2021	No response 20 September 2021 15 November 2021

15 November 2021  
“We have reviewed the submitted documents and we can confirm we have no further comments to add to our previous response.”

20 September 2021  
*“Assets Affected*  
There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

*Foul Water*  
We have reviewed the applicant’s submitted foul drainage strategy and consider that the impacts on the public foul sewerage network are acceptable to Anglian Water at this stage. We request that we are consulted on any forthcoming application to discharge Conditions 1 and 10 of the outline planning application DC/16/2778/OUT, to which this

Reserved Matters application relates, that require the submission and approval of detailed foul drainage information.

*Surface Water*

We have reviewed the applicant’s submitted surface water drainage information (Flood Risk Assessment/Drainage Strategy) and have found that the proposed method of surface water discharge does not relate to an Anglian Water owned asset. As such, it is outside of our jurisdiction, and we are unable to provide comments on the suitability of the surface water discharge. The local planning authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented. A connection to the public surface water sewer may only be permitted once the requirements of the surface water hierarchy as detailed in Building Regulations Part H have been satisfied. This will include evidence of the percolation test logs and investigations in to discharging the flows to a watercourse proven to be unfeasible.”

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	14 April 2021	23 April 2021
	9 September 2021	10 December 2021
	6 January 2022	

Summary of comments:

“I can advise that the submitted landscape planting details are acceptable and may be approved as submitted. They will deliver over 300 trees, 2700 native shrubs, 320m of native hedges plus over 9000 ornamental shrubs as hedging and plot planting. Grassland and wildflower meadow areas are also included.”

Consultee	Date consulted	Date reply received
East Suffolk Design and Conservation	9 September 2021	22 October 2021
	12 November 2021	19 November 2021

Summary of comments:

Internal consultee – comments included within reporting.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	9 September 2021	02 February 2022

Summary of comments:

Internal consultee – comments included within reporting. No objection, subject to conditions.

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	15 September 2021 12 November 2021	26 October 2021 12 November 2021
<p>Summary of comments:</p> <p><u>12 November 2021</u></p> <p>“Following our previous consultation response we have reviewed an email from Jason Evans of Bloor Homes sent directly to the Environment Agency which covers our concerns in our previous letter. For transparency please include this email on the East Suffolk Planning website. We have attached this email for your information. On the basis that this information will be submitted in support of the planning application, we are removing our holding objection. Following review of this email as well as the attached plans, including further details of the rain gardens, the depth of the ring soakaways, and depths of other soakaways in particular, we overall accept the proposed drainage strategy and have no further comments.”</p> <p><u>26 October 2021</u></p> <p>“We do not accept the use of deep infiltration features for this site at this stage as it requires further consideration and detail. Soakaway S63 is shown to be the deepest of the soakaways shown in plan ref: 60724/C/003 Rev A, with a total depth of 3.40m based on a cover level of 23.35 and an invert level of 19.95m above Ordnance Datum (base of soakaway depth is not known but assumed to be at invert level). The email discusses that groundwater was recorded at “considerable depths” beneath the site but then states that the ground investigation is only undertaken to a depth of 5m below ground level, and that there was one water strike at 4.24m below ground level in the south eastern corner of the site. This was from WS03 in the February 2020 report – this was not levelled relative to Ordnance datum but the topographic survey in the Drainage Strategy plan indicates this ground level to be at around 22.1m above Ordnance datum at this location, and as such groundwater would have been struck at approximately 17.9m above Ordnance datum in January 2020. This would indicate between the base of soakaway S63 and the only groundwater encountered on site, that there is approximately 2.1m depth, which is reassuring and greater than our required 1.2m minimum depth (see our advice at the end of this letter), however this data set is limited and not considered to be “considerable depths” as stated in the email. There are a number of soakaways with no depths shown including the highway ring soakaways. It would be useful to provide all depths. There is no discussion on groundwater vulnerability and why shallower infiltration has not been considered – all that has been provided is two reports with infiltration testing (neither of which were undertaken at 2.0m depth. Is it feasible for shorter drainage runs to be utilised to reduce the depth of soakaways required? This may need more soakaways in more locations but of a smaller volume. Deep infiltration presents an elevated pollution risk to groundwater compared to shallow infiltration, and all other options of surface water disposal would need to be categorically discounted before deep infiltration is considered. The Drainage Strategy Statement states that soakaways are less than 2m deep on the spine road (section 2.1), and approximately 2m deep in adoptable residential roads (section 2.2) which does not seem to match the plan which indicates most soakaways being &gt;2.0m where depths are noted. It is noted that permeable paving is used for on-plot parking. Will Highways not adopt permeable paving at this development? ...” (see full response on Public Access).</p>		

Consultee	Date consulted	Date reply received
East Suffolk Economic Development	14 April 2021 9 September 2021 12 November 2021	14 September 2021 13 December 2021 No response
<p>Summary of comments:  “Based on our response criteria thresholds, which we used to assess whether to respond to planning applications, Economic Development will not be commenting on this application as we do not feel it directly relates to our economic objectives or criteria as outlined in the East Suffolk Growth Plan 2018 – 2023.”</p>		

Consultee	Date consulted	Date reply received
East Suffolk Drainage Board	7 June 2021 9 September 2021	7 June 2021 No response
<p><u>7 June 2021</u>  “The site is near to the Internal Drainage District (IDD) of the East Suffolk Internal Drainage Board (IDB) and is within the Board’s Watershed Catchment (meaning water from the site will eventually enter the IDD). Maps are available on the Board’s webpages showing the Internal Drainage District (<a href="https://www.wlma.org.uk/uploads/ESIDB_Index_plan.pdf">https://www.wlma.org.uk/uploads/ESIDB_Index_plan.pdf</a>) as well as the wider watershed catchment (<a href="https://www.wlma.org.uk/uploads/ESIDB_Watershed.pdf">https://www.wlma.org.uk/uploads/ESIDB_Watershed.pdf</a>). I am pleased to see that initial testing shows that a drainage strategy reliant on infiltration is likely to be achievable on the proposed development. If for any reason a strategy wholly reliant on infiltration does not prove viable and a surface water discharge is proposed to a watercourse within the watershed catchment of the Board’s IDD then we request that this be in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), specifically S2 and S4. Resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible. The reason for our recommendation is to promote sustainable development within the Board’s Watershed Catchment therefore ensuring that flood risk is not increased within the Internal Drainage District (required as per paragraph 163 of the National Planning Policy Framework). For further information regarding the Board’s involvement in the planning process please see our Planning and Byelaw Strategy, available online.”</p> <p><u>15 November 2021</u>  “Thank you for consulting us on planning application DC/21/1322/ARM. The Board has no additional comments to make at this time to our letter dated 07/06/2021.”</p>		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	15 September 2021 12 November 2021 6 January 2022	11 October 2021
<p>Summary of comments:  Internal consultee – comments included within reporting.</p>		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	14 April 2021 12 November 2021	26 April 2021 14 September 2021 29 October 2021 2 February 2022
Summary of comments: Internal consultee – comments included within reporting.		

Consultee	Date consulted	Date reply received
East Suffolk CIL	14 April 2021 9 September 2021 12 November 2021	22 April 2021 No response No response
Summary of comments: Internal consultee – comments included within reporting.		

Consultee	Date consulted	Date reply received
East Suffolk Delivery Manager	14 April 2021 9 September 2021 12 November 2021	No response No response No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	14 April 2021 9 September 2021	30 April 2021 24 January 2022
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
SCC Highways Department	15 September 2021	1 November 2021 3 February 2022
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
Highways Agency	15 September 2021 12 November 2021	12 November 2021
Summary of comments: No objection.		

Consultee	Date consulted	Date reply received
Historic England	14 April 2021	4 May 2021
	9 September 2021	13 September 2021
	12 November 2021	18 November 2021

Letter dated 17 November 2021

“Thank you for your letter of 9 September 2021 regarding further information on the above application for planning permission. On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant. It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.”

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	14 April 2021	16 April 2021
	9 September 2021	1 December 2021
	12 November 2021	No response

Summary of comments:

Internal consultee – comments included within reporting.

Consultee	Date consulted	Date reply received
Natural England	14 April 2021	4 May 2021
	14 October 2021	No response
	9 September 2021	29 September 2021
	12 November 2021	No response
	6 January 2022	21 February 2022

Letter dated 21 February 2022

“Natural England has previously provided advice on this application (our ref: 349903, dated 4th May 2021; and our ref: 371858 & 371867, dated 03 November 2021). Further to that advice we also provided a document titled ‘Guidelines for Creation of Suitable Alternative Natural Greenspace (SANG) – August 2021’ on the 29th September 2021 to accompany our previous response. The majority of our previous advice will not be replicated and as such this letter should be read in conjunction with our previous advice documents.

**NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED**

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of the following European sites:
  - Deben Estuary Special Protection Area (SPA) and Ramsar site
  - Stour and Orwell Estuaries SPA and Ramsar site
  - Orfordness - Shingle Street Special Area of Conservation (SAC)
  - Alde-ore Estuary SPA and Ramsar site
  - Sandlings SPA <https://designatedsites.naturalengland.org.uk/>
- damage or destroy the interest features for which the underpinning Sites of Special Scientific Interest (SSSIs) for the above European sites have been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- A financial contribution of £44,855.52 (368 dwellings x £121.89) to the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS).
- Approximately 1.4Ha of public open space, including high quality greenspace.
- Onsite circular walking routes of approximately 1.4km
- Connections to the wider public rights of way network, including a crossing point on Candlet Road to access Footpath 28.
- Site signage and new homeowner leaflets highlighting recreational walking opportunities away from European designated sites.
- Onsite dog waste bins.
- Production and implementation of a Landscape and Ecology Management Plan (LEMP) for the new open space areas.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Natural England’s further advice on designated sites/landscapes and advice on other natural environment issues is set out below.”

Consultee	Date consulted	Date reply received
Network Rail Property (Eastern Region - Anglia)	14 April 2021 9 September 2021	20 April 2021 No response
Summary of comments: No objection.		

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	14 April 2021 9 September 2021 12 November 2021	5 May 2021 No response No response
Summary of comments: Developer contribution via CIL required.		

Consultee	Date consulted	Date reply received
SCC Rights of Way	14 April 2021 9 September 2021	6 May 2021 No response
Summary of comments: “We accept this proposal but highlight the following: <ul style="list-style-type: none"> <li>• As previously communicated, Footpath 28 is diverted to the west side of the spine road where it will align with the footway linking the southern and northern roundabouts. We acknowledge that the developer has commenced this process.</li> <li>• Prior to the diversion taking effect, the developer carefully plans and coordinate all</li> </ul>		

elements of work around Footpath 28 to minimise the requirement for a justified period of temporary closure through a Temporary Traffic Regulation Order (TTRO).

- Please note, the law allows a maximum period of 6 months for a temporary closure of a public right of way, the purpose of the TTRO being for when a closure is genuinely needed. Any extension to the 6 months is at the discretion of the Secretary of State.
- The need to disturb the path to lay utilities etc, is coordinated to avoid multiple closures of Footpath 28.
- Multiple shorter closures of total duration of no more than 6 months would be considered reasonable, but we would not support a request for an extension beyond 6 months unless there are strong grounds for it.
- Within any application for a TTRO we see a construction plan that demonstrates the developer has taken the above on board.”

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	14 April 2021 9 September 2021	6 May 2021 3 February 2022

3 February 2022

“The county council previously submitted a holding objection by way of letter dated 12 November 2021, as the proposed location of the ‘Pre School Land’ was not agreed. However, since then officers and consultants on behalf of the county council have had detailed discussions with the applicant and the local planning authority to discuss the proposed location. The main issues discussed have been regarding site environmental matters in respect of noise and contamination – these have now been satisfactorily resolved. The county council can therefore remove its holding objection on the following basis:

1. The ‘Pre School Land’ is identified edged red on the Early Years Location Dimensioned Plan EA165-PD-905 [updated with latest proposals 02.02.2022] is agreed – attached.
2. Bloor Homes to be responsible for undertaking certain works to the ‘Pre School Land’ i.e., erection of acoustic fencing and future maintenance, minimum level of topsoil etc. I will provide a list of these agreed requirements once received from consultants, Concertus – which we suggest can be secured by the imposition of suitable planning conditions.
3. The above is subject to the planning obligation dated 08 August 2018 attached to DC/16/2778/OUT.”

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	14 April 2021 9 September 2021	16 April 2021 No response

“The archaeological conditions for planning application DC/21/1322/ARM have been secured under planning application DC/16/2778/OUT and are still partially outstanding.”

Consultee	Date consulted	Date reply received
SCC Coasts and Heaths Project	14 April 2021 9 September 2021	5 May 2021 No response
<p>“Thank you for consulting the AONB team on the above Reserved Matters application. The site lies approximately 850m from the boundary to the Suffolk Coast &amp; Heaths AONB to the north and a similar distance to the AONB boundary west at Trimley St Mary. Direct impacts on the AONB are unlikely to be significant given the site’s location relative to the AONB. The team therefore do not wish to comment on this proposal.”</p>		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	14 April 2021 9 September 2021	6 May 2021 No response
<p>“We note that no ecological surveys accompany this Reserved Matters application. The surveys within the Ecological Appraisal (Aspect Ecology, April 2016) accompanying the application DC/16/2778/OUT were completed in 2015. According to published CIEEM guidelines, the surveys are out of date. Therefore, an update to these surveys should be undertaken in order to ensure that the conditions onsite have not altered, and the determination of this Reserved Matters application is based on up-to-date information. In accordance with NPPF para 175d, proposals should demonstrate a ‘measurable’ net gain in biodiversity. This is transposed to the emerging Environment Bill which is expected to put a requirement for all proposals to achieve a 10% net gain in biodiversity; whilst not yet formally released, this level is already being implemented as good practice across the country. Therefore, we believe this development should seek a minimum of 10% biodiversity net gain. We are disappointed that our previous comments submitted in response to DC/16/2778/OUT regarding badgers do not appear to have been considered within the site layout. We are concerned that the development will result in the fragmentation of the connectivity between the open countryside to the north and the southern block of land for badgers. We therefore request that the design of the proposed development incorporates a wildlife corridor which enables badgers to move through the site, particularly north/south, without exposing them to significant disturbance or the risk of death or injury. Such a corridor, suitably designed and managed, would also potentially have benefits for other protected and Priority species. We note that the landscape proposals contain a range of native and non-native species planting. This includes in the heavy standard trees within the native buffer areas, where the walnut <i>Juglans regia</i> is proposed to be planted amongst native species. The tree planting along the primary route through the site also consists entirely of <i>Quercus palustris</i>. In order to maximise the potential for biodiversity, the new tree planting should comprise of a diverse range of native species. Therefore, we recommend that the non-native species proposed for planting in these two sections are removed and replaced with native species instead, which increases the value of this section for biodiversity. We also note that amenity grassland is proposed either side of the primary route through the site, we recommend that this is replaced with a wildflower mix to increase the value for biodiversity. We recommend that integral swift nest bricks should be incorporated into buildings that are of minimum two storeys. The incorporation of swift nest bricks is an established way to</p>		

enhance biodiversity within a development and provide net gain. Therefore, we request that this is done to provide enhancement to this Suffolk Priority Species, whose numbers have seen a dramatic decline in recent years. There are records of Hedgehog, a UK and Suffolk Priority Species, in the surrounding area. To maintain connectivity for this species, we recommend maintaining hedgehog permeable boundaries (with gaps of 13x13cm at ground level) as part of this development to maintain connectivity for the species. A Biodiversity Enhancement Strategy should be produced, detailing the how the biodiversity enhancements made are to be incorporated within the development, including their locations. A Landscape and Ecological Management Plan should also be produced, to detail how the habitats and open spaces on site are to be appropriately managed for biodiversity.”

Consultee	Date consulted	Date reply received
SCC Fire and Rescue Service	14 April 2021	No response
	9 September 2021	No response
	12 November 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Major Sites	14 April 2021	No response
	9 September 2021	No response
	12 November 2021	No response
Summary of comments: Internal consultee – comments included within reporting.		

Consultee	Date consulted	Date reply received
Police - Design Out Crime Officer	14 April 2021	No response
	9 September 2021	No response
	12 November 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Suffolk Police Designing Out Crime Officer	14 April 2021	No response
	9 September 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Planning Policy	14 April 2021	No response
	9 September 2021	No response
	12 November 2021	No response
Internal consultee – comments incorporated within reporting.		

Consultee	Date consulted	Date reply received
SCC Policy Section	14 April 2021	No response
	9 September 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
SCC Cycling Officer	14 April 2021	No response
	9 September 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Suffolk Preservation Society	14 April 2021	No response
	9 September 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Sustrans (East of England)	14 April 2021	No response
	9 September 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Waste Management Services - East Suffolk Norse	14 April 2021	No response
	9 September 2021	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Felixstowe Society	14 April 2021 9 September 2021	No response No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
The Ramblers Association	14 April 2021 9 September 2021	No response No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
East Suffolk Building Control	15 September 2021 12 November 2021	No response No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Disability Forum	15 September 2021 12 November 2021	No response No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	15 September 2021 12 November 2021	No response No response
Summary of comments: No response.		

## 5. Publicity

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

Category	Published	Expiry	Publication
Major Application	22 April 2021	14 May 2021	East Anglian Daily Times

## 6. Site notices

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

General Site Notice	Reason for site notice: Major Application Date posted: 5 May 2021 Expiry date: 26 May 2021
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## 7. Planning policy

7.1. National Planning Policy Framework (NPPF).

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

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

- SCLP10.3 - Environmental Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP10.4 - Landscape Character (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP11.3 - Historic Environment (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP11.7 - Archaeology (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- The Historic Environment Supplementary Planning Document (2021)

## 8. Planning considerations

### Principle of development

- 8.1. The principle of development has been established via the hybrid planning permission, which approved in part the construction of 'up to 385 dwellings, associated infrastructure, new public open space and a new link road and linear park between Walton High Street and Candlet Road with all matters reserved except access'.
- 8.2. The outline application confirmed that the scale and nature of a proposed development would be acceptable to the local planning authority, and confirmed that it was not EIA development. In this instance, only the means of access, which covers accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site, were considered. The Suffolk Coastal Local Plan (2020) has been adopted between the approval of Outline Planning permission and this application. Whilst the adopted Local Plan is entirely relevant to determination of this application it must be acknowledged that there are parameters and limitations in the scope of what can be achieved based on elements consented or fixed within the outline.
- 8.3. Therefore, the details under considered in this submission relate to the following – as set out by the outline permission:
  - **Appearance:** Aspects of a building or place which affect the way it looks, including the exterior of the development, including *the alignment, height and materials of all walls and fences and other means of enclosure*
  - **Landscaping:** The improvement or protection of the amenities of the site and the area and the surrounding area, including a landscape plan, proposed planting, the

means of forming enclosures, the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels, and means of future maintenance.

- **Layout:** Includes buildings, roads, footpaths and cycleways, routes and open spaces within the development and the way they are laid out in relations to buildings and spaces outside the development.
- **Scale:** Includes information on the size of the development, including the height, width and length of each proposed building, and density.
- **Services:** Measures to minimise water and energy consumption and to provide for recycling of waste, the layout of foul sewers and surface water drains, the provision for the parking, loading and unloading of vehicles, and the manner of treatment of existing water courses and ditches.

#### Housing provision

- 8.4. The density of development had been broadly established by the outline planning permission, with 'up to 385' dwellings considered acceptable. Since the outline submission and with numerous design alterations to the layout in order to accommodate all other required infrastructure, the revised housing quantity is 366 dwellings.

#### *Housing mix*

- 8.5. Policy SCLP5.8 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). Fundamentally, the intention of the policy seeks to address the relatively high level of demand for smaller properties.
- 8.6. Proposals of ten or more non-specialist dwellings will need to provide at least 50% accessible and adaptable dwellings that meet the requirements under Part M4(2) of the Building Regulations, and all specialist dwellings will be expected to meet the requirements for accessible and adaptable dwellings under Part M4(2) of the Building Regulations. Only in exceptional circumstances would a lower percentage of M4(2) dwellings be permitted. In such circumstances applicants would need to demonstrate that provision is either unfeasible or unviable and that the development incorporates alternative measures to enhance accessibility and adaptability where possible.
- 8.7. The submission proposes that 45% of the dwellings meet the requirements of Part M4(2). Although the approval of the hybrid planning permission precedes the adoption of the current local plan, the policy holds significant weight as reserved matters stage, and it is considered that this marginal deviation to meet the 50% policy requirement can be addressed within the development - a condition will apply accordingly.
- 8.8. The proposal provides for a mix of market and affordable housing across a broad range of bedrooms, house types and tenures – including seven three-bedroom bungalows, acknowledging the comments raised during the respective committee. As shown in Table 1, the scheme proposes 41% one and two-bedroom properties, which broadly meets policy requirements, only where the 'two-bedroom plus study' house types are incorporated. It is

unfortunate that there is a sufficient lack of one-bedroom units within the proposal especially given the sustainable location of the site. Nonetheless, it is appreciated that the shift towards homeworking presents the need for an additional room that may serve as a study. The majority of the proposal comprises three-bedroom houses, equating to 36%. Subsequently, the shortfall in four-bedroom properties (24%) reflects the delivery of smaller properties and is not considered to be a reason for concern in this instance.

*Table 1: Housing mix by size*

Number of bedrooms	Quantity	Percentage of proposal		Policy requirement – as per SCLP5.8
One-bedroom units	18	5%	41%	12%
Two-bedroom units	86	23%		29%
Two bedroom (+ study [approx. 4.8 sq. m])	45	12%		
Three-bedroom	130	36%		25%
Four-bedroom	87	24%		33%

*Affordable housing*

- 8.9. Proposals for residential development with capacity for ten units or more or sites of 0.5ha or more will be expected to make provision for 1 in 3 units to be affordable dwellings, and to be made available to meet an identified local need, including needs for affordable housing for older people. With a net housing provision of 366 dwellings, this equates to a total of 88 affordable homes.
- 8.10. The East Suffolk council housing officer has reviewed the application and has confirmed that the proposed housing mix and affordable housing provision meets policy requirements.

*Table 22: Affordable housing provisions*

Tenure	1 bed flat	2 bed flat	2 bed house	3 bed house	4 bed house	Total
Affordable rent	18	12	20	12	4	66
Shared ownership	n/a	n/a	10	12	n/a	22
<b>Total</b>	<b>18</b>	<b>12</b>	<b>30</b>	<b>24</b>	<b>4</b>	<b>88</b>

Highways: parking provision and standards

- 8.11. The means of access and impact of the development on the surrounding highway network was assessed and approved under hybrid planning permission, which comprised the creation of two roundabouts: one serving the site access at Candlet Road and one serving the site access at High Street, as well as an associated link road. It should be noted that as the Masterplanning of the North Felixstowe Garden Neighbourhood (SCLP12.3) progresses, this may have an influence on the eventual design of the Candlet Road roundabout, ensuring that it is also capable of serving that development. However, for this stage the proposal need not accommodate that, though there is some recognition towards future connections.

- 8.12. Parking provision is set out on submitted drawing Parking and Cycling Strategy (drawing no. P20-0602\_10) in accordance with Suffolk County Council's Parking Technical Guidance (2019) and Policy SCLP7.2. Overall, the proposal provides 740 allocated spaces, 93 spaces within garages, and 92 visitor spaces, as well as cycle storage provisions.
- 8.13. The site layout has been reviewed and redesigned as per requests by the highways authority, to ensure that the development provides sufficient parking levels. The proposals have also taken into account the provision of safe, secure, and convenient off-street parking of an appropriate size and quantity including addressing the need for parking or secure storage for cars, cycles and motorcycles; opportunities to reduce the recognised problem of anti-social parking or potential problems that may arise which impacts the quality of life or vitality of an area for residents and visitors; appropriate provision for vehicle charging points and ancillary infrastructure associated with the increased use of low emission vehicles; and the incorporation of sustainable drainage systems (SuDS), permeable surfacing materials and means of protecting water quality in drainage schemes should be ensured.
- 8.14. Overall, the design is considered to be in accordance with Policy SCLP7.2 (Parking Standards) and the highways authority recommend approval subject to a suite of conditions and the following comments:
- The forward visibility as demonstrated on plan 60724-C-001 E, should be offered for adoption and kept clear from of any obstructions.
  - All private water systems should not be linked to or enter the highway surface water systems. If this is proposed, it will render that road and system unadoptable by SCC.
  - The roundabout junctions are outside of the red line and are a part of separate planning permissions and will not be commented on here. However, it is noted that the Toucan crossing indicated on the spine road adjacent to High Street is not the required 20m from the junction of the secondary route road that leads to the pre-school. Either the road or crossing will need to be relocated prior to adoption by SCC.
  - The latest parking plan revision is not as per the latest layout to include the changes around the pre-school and cycle route provision. Therefore, the section 38 plan has been conditioned for parking. This parking plan also indicates footways, where cycle ways have been requested and provided on the section 38 plan 60724-C-001 E to meet NPPF requirements and provide a sustainable cycle route to the preschool and other facilitates.

#### Sustainable construction

- 8.15. In line with Policy SCLP9.2 (Sustainable Construction), the proposed scheme should achieve higher energy efficiency standards that result in a 20% reduction in CO2 emissions below the Target CO2 Emission Rate (TER) set out in the Building Regulations. Exceptions should only apply where they are expressed in the Building Regulations or where applicants can demonstrate, to the satisfaction of the Council, that it is not viable or feasible to meet the standards. Optional technical standard in terms of water efficiency of 110 litres/person/day should also be achieved.

- 8.16. The development will also be expected to demonstrate that water can be made available to support the development and that adequate foul water treatment and disposal already exists or can be provided in time to serve the development. Development will be phased to allow water and water recycling infrastructure to be in place where needed. All new developments will be expected to incorporate water efficiency and re-use measures to maximise the opportunities to reduce water use. This includes but is not limited to grey water recycling; rainwater harvesting; or water use minimisation technologies. Infrastructure that leads to a reduction in the amount of water released to the sewer system and allows for natural infiltration into groundwater tables will be favoured in this instance.
- 8.17. The submission is supported by an Energy Strategy Statement (by Briary Energy, dated March 2021), which demonstrates how the development will include a scheme for the provision and implementation of water, energy and resource efficiency measures. Specifically, and a Water Use Calculator (dated February 2021) that sets out how the new homes will achieve water usage of 110 litres/person/day, which will positively contribute towards lowering demand for water use.
- 8.18. The submission incorporates a range of measures which meet the requirements of Policy SCLP9.2, which include but are not limited to, the installation of solar photovoltaic panels and waste water heat recovery systems across the development. The applicant has advised that this will contribute to the development achieving a 31% reduction in carbon emissions and energy demand.

Flood risk and sustainable drainage

- 8.19. Following extensive discussions with the Lead Local Flood Authority and subsequent site-wide revisions, the site wide drainage strategy is considered acceptable. It comprises soakaways, rain gardens (to be adopted by the highways authority), permeable paving and private crates – as per drawing 60724/C/003.
- 8.20. Suffolk County Council as the lead local flood authority have reviewed the following submitted documents and recommend approval of this application subject to a number of conditions:
- Addendum Ground Investigation Report (ref. 60724 - Richard Jackson, 15 October 2020)
  - Infiltration Technical Note Rev A (ref. 60724 - Richard Jackson, 23 December 2021)
  - GreenBlue Urban Hydraulic Modelling Guidance
  - Drainage Strategy Statement Rev B (ref. 60724 - Richard Jackson, 4 January 2022)
  - MicroDrainage Calculations for Northwest + Early Years (Richard Jackson)
  - MicroDrainage Calculations for Early Years Site + Porous Paving (Richard Jackson)
  - 60724/C/001 Rev E - Section 38 Agreement Plan (Richard Jackson, 22 December 2021)
  - 60724/C/002 Rev C - Preliminary FFL (Richard Jackson, 7 December 2021)
  - 60724/C/003 Rev E - Drainage Strategy (Richard Jackson, 22 December 2021)
  - 60724/C/004 Rev C - Exceedance Flow Routes (Richard Jackson, 7 December 2021)

- 60724/C/008 Rev A - Preliminary Site Levels for Early Years Site (Richard Jackson, 23 November 2021)
- 60724/C/009 Rev B - Infiltration Strategy (Richard Jackson, 22 December 2021)
- 60724/C/010 Rev A - Infiltration Test Locations (Richard Jackson, 7 December 2021)
- 60724/C/011 - Preliminary Drainage Strategy for Early Years Site (Richard Jackson)
- 60724/C/012 - Impermeable Areas Plan (Richard Jackson, December 2021)
- 60724/C/013 - Preliminary Drainage Strategy for Early Years Site Alternative Option No Infiltration (Richard Jackson, January 2022)
- EA60724-EN-070 Rev B - Adoptable Highway Construction Details Sheet 1 (Richard Jackson, 9 December 2021)
- EA60724-EN-071 Rev B - Adoptable Highway Construction Details Sheet 2 (Richard Jackson, 4 January 2021)
- EA60724-EN-072 Rev C - Adoptable Highway Construction Details Sheet 3 (Richard Jackson, 4 January 2021)
- EA60724-EN-075 Rev B - Private External Works Construction Details Sheet 1 (Richard Jackson, 22 December 2021)

8.21. Overall, there are no objections to the proposal subject to a number of conditions that seek to prevent flooding by ensuring the following: satisfactory storage and disposal of surface water from the site for the lifetime of the development; development does not cause increased flood risk, or pollution of watercourses or groundwater; clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage; a 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 in order to enable the proper management of flood risk with the county.

8.22. With these conditions in place, the proposed development is in accordance with the objectives of Policy SCLP9.5 (Flood Risk) and Policy SCLP9.6 (Sustainable Drainage Systems).

*Note: The highways authority has expressed concern regarding the backup surface water drainage strategy for the proposed early years setting, which could leave the downstream surface water system (rain gardens and infiltration crates) ineligible for adoption.*

#### Landscape and open space

8.23. The Council supports the provision of open space and recreational facilities and their continued management across the plan area. Primarily to encourage active lifestyles and to increase participation in formal and informal recreation for all sectors of the community, and also to support the biodiversity, promote effective water management and to enhance the public realm. New residential development will be expected to contribute to the provision of open space and recreational facilities in order to benefit community health, well-being and green infrastructure.

#### *Landscape*

- 8.24. The main area of public open space aligns with the expectations of the design brief, with the provision of a linear park that sits on either side of the link road, extending from Walton High Street northwards to Candlet Road. There are also further areas of public open space and pocket greens situated within the site that form an integral part of the development through providing connectivity to these spaces and footpaths.
- 8.25. The Landscape Visual Impact Assessment (dated April 2016) submitted and considered under the Hybrid Planning Permission evaluated the landscape character and the extent of the views from the surrounding area into the site, which concluded that the proposed development would have little effect on the character of the wider landscape or on the Suffolk Coast and Heaths Area of Natural Beauty.
- 8.26. The scheme builds upon the indicative landscaping detail set out in the hybrid permission and design brief and will deliver a range of green infrastructure and publicly accessible open space, including a green gap on the frontage of the site to preserve the setting of existing buildings, together with new planting.
- 8.27. The suite of landscaping plans has been formally reviewed by the Council's arboricultural and landscape officer who considered the detail satisfactory. However, maintaining areas of landscaping and public open space areas as attractive and useable spaces for people and wildlife is important in both a site context but also for helping deliver alternative recreational areas for residents away from nearby European designated sites. A Landscape and Ecology Management Plan (LEMP) is therefore required as part of this development and will be secured via condition.

*Biodiversity and Geodiversity*

- 8.28. The East Suffolk council ecologist has formally reviewed the proposals, including the updated Ecological Appraisal (Aspect Ecology, September 2021) and is satisfied with the conclusions of the consultant. However, as the outline planning consent does not appear to include a condition that secures the delivery of the ecological mitigation and enhancement measures identified in the ecological survey reports (2016 and 2021), a number of respective conditions are proposed.

*Visitor management of European Sites*

- 8.29. The application is supported by a Report to Inform a Habitats Regulations Assessment (HRA) (Aspect Ecology, December 2020) which should be read alongside this assessment. The only impact pathway arising from this development which is considered to have the potential to result in an adverse effect on the integrity of any European designated site is increased recreational disturbance, including from increased numbers of dog walkers regularly using the site(s). To mitigate this impact the following measures are proposed as part of this development:
- Approximately 1.4Ha of public open space which will include areas of high quality, semi-natural informal areas, play space and walking routes. The area considered in this assessment is less than that shown on drawing ref. P20\_0602-16 Rev. B as it is not considered that the parcel of land to the south of the High Road will attract recreational users in sufficient quantities to contribute to reducing impacts at European designated sites.

- Onsite site circular walking routes of up to approximately 1.4km, utilising a combination of new public open space and estate roads. The distances for onsite walking routes considered in this assessment are less than those shown on Plan 2079/HRA3 in the Report to Inform a Habitats Regulations Assessment as it is not considered that that the parcel of land to the south of the High Road will attract recreational users in sufficient quantities to contribute to reducing impacts at European designated sites (this results in approximately 200m less onsite walking route being available).
- A pedestrian crossing point on Candlet Road to allow access to Footpath 28 and the wider public right of way network to the north of the site.
- Three signs will be included at appropriate locations at the exits of the open spaces on the site which will highlight available public right of way and recreational opportunities away from the European designated sites. New homeowner packs will also include leaflets with this information.
- Dog waste bins will be installed at appropriate locations on the site.
- The production and implantation of a Landscape and Ecology Management Plan (LEMP) will be secured as part of the consent to ensure that the newly created areas of greenspace are appropriately managed in the long term.
- In addition to the measures set out above, there is also the need for a financial contribution to the Suffolk Coast RAMS for the dwellings not covered by the extant Reserved Matters permission. A contribution of £44,855.52 (£121.89 x 368 dwellings) will therefore be secured as part of the granting of this application.

8.30. Natural England have commented on the application and have raised no objection subject to the adequate mitigation measures being secured. Having made this appropriate assessment of the implications of the project for the site(s) in view of those sites' conservation objectives and having consulted Natural England and fully considered any representation received, the authority may now agree to the plan or project under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

*Public rights of way*

8.31. The existing public right of way is proposed to be diverted through the new linear park to provide a landscaped route for footpath users. There is also a well-used permissive 'footpath' that enters the site from Treetops before running along the northern boundary, which has been incorporated within the design layout. The Suffolk County Councils rights of way team accept the proposal but highlight the following:

- Prior to the planned diversion taking effect, the developer must carefully plan and coordinate all elements of work around Footpath 28 to minimise the requirement for a justified period of temporary closure through a Temporary Traffic Regulation Order (TTRO).

- The law allows a maximum period of six months for a temporary closure of a public right of way, the purpose of the TTRO being for when a closure is genuinely needed. Any extension to the six months is at the discretion of the Secretary of State.
- The need to disturb the path to lay utilities etc, is to be coordinated to avoid multiple closures of Footpath 28. Multiple shorter closures of total duration of no more than six months would be considered reasonable, but they would not support a request for an extension beyond six months unless there are strong grounds for it.
- Within any application for a TTRO a construction plan that demonstrates the developer has taken the above on board must be included.

### Environmental quality

#### *Noise*

- 8.32. A number of queries/concerns with respect to the prediction of noise across the development site, and therefore the noise mitigation requirements with respect to both the residential element of the site and the proposed early years facility to be commissioned by Suffolk County Council, were raised. These concerns were primarily that the site is in a relatively high noise area, dominated by busy roads on three sides of the site, in addition to a new link road crossing the site. It was therefore important that noise level predictions and subsequent noise mitigation recommendations were robust.
- 8.33. Following liaison with Suffolk County Council, the environmental protection officer is satisfied that the original transport assessment that accompanied the outline planning consent (dated 2016), can still be relied upon in terms of future road traffic predictions. This assessment data underpins the predicted noise levels and subsequent assessments for the site. On this basis therefore there is no justification to request a new transport assessment, and the predicted site noise levels as modelled and presented in the report are agreed.
- 8.34. Queries regarding predicted noise levels and therefore mitigation requirements in terms of window and ventilator specifications/performance have also been resolved to dwellings exposed to the highest road traffic noise.

#### *Noise: Residential*

- 8.35. There are a number of dwellings within the site that will require a very good level of noise attenuation in terms of window and ventilation systems in order to achieve the guideline internal noise levels for habitable rooms. Windows would need to be closed, and therefore noise attenuating ventilation systems will be needed, which could include mechanical systems. It is therefore considered prudent that pre-occupation, a selection of dwellings be subject to sound insulation testing to ensure that internal noise guidelines are met, and that the noise mitigation measures are therefore effective.
- 8.36. It would be preferable to test at dwellings in each of the three noise zones (A, B & C) as identified in the noise assessment report, which would therefore verify the performance of the three levels of noise mitigation measures. Following agreement with the applicant, the principle of a post-construction, pre-occupation sound insulation testing scheme will be secured via condition, which is recommended to validate the noise mitigation measures

recommended and therefore ensure dwellings achieve the guideline values of BS 8233:2014 in habitable rooms.

*Noise: Early years facility*

- 8.37. The noise levels predicted by the assessment were broadly compliant with the relevant standards/guidance of Building Bulletin 93 - Acoustic design of schools: performance standards, and the ANC/IoA document Acoustics of Schools: a design guide. However, concerns have been raised that the external noise levels to play and teaching areas around the facility did not provide a 'quiet' area for outdoor learning, where noise levels (LAeq,30minute) were below 50 dB as recommended within the design guide.
- 8.38. Further acoustic design and modelling work has been undertaken for the site, and a revised mitigation scheme with an extended height acoustic barrier to the western site boundary, and an additional acoustic barrier provided to the early years facility southern boundary providing attenuation of road traffic noise from the High Street to the south as been provided. These mitigation measures have been demonstrated to achieve the recommended noise levels for outdoor teaching areas.
- 8.39. The environmental protection officer is therefore satisfied that with appropriate noise mitigation, both the external and internal guideline noise values can be achieved to the early years facility and has raised no further recommendations in this respect.
- 8.40. The applicant should continue to work with Suffolk County Council regarding the final scheme design, which will need to include the building shell and internal acoustic design to achieve the various internal noise requirements of BB93 and associated guidance.

*Air quality*

- 8.41. Air quality concerns regarding assessment of air quality associated with the development have been resolved. Given that the original transport assessment is considered to satisfactorily account for road traffic from existing traffic, development site traffic, and future developments, then the previously accepted air quality assessment is considered to remain valid.
- 8.42. Should future concerns arise regarding air quality in this area, the East Suffolk Council environmental protection team may monitor and assess air quality under other statutory provisions and duties related to Local Air Quality Management.

*Land contamination*

- 8.43. Land contamination has unfortunately not been captured in the outline planning consent in the form of any conditions. However, the applicant and their consultants have worked closely with the Council to meet expected procedures/steps for the investigation of the site, and then the development of a Remediation Method Statement with a view to ensuring that the site is suitable for the end (residential, and an early years facility).
- 8.44. The following documents from desk-top studies, through site investigation stages, and finally the proposed Remediation Method Statement have been provided:
- Phase one desk study report (by Richard Jackson, dated January 2020)

- Addendum Ground Investigation report (by Richard Jackson, dated October 2020)
- Gas monitoring letter (by Richard Jackson, dated 27 November 2020)
- Supplementary Gas monitoring letter (by Richard Jackson, dated 2 March 2021)
- Remediation Method Statement Revision A (by Richard Jackson, dated 21 January 2022)

8.45. Site investigation identified the following key risks to construction workers and end-users:

- Ground gas to south and south-east of the development site
- Lead contamination in soil to the rifle range areas in the south-east of the site
- Ground gas and contaminants associated with infilled pit to south of site

8.46. A number of queries and recommendations were made regarding the site investigation and original Remediation Method Statement submitted. The applicant has accepted these recommendations and reflected these changes in the final Remediation Method Statement (dated 21 January 2022). The environmental protection team are satisfied with the remediation methods as described in Sections 7.5, 7.6 and 7.8 of that report. However, it should be noted that Section 7.6 ought to refer to residential gardens, and the Early Years Facility (external soft landscaped areas) rather than public open space, and gas protection measures are required to all sensitive buildings in the area as identified in Figure 3 – Gas Zoning Plan (within the RMS).

8.47. Suffolk County Council will need to be satisfied with the final construction detail in this respect for the early years facility. However, the environmental protection team are satisfied with the proposed remediation of lead contamination in the area of the old rifle ranges. It is noted that the lead will however remain in-situ (though at considerable depth), and therefore this information will be retained on record should the site be further redeveloped in future. A high visibility geotextile membrane will be incorporated to all residential gardens and the early years facility to act as a warning and no-dig layer/barrier.

8.48. Given the reasonable complexity of former site uses and contaminants identified to date, a watching brief should be maintained on site for any as yet unforeseen contaminants that could be discovered during site development, and it is noted that the Richard Jackson RMS document also recommends this.

8.49. The validation and verification requirements, including photographic evidence, sampling, certification of clean materials etc, are set out in good detail in Section 9 of the RMS document, and the Council will expect these recommendations to be followed and all relevant details to be submitted for approval.

Design quality, residential amenity and conservation

8.50. A Design Brief was previously considered by planning officers to incorporate and satisfy comments previously raised at outline stage regarding design details and landscaping. The approved document secured urban design principles that would have regard to the sensitive nature of the site as a gateway location and presence of heritage assets, thereby achieving the purpose of the implemented condition – ref. DC/19/0906/DRC.

- 8.51. However, despite securing a high-quality and contemporary approach, previous discussions between the applicant and local planning authority concluded that the use of the developers standard house types design would be acceptable. This was initially disputed by the case officer and discussions were held to ensure the design detail aligned with previously secured aspirations. However, through the progression of design iterations and extensive discussions with the Council’s design and conservation officer, a variation in architectural approach was agreed in principle.
- 8.52. As a result of the above discrepancies, an accompanying Design Brief Compliance Statement was submitted to address how each character area has been carefully designed with detailed consideration of the types of housing, materials and landscape setting within each character area.

*Design approach*

- 8.53. In broad accordance with the Design Brief, the submission provides for a mix of storey heights, with the majority being two-storey dwellings. There are also seven bungalows proposed along the eastern boundary, adjacent to Ascot Drive, which addresses residential amenity comments made by the committee report pursuant to DC/16/2778/OUT. Forty-four of the dwellings are two and half storeys and are located in key locations to aid scheme legibility and to add variety to the streetscene and roofscape. Additionally, there are four three storey apartment buildings proposed to be situated fronting the link road.
- 8.54. The variation in storey height adds visual and architectural interest to the development whilst complementing the surrounding built environment, reflecting local character with architectural interest derived from the use of decorative door canopies, decorative brick banding to facades, chimneys and dormer windows.
- 8.55. The proposed layout incorporates the principles of good urban design in seeking to maximise connectivity to existing streets and layouts, permeability through the layout and into adjacent streets and enclosure, and it relates well to the existing residential areas of Treetops, Ascot Drive and High Street. This results in the efficient use of the site whilst at the same time promoting character areas which are appropriate to the local area, helping to assimilate the development into the established residential character of Walton.
- 8.56. Numerous meetings have been held between the applicant to address the concerns raised about aspects of the scheme design. In response to these meetings, a further revision of the scheme was received on 11 November 2021 comprising the following:
- Site Location Plan
  - Planning Layout
  - Site Masterplan
  - Character Areas Plan
  - Residential Heights and Massing Plan
  - Urban Design Principles Plan
  - Design brief compliance statement
  - Materials Plan
  - Ancillary Buildings
  - Boundary Treatment Details
  - Parking & Cycle Strategy
  - Refuse Strategy
  - Boundary Treatments Plan
  - Streetscenes
  - Affordable Tenure
  - Hard Surfaces Plan

- Open Space Areas
- Movement & Accessibility Plan
- CGI Streetscenes
- Residential Offsets
- Proposed Sections
- House Type Pack

*Character Area A -Apartment block designs shown on streetscenes*

- 8.57. Concern was raised about the design quality of the L-shaped apartment blocks that are used in the layout in the northern area of the spine road-linear park have been appropriately addressed. Although the design of these remains mostly unaltered, the reversion of their fenestration to that originally submitted and the removal of Juliet balconies have improved their design quality. The revision of fenestration hierarchy on the spine road elevation of one of the blocks, with narrower windows to the upper storey, is a constructive response that results in an improved design.

*Character Area A –House designs shown on the streetscenes*

- 8.58. A uniform materials treatment to the housetypes that line the spine road-linear park, particularly the use of red brick as a unifying material, results in a distinctive character area from the rest of the scheme and would relate well to the prevailing red brick character of the Trimleys, Walton and Felixstowe. This gives the scheme a strength of character in this key area and is supported.

*Character Area A - Visitor parking*

- 8.59. A hedge is now proposed to the edge of shared space routes and visitor parking spaces front onto the spine road-linear park, providing partial enclosure and an attractive green feature that will extend the full length of this key space on both sides and also – importantly – mitigate the visual impact of the proposed extent of parking. This is an acceptable outcome, such that no further concerns about visitor parking were raised from a design perspective.

*Character Area A - Other*

- 8.60. The submitted streetscenes illustrate that the gable elevations of the housetypes that face onto the spine road-linear park have been positively designed. This has been achieved through the use of fenestration, symmetry and other architectural features, the combined effect of which is to ensure that these elevations positively engage and address this key street.

*Character Area A - Building frontage*

- 8.61. The treatment of the ‘key corner’ that faces outward from close to the position of the former stable range, consists of 2.5 storey dwellings. Their materials and design treatment are intended to form part of Character Area A (spine road-linear park) where it adjoins Character Area E. It is accepted that there is no need to create a special design condition at this corner, as it arises naturally from the junction of the two-character areas, which is considered sufficient in urban design terms.

*Character Area C - Edge conditions and context*

- 8.62. Whilst it was suggested that the site could address Candlet Road along its full frontage, it has been accepted that the site layout and acoustic fencing will not permit such design. The length of frontage here to Candlet Road is actually rather short, so the impacts of flanking rather than facing the road will not be significant. Furthermore, the layout

addresses the Candlet Road roundabout space, and the proposed vegetation / brick wall boundary treatment provides a reasonable level of street scene quality.

*Character Area D - Enhancing the street frontage*

- 8.63. The applicant has now reverted to a street frontage design for Character Area D that carries the expressed half-timbering across the entire length of this character area to where it abuts Character Area A, behind the Grade II listed hexagonal dwelling. This design suggestion was raised by the Council's design and conservation officer and is a welcomed alteration, which will strengthen the street presence of the development.

*Character Area E - Character concept*

- 8.64. The frontage to Character Area E behind the former stable range has been amended along the lines that the Council's design and conservation officer suggested. This comprises dark colour weatherboarding uniformly across the housetypes to render them more distinctive and to reflect the weatherboarded stable buildings, whereby the outcome is effective and satisfactory.

A development of this size can easily accommodate areas of it having some differing characteristics/appearance to reflect different conditions at the edges or beyond the site. The frontage to this development will now appear rather effective, consisting of these dark coloured weatherboarded dwellings, the greensward open space at the entrance to the development and linear park, and the half-timbered housetypes which have more of an Arts-and-Crafts flavour. This variation in appearance will be satisfying, following a logic to its presentation in its different parts and imparting a more site-specific character.

*Materials*

- 8.65. The applicant has amended the materials plan and specification to exclude those brick choices and roof covering colour, which the Council's design and conservation officer had reservations. The scheme has also been revised to incorporate brick walls as boundary treatments along key corners/approaches, rather than close-boarded fencing, to ensure the retention of a high-quality streetscape.
- 8.66. The revised submitted materials plan (P20\_0602-05 K) is therefore considered satisfactory and will be secure by way of condition.

*Overall layout*

- 8.67. The cul-de-sac designs for the affordable housing short terraces in the northern part of the layout have been improved to now include a hedge line behind the vehicle parking spaces. The hedges will help enclose these spaces and add an attractive green element to this courtyard space, without taking up too much space themselves, which improves the character and quality of these spaces.
- 8.68. Although the extensive frontage parking to Plots 142-163 is retained, it is somewhat mitigated by the inclusion of some median strip tree planting, which will enhance the overall streetscene.
- 8.69. The layout in the area of Plots 251-262 is much improved with a more coherent design in respect of the street layout, the use of a cul-de-sac treatment, aligned short terraces, and the creation of attractive front gardens of good quality area. The whole will now provide a more attractive character than that originally submitted.

### *Heritage*

- 8.70. With regard to Walton Hall, the submission follows the same land use/siting parameters that were considered acceptable under the hybrid planning permission, whilst the relationship between the proposed development and no.362 High Street is domestic in scale, resulting in an acceptable setback.
- 8.71. Overall, a constructive design dialogue with the applicant to secure improvements to the proposed development has resulted in an enhanced quality of design. Such that the Council's design and conservation officer confirms that the proposal receives their support with respect to urban design parameters. The submitted information illustrates that the proposed development will come forward with a high-quality design, which would accord with the requirements of the NPPF and the local plan, specifically Policy SCLP11.1 (Design Quality).

### Community infrastructure levy

- 8.72. This application will be liable for CIL for the whole of the permitted Gross Internal Area (GIA), chargeable at the low zone rate. The GIA of any existing buildings that have been in lawful use for a continuous period of six months in the three years preceding the day planning permission first permits development may be deductible where they are to be re-used, demolished or where the use is a use that can lawfully continue without a further planning permission.

### *Phasing*

- 8.73. The hybrid outline permission is a phased permission and in the case of a phased planning permission, planning permission first permits a phase of the development:
- a. for any phase of an outline planning permission which is granted in outline: on the day of final approval of the last reserved matter associated with that phase; or if earlier, and if agreed in writing by the collecting authority before commencement of any development under that permission, on the day final approval is given under any pre-commencement condition associated with that phase; and
  - b. for any other phase: on the day final approval is given under any pre-commencement condition associated with that phase; or where there are no pre-commencement conditions associated with that phase, on the day planning permission is granted.
- 8.74. A phasing plan was not submitted as part of the reserved matters detail and Condition 3, which requests the submission of a phasing management plan prior to commencement of development, is yet to be discharged. If there is no approved phasing plan, the CIL for the whole area included within this reserved matters would be due following commencement.

### *Pre-commencement*

- 8.75. Pre-commencement conditions must be discharged for the liability notice to be issued. The procedure must be followed in the correct manner to enable payment by instalments. Affordable housing relief may be granted for any on site affordable housing where the criteria in the CIL Regulations is met. The owner must ensure CIL Form 2: Assumption of Liability and CIL Form 6: Commencement Notice are submitted and acknowledged at least one day prior to commencement in order to benefit from the Council's instalment policy

and avoid potential surcharges. If the owner intends to apply for relief or exemption, it must be granted prior to commencement of the development.

### Infrastructure

- 8.76. Infrastructure requirements needed to support and service the proposed development must be considered in the proposed development, with the expectation that the scheme contributes towards infrastructure provision to meet the needs generated. Off-site infrastructure will generally be funded by the Community Infrastructure Levy, and on-site infrastructure will generally be secured and funded through Section 106 planning obligations.

### *Early years facility*

- 8.77. As set out and incorporated in the s106 agreement pertaining to the outline planning permission, a pre-school land plan should be submitted to and approved by Suffolk County Council before the commencement of development (with a minimum site size of 845.2 square metres and 200th dwelling land transfer trigger).
- 8.78. Following detailed discussions and the receipt of technical reporting, relating to environmental matters in respect of noise and contamination, Suffolk County Council confirm acceptance of the siting of area secured for an early years facility subject to a condition that secures pre-development works (i.e., erection of acoustic fencing and future maintenance, minimum level of topsoil etc.).

### *Impact on healthcare*

- 8.79. Ipswich & East Suffolk CCG have advised that the development is likely to have an impact of the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. The CCG would therefore expect these impacts to be fully assessed and mitigated by way of a developer contribution secured through the Community Infrastructure Levy (CIL). Ongoing communication is taking place with the CCG to explore the mitigation solutions required for the wider area and bids for CIL to expand primary healthcare provision are being encouraged, but this is dependent on the CCG and Practices developing plans first.

## **9. Conclusion**

- 9.1. The principle of development has been established via the hybrid planning permission, which approved in part the construction of 'up to 385 dwellings, associated infrastructure, new public open space and a new link road and linear park between Walton High Street and Candlet Road with all matters reserved except access'.
- 9.2. The outline aspect of the hybrid application confirmed that the scale and nature of a proposed development would be acceptable and also established the means of access and impact of the development on the surrounding highway network, which comprises the creation of two roundabouts: one serving the site access at Candlet Road and one serving the site access at High Street, and an associated link road.
- 9.3. The reserved matters submission provides a suitable mix of dwellings in terms of the type and tenure; and the layout includes the use of the character areas, key buildings on corners, and focal buildings at key vistas. The properties will be provided with appropriate level of private amenity space to meet their functional requirements, and there is an

adequate level of parking to ensure that each property has sufficient provision to ensure that there is no detrimental impact on highway safety. Overall, it represents a layout broadly in accordance with the Design Brief parameters, offering a varied character and sustainable scheme.

- 9.4. The built form complemented in part by landscaping that acts as a buffer to the neighbouring landscape and provide an attractive linear connection through the site. The layout includes areas of managed open space, the majority formed as part of the 'green link' providing an interface with both sides of development, a wider expanse at the southern extent and further pockets of green areas within the site. This also incorporates sustainable drainage infrastructure in the form of rain gardens.
- 9.5. Any associated matters relating to highways, flooding, ecology, landscape and environmental protection can be sufficiently mitigated, methods of which are to be secured by way of conditions; whilst any impacts upon facilities and public services can be mitigated through Community Infrastructure Levy finance and respective s106 obligations secured under DC/16/2778/OUT.
- 9.6. Having regard to the additional information provided and extensive revisions to the overall scheme design, the proposed reversed matters submission is deemed acceptable and is supported subject to agreement of conditions.
- 9.7. The conditions of the outline application including the obligations of the s106 agreement pertinent to DC/16/2778/OUT remain applicable following the decision on the reserved matters application.

## **10. Recommendation**

- 10.1. Authority to approve subject to agreement of conditions with the applicant (this may be confirmed in the committee update sheet) and an upfront payment of RAMS under Section 111 of the Local Government Act 1972.

### **Proposed conditions - subject to agreement with the applicant**

1. The development hereby permitted shall not be carried out other than in complete accordance with the following:
  - P20-0602\_01-11 Site Location Plan
  - P20-0602\_09S Planning Layout
  - P20-0602\_01-03C Site Masterplan
  - P20-0602\_01-02E Character Areas Plan
  - P20-0602\_01-04H Residential Heights and Massing Plan
  - P20-0602\_01-05D Urban Design Principles Plan
  - P20-0602\_04C Design brief compliance statement
  - P20-0602\_05K Materials Plan
  - P20-0602\_06B Ancillary Buildings
  - P20-0602\_07C Boundary Treatment Details

- P20-0602\_10C Parking & Cycle Strategy
- P20-0602\_11C Refuse Strategy
- P20-0602\_12E Boundary Treatments Plan
- P20-0602-02\_01 REV L Streetscenes
- P20-0602-02\_02 REV L Streetscenes
- P20-0602-02\_03 Rev L Streetscenes
- P20-0602-02\_04 Streetscenes
- P20-0602\_13D Affordable Tenure
- P20-0602\_15C Hard Surfaces Plan
- P20-0602\_16C Open Space Areas
- P20-0602\_17B Movement & Accessibility Plan
- P20-0602\_18A CGI Streetscene
- P20-0602\_19A Residential Offsets
- P20-0602\_08B Proposed Sections 1 of 2
- P20-0602\_08B Proposed Sections 2 of 2
- P20-0602 House Type Pack - Part 1 Nov 21
- P20-0602 House Type Pack - Part 2 Nov 21
- P20-0602 House Type Pack - Part 3 Nov 21
- P20-0602 House Type Pack - Part 4 Nov 21
  
- Energy Strategy Statement (Briary Energy, February 2021)
- Water Use Calculator (Bloor Homes, February 2021)
  
- EA165-LS-001h (Site Landscaping)
- EA165-LS-002f (Site Landscaping)
- EA165-LS-003i (Site Landscaping)
- EA165-LS-004e (Site Landscaping)
- EA165-LS-005g (Site Landscaping)
- EA165-LS-006h (Site Landscaping)
- EA165-LS-007f (Site Landscaping)
- EA165-LS-008f (Site Landscaping)
- EA165-LS-009h (Site Landscaping)
- EA165-LS-010b (Landscape Elements Plan)
  
- 60724-C-005 - Lighting layout
- 60724-C-006 – Fire tending tracking
- 60724-C-007 – Refuse tracking
- EA 165-PD-905 Early Years Location Dimension Plan
  
- R9230-1 Rev 0 - Noise Assessment (24 Acoustics, 27 September 2021)
- R9230-2 Rev 0 – Noise Assessment Memorandum (24 Acoustics, 10 December 2021)
- R9230-3 Rev 0 – Noise Assessment Addendum Early Years Facility

- Addendum Ground Investigation Report (ref. 60724 - Richard Jackson, 15 October 2020)
- Infiltration Technical Note Rev A (ref. 60724 - Richard Jackson, 23 December 2021)
- GreenBlue Urban Hydraulic Modelling Guidance
- Drainage Strategy Statement Rev B (ref. 60724 - Richard Jackson, 4 January 2022)
- MicroDrainage Calculations for Northwest + Early Years (Richard Jackson)
- MicroDrainage Calculations for Early Years Site + Porous Paving (Richard Jackson)
  
- 60724/C/001 Rev E - Section 38 Agreement Plan (Richard Jackson, 22 December 2021)
- 60724/C/002 Rev C - Preliminary FFL (Richard Jackson, 7 December 2021)
- 60724/C/003 Rev E - Drainage Strategy (Richard Jackson, 22 December 2021)
- 60724/C/004 Rev C - Exceedance Flow Routes (Richard Jackson, 7 December 2021)
- 60724/C/008 Rev A - Preliminary Site Levels for Early Years Site (Richard Jackson, 23 November 2021)
- 60724/C/009 Rev B - Infiltration Strategy (Richard Jackson, 22 December 2021)
- 60724/C/010 Rev A - Infiltration Test Locations (Richard Jackson, 7 December 2021)
- 60724/C/011 - Preliminary Drainage Strategy for Early Years Site Richard Jackson)
- 60724/C/012 - Impermeable Areas Plan (Richard Jackson, December 2021)
- 60724/C/013 - Preliminary Drainage Strategy for Early Years Site Alternative Option No Infiltration (Richard Jackson, January 2022)
  
- EA60724-EN-070 Rev B - Adoptable Highway Construction Details Sheet 1 (Richard Jackson, 9 December 2021)
- EA60724-EN-071 Rev B - Adoptable Highway Construction Details Sheet 2 (Richard Jackson, 4 January 2021)
- EA60724-EN-072 Rev C - Adoptable Highway Construction Details Sheet 3 (Richard Jackson, 4 January 2021)
- EA60724-EN-075 Rev B - Private External Works Construction Details Sheet 1 (Richard Jackson, 22 December 2021)
- EA60724-EN-076 Rev B - Private External Works Construction Details Sheet 2 (Richard Jackson, 22 December 2021)

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

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

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

3. A formal crossing point in the broad location as indicated on plan 60724-C-002 C shall be submitted to and approved in writing by the local planning authority. This crossing may

be in the form of a toucan or tiger crossing whichever is deemed suitable and safe for this location by SCC as the local highway authority.

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

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

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

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

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

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

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

7. Before the access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 43 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension) [or tangential to the nearside edge of the metalled carriageway, whichever is the more onerous]. Notwithstanding the

provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The Construction Management Plan shall include the following matters:

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

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

15. All HGV delivery traffic movements to and from the site over the duration of the construction period shall be subject to a Deliveries Management Plan, which shall be submitted to the local planning authority for approval a minimum of 56 days before any deliveries of materials commence. No HGV movements shall be permitted to and from

the site other than in accordance with the routes defined in the Plan. [The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.]

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

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

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

17. Prior to any occupation or use, the residential noise mitigation measures (window and ventilation systems) recommended by the Noise Assessment (ref. R9230-1 Rev 0 – dated 27 September 2021) should be validated to ensure compliance with the internal guideline noise values within BS 8233:2014.

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

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

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

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

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

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

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

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

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

20. In the event that contamination which has not already been identified to the local planning authority is found or suspected on the site it must be reported in writing immediately to the local planning authority. No further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety. An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM)) and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority.

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

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

21. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Appraisal (Aspect Ecology, April 2016 updated September 2021) and the Report to Inform

a Habitats Regulations Assessment (HRA) (Aspect Ecology, December 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

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

Reason: To ensure that the development delivers ecological enhancements.

23. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to first occupation of the development. The content of the LEMP shall include the following:
- a. Description and evaluation of features to be managed.
  - b. Ecological trends and constraints on site that might influence management.
  - c. Aims and objectives of management.
  - d. Appropriate management options for achieving aims and objectives.
  - e. Prescriptions for management actions.
  - f. Preparation of a work schedule (including an annual work plan capable of being
  - g. rolled forward over a five-year period).
  - h. Details of the body or organisation responsible for implementation of the plan.
  - i. Ongoing monitoring and remedial measures.

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

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

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

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

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

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

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

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

Reason: To ensure that nesting birds are protected.

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

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

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

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and to ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as

required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk.

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>

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

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/>

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

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

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

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

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

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

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

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

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

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

Reason: In the interest of residential amenity.

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

Reason: To ensure the development complies with Planning Policy SCLP5.8.

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

#### **Informatives:**

1. The local planning authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework (2019) and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. It is recommended that a check of the buildings and vegetation for nesting birds is undertaken prior to work commencing. Nesting birds are protected by the Wildlife and Countryside Act (1981). It is therefore recommended that any works take place outside the nesting season. If birds are encountered advice should be sought from a suitably qualified ecologist on how best to proceed.
3. The applicant is advised that the proposed development will require approval under the Building Regulations. Any amendments to the hereby permitted scheme that may be

necessary to comply with the Building Regulations must also be approved by the local planning authority in order that any planning implications arising from those amendments may be properly considered.

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

Please note: the Council will issue a Liability Notice for the development once liability has been assumed. Liability must be assumed prior to the commencement of development. Failure to comply with the correct process as detailed in the regulations may result in surcharges and enforcement action and the liable party will lose the right to pay by instalments. Full details of the process for the payment of CIL can be found at <http://www.eastsuffolk.gov.uk/planning/community-infrastructure-levy/>

5. The applicant is advised that the granting of planning permission for the hereby approved development does not override any other legislation, private access rights or land ownership issues which may exist. The onus rests with the owner of the property to ensure they comply with all the necessary legislation (e.g. building regulations and acts relating to environmental protection) and it is the applicants/developers responsibility to ensure that comply with all the necessary legislative requirements, and obtain all the necessary consents/permits.
6. The applicant is advised that the proposed development is likely to require the naming of new street(s) and numbering of new properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. Contact the Property Information Team (01394 444261), which is responsible on behalf of the Council for the statutory street naming and numbering function.
7. This consent is the subject of a Section 106 legal agreement which must be adhered to.
8. This planning permission contains condition precedent matters that must be discharged before the development approved is commenced, or any activities that are directly associated with it. If development commences without compliance with the relevant conditions(s) you will not be able to implement the planning permission & your development will be deemed unauthorised. An application under Section 73 of the Town & Country Planning Act 1990 will be required to amend the relevant condition(s) before development continues. You are strongly recommended to comply with all conditions that require action before the commencement of development.
9. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. The County Council must be contacted on Tel: 0345 606 6171. A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

10. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing. For further information please visit: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>
  
11. The local planning authority recommends that developers of housing estates should enter into formal agreements with the Highway Authority under Section 38 of the Highways Act 1980 in the interests of securing the satisfactory delivery, and long-term maintenance, of the new streets. For further information please visit: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/> Please note that this development may be subject to the Advance Payment Code and the addition of non-statutory undertakers plant may render the land unadoptable by SCC Highways for example flogas and LPG.
  
12. Acceptance of the road layout by the highway authority during the planning process does not guarantee meeting the Section 38 of the Highways Act 1980 adoption criteria. It is recommended that the applicant refers to the current adoption criteria: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/>
  
13. A cycle link is required to link the eastern side of the development to Treetops, Gulpher Road and beyond, to enable sustainable access to local facilities. The cost for supplying a 3m wide unbound surface suitable for cycling and walking will cost with design fees £22,000. If preferred I would condition this route to be provided by the applicant and would need to agree appropriate wording for such a condition. This route is required under NPPF 110a, c & d, 112a & c.
  
14. Public utility apparatus may be affected by this proposal; the appropriate utility service should be contacted to reach agreement on any necessary alterations which have to be carried out at the expense of the developer.  
  
Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991.
  
15. Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.  
  
Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment may be subject to payment of a surface water developer contribution.
  
16. Any works to a main river may require an environmental permit.

17. Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2006 Edition, incorporating 2010 and 2013 amendments Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for firefighting, in which case those standards should be quoted in correspondence. Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2006 Edition, incorporating 2010 and 2013 amendments.
18. Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system.
19. The applicant is advised that a public right of way crosses the application site or adjoins the application site (Footpath 28) and nothing in this permission shall authorise the stopping up, diversion or obstruction of that right of way. The applicants should apply to Suffolk County Council if they want the public right of way to be diverted or stopped up. It is an offence under the Highways Act 1980 to obstruct the route or damage/alter the surface of the right of way without the prior written consent of the highway authority, either during the construction of the development or beyond. If any development work conflicts with the safe passage of pedestrians or other users of the right of way, the applicants will need to apply to the highway authority for a temporary closure of the right of way.

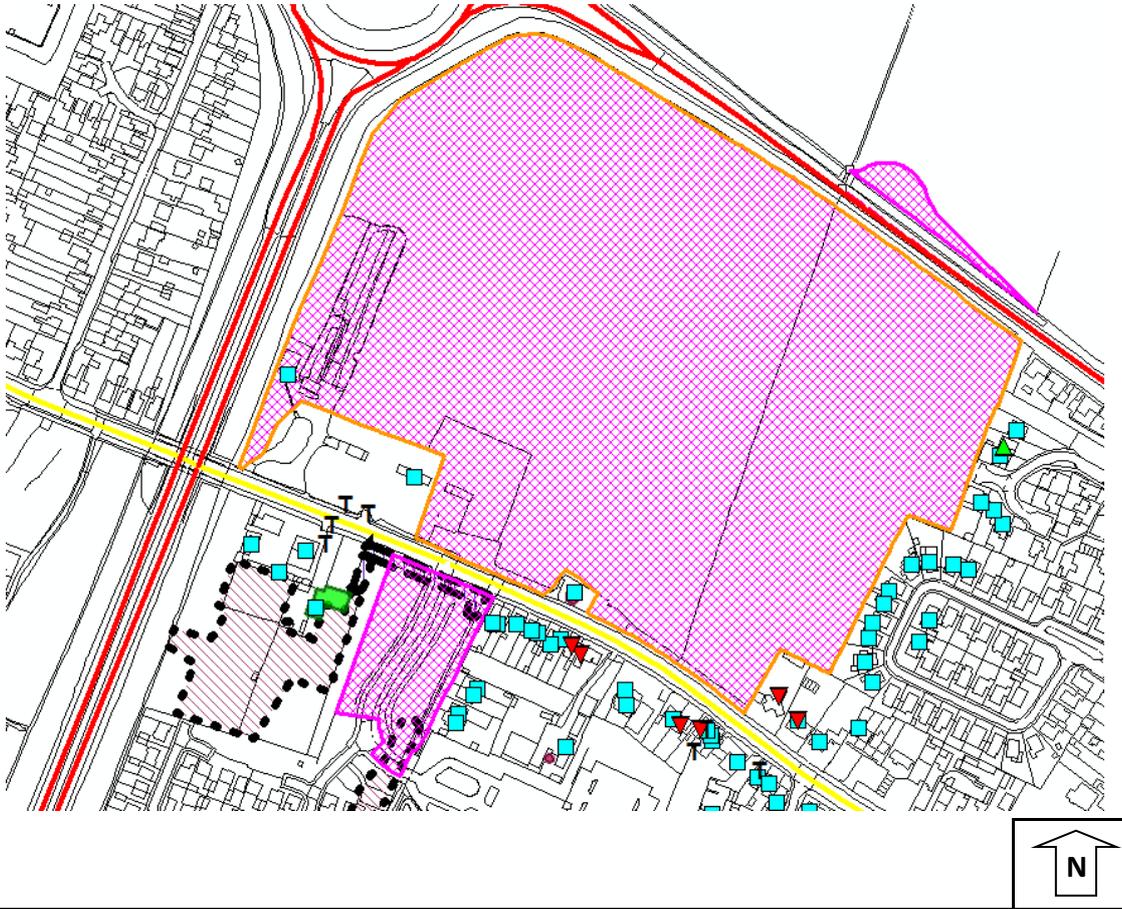
### **Background information**

See application reference DC/21/1322/ARM on [Public Access](#)

# Map

**DO NOT SCALE** SLA100019684

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## Key

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