



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

# **Planning Committee South**

## **Members:**

Councillor Debbie McCallum (Chairman)  
Councillor Tony Fryatt (Vice-Chairman)  
Councillor Melissa Allen  
Councillor Stuart Bird  
Councillor Chris Blundell  
Councillor Tony Cooper  
Councillor Mike Deacon  
Councillor Colin Hedgley  
Councillor Kay Yule

Members are invited to a **Meeting of the Planning Committee South**  
to be held on **Tuesday, 26 January 2021 at 2:00 pm**

This meeting will be conducted remotely, pursuant to the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

The meeting will be facilitated using the Zoom video conferencing system and broadcast via the East Suffolk Council YouTube channel at [https://youtu.be/uJenB5\\_i8II](https://youtu.be/uJenB5_i8II).

An Agenda is set out below.

## **Part One – Open to the Public**

**Pages**

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**1 Apologies for Absence and Substitutions**

<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>Minutes</b> To confirm as a correct record the Minutes of the Meeting held on 22 December 2020	<b>1 - 20</b>
<b>5</b>	<b>East Suffolk Enforcement Action - Case Update ES/0641</b> Report of the Head of Planning and Coastal Management	<b>21 - 39</b>
<b>6</b>	<b>DC/20/3264/FUL - Land between High Street and Chapel Lane, Pettistree ES/0642</b> Report of the Head of Planning and Coastal Management	<b>40 - 83</b>
<b>7</b>	<b>DC/20/3361/FUL - Land between High Street and Chapel Lane, Pettistree ES/0643</b> Report of the Head of Planning and Coastal Management	<b>84 - 126</b>
<b>8</b>	<b>DC/20/1002/ARM - Land at Candlet Road, Felixstowe ES/0644</b> Report of the Head of Planning and Coastal Management	<b>127 - 215</b>
<b>9</b>	<b>DC/20/3946/FUL - 12 Elm Road, Rushmere St Andrew, IP5 1AJ ES/0645</b> Report of the Head of Planning and Coastal Management	<b>216 - 222</b>
<b>10</b>	<b>DC/20/3852/FUL - Part Land off Watermill Road, Newbourne, IP12 4NP ES/0646</b> Report of the Head of Planning and Coastal Management	<b>223 - 237</b>

## Part Two – Exempt/Confidential

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/planning/planning-applications/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>).

### **Filming, Videoing, Photography and Audio Recording at Council Meetings**

The Council, members of the public and press may record / film / photograph or broadcast this meeting when the public and press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Committee Clerk (in advance), who will instruct that they are not included in any filming.

If you require this document in large print, audio or Braille or in a different language, please contact the Democratic Services Team on 01502 523521 or email: [democraticservices@eastsuffolk.gov.uk](mailto:democraticservices@eastsuffolk.gov.uk)



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East Suffolk Council is committed to achieving excellence in elected member development  
[www.local.gov.uk/Community-Leadership](http://www.local.gov.uk/Community-Leadership)

**Unconfirmed**



Minutes of a Meeting of the **Planning Committee South** held in the Zoom, on **Tuesday, 22 December 2020 at 2:00pm**

**Members of the Committee present:**

Councillor Melissa Allen, Councillor Stuart Bird, Councillor Tony Cooper, Councillor Mike Deacon, Councillor Tony Fryatt, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Kay Yule

**Other Members present:**

Councillor Paul Ashdown, Councillor Peter Byatt, Councillor James Mallinder, Councillor David Ritchie

**Officers present:** Martin Baker (Project Manager/Business Analyst), Jamie Behling (Trainee Planner), Joe Blackmore (Principal Planner), Sarah Davis (Democratic Services Officer), Kathryn Hurlock (Asset and Investment Manager), Matt Makin (Democratic Services Officer), Danielle Miller (Senior Planner), Katherine Scott (Principal Planner), Steve Thacker (Project Manager/Business Analyst)

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**Announcements**

Before moving to the first item of the agenda, the Chairman thanked both members of the Committee and officers for their hard work during 2020. The Chairman acknowledged that everyone had worked hard to adapt to an unusual situation in the COVID-19 pandemic and ensure that the planning process had continued during this time. The Chairman wished everyone a very merry Christmas and a heartfelt New Year.

**1 Apologies for Absence and Substitutions**

Apologies for absence were received from Councillor Chris Blundell; Councillor Paul Ashdown attended as his substitute.

**2 Declarations of Interest**

Councillor Stuart Bird declared a Local Non-Pecuniary Interest in item 8 of the agenda as a member of Felixstowe Town Council and as Chairman of that authority's Planning and Environment Committee.

Councillor Mike Deacon declared a Local Non-Pecuniary Interest in item 8 of the agenda as a member of Felixstowe Town Council.

Councillor Kay Yule declared a Local Non-Pecuniary Interest in item 6 of the agenda as two of the responders to the application were known to her.

### **3 Declarations of Lobbying and Responses to Lobbying**

There were no declarations of lobbying received.

### **4 Minutes**

#### **RESOLVED**

That the Minutes of the Meeting held on 24 November 2020 be agreed as a correct record and signed by the Chairman.

### **5 East Suffolk Enforcement Action - Case Update**

The Committee received report **ES/0601** of the Head of Planning and Coastal Management. The report was a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 23 November 2020; at that time, there were 15 such cases.

The Chairman invited questions to the officers.

There being no questions, the Chairman moved to the recommendation to receive and note the report.

On the proposition of Councillor Hedgley, seconded by Councillor Cooper it was by unanimous vote

#### **RESOLVED**

That the report concerning outstanding enforcement matters up to 23 November 2020 be received and noted.

### **6 DC/20/3685/FUL - Gault House, 3A Thoroughfare, Woodbridge, IP12 1AA**

The Committee received report **ES/0604** of the Head of Planning and Coastal Management, which related to planning application DC/20/3685/FUL.

The application sought the demolition of an existing six-bedroomed dwelling and proposed replacement dwelling.

The application was heard by the Referral Panel on 8 December 2020 as a result of the Town Council's objections; the Referral Panel considered that the proposals should be heard by the Committee in order for the issues raised in relation to impact on the conservation area and residential amenity to be considered.

The Committee received a presentation on the application from the Senior Planner, who was acting as the case officer.

The site's location was outlined, and the Committee was in receipt of an aerial view of the site which demonstrated its relationship with the surrounding area. The Senior Planner noted the proximity of several listed buildings; these buildings would not be affected by the proposal.

The Senior Planner outlined the objections received from neighbouring properties, as detailed in the report.

The Senior Planner outlined the recent approval of planning permission, DC/19/2290/FUL, which was adjacent to the current application site.

The Committee was shown photos of the site from The Thoroughfare, from inside the site, and from Lanyard Place.

The proposed block plan was displayed; this drawing compared the current application to the planning permission granted in 2010, C/10/2452, which had expired.

The Committee received the proposed plans, elevations and sections for the proposal. The Senior Planner provided details on the materials and finishing proposed to be used and detailed the comments of the Design and Conservation Officer, at paragraph 6.8 of the report, which stated that the increase in height would not be detrimental to the character of the Conservation Area.

The planning considerations were summarised as being the principle of development, impact on the Conservation Area and the impact on residential amenity.

The recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report, was outlined to the Committee.

There being no questions to the officers the Chairman invited Mr Barker, agent for the applicant, to address the Committee.

Mr Barker explained that the application would replace an unattractive 1960s style house in the centre of Woodbridge with a traditionally designed family home. Mr Barker noted that the proposed dwelling had been designed as an attractive new home for his clients, who occupied the property currently on the site, and had been designed to be sensitive to the area, in both detailing and scale and sensitive to neighbouring properties.

Mr Barker highlighted the planning approval that had been granted on the site for a new house in 2010 and stated that the design from this expired approval had guided the design of the current proposal. Mr Barker confirmed that the new house would be no taller than what was approved in 2010 and the additional storeys in the current design were a result of internal space in the house being used more efficiently. The two storey part of the house would be further away from neighbouring homes in Lanyard Place and the roof would be shallower than that approved in 2010.

Mr Barker addressed concerns about the impact on the conservation area; he noted that the proposal had been subject to a pre-application consultation with planning officers and that an application for the same design was submitted earlier in 2020 and later withdrawn to complete a bat survey. Mr Barker highlighted that both the withdrawn and current applications had been supported by different design and conservation officers from the Council and considered that the impact on the conservation area had therefore been carefully considered and found to be acceptable.

In regard to overlooking to Lanyard Place, Mr Barker noted that the current house had a first floor window that overlooked the Lanyard Place rear windows and that this would not be the case for the new dwelling. Mr Barker highlighted concerns about overlooking of Church Street

and New Street properties; he considered that the densely developed areas around the site were already overlooked and not private. Mr Barker was of the view that the design limited overlooking.

Mr Barker said the surrounding area had buildings of a similar to height of the one proposed by the application and that the application site, which was half an acre in size, would be developed at a very low density compared to the surrounding area. Mr Barker noted that the size of the surrounding buildings meant that there would be no views of the site from public areas.

Mr Barker considered that the design of the dwelling would fit in with the varied architecture in the immediate area. Mr Barker explained that his clients wanted to keep this dwelling as a family home and noted that the application placed one house on one plot. Mr Barker sought the Committee's support for the application.

There being no questions to Mr Barker, the Chairman invited the Committee to debate the application that was before it.

A member of the Committee, who was also Ward Member for Woodbridge, stated that she had requested the application come before the Committee as she was concerned it was contrary to policy SCLP11.2 of the Suffolk Coastal Local Plan regarding its impact on the residential amenity of neighbouring properties, particularly those properties in Lanyard Place. The Member's chief concern was the impact of the height of the building on Lanyard Place; she acknowledged the building was no higher than what was approved in 2010 but was concerned by the impact of the style of design.

Another member of the Committee noted that Woodbridge was an ancient town and its centre should not be changed lightly. The Member had some concerns about the application but considered there was no reason to protect the existing house and that the proposal would be an improvement on what was currently on the site. The Member stated he would vote in favour of the application and sought protection of the residential amenity for those residents at Lanyard Place.

It was noted by a member of the Committee that the Referral Panel had directed this application to the Committee, and that the report and information heard at the meeting had confirmed that overlooking was no longer an issue. He proposed that authority to approve the application be delegated to the Head of Planning and Coastal Management.

The Vice-Chairman expressed concern about the impact on the Conservation Area and sought clarity around the finish that would be used. The Senior Planner confirmed that the finish would be render and that there were examples of this type of finish in the locality. The Vice-Chairman concluded his remarks by stating that this was not necessarily a reason to permit further finishes of this type in the area.

There being no further debate the Chairman moved to the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report.

On the proposition of Councillor Ashdown, seconded by Councillor Cooper it was by a majority vote

## RESOLVED

That **AUTHORITY TO APPROVE** the application be delegated to the Head of Planning and Coastal Management in accordance with local and national policy subject to controlling 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 drawings

received 17th November 2020  
8035-PA.20.03 REV E  
8035-PA.20.04 REVE  
8035-PA.20.02 REV G

received on 18th September 2020  
8035-PA.20.01 REV C  
8035-PA.20.04 REV D  
8256-D-AIA

Tree Survey Arboricultural assessment

Preliminary Roost Assessment

Bat Survey Report

Design and Access Statement for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

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

4. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Bat Survey Report (Abrehart Ecology, September 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.*

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

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

Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

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

6. The use shall not commence until the area within the site shown on Drawing No.8035- PA/20/03 Rev E for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area shall be retained and used for no other purposes.

*Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.*

7. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number 8035-PA/20/03 Rev E shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

8. All HGV 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 planning authority for approval a minimum of 28 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: To reduce and / or remove as far as is reasonably possible the effects of HGV traffic in sensitive areas.*

#### Informatives:

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

2. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority. The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended). If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail, your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to [CIL@eastsuffolk.gov.uk](mailto:CIL@eastsuffolk.gov.uk) A CIL commencement Notice (CIL Form 6) must be submitted at least 24 hours prior to the commencement date. The consequences of not submitting CIL Forms can result in the loss of payment by instalments, surcharges and other CIL enforcement action. CIL forms can be downloaded direct from the planning portal: [https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5) Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

3. BS 3998: 2010 The applicant should note that the work hereby permitted should be carried out in accordance with good practice as set out in the 'British Standard Recommendation for Tree Work' BS 3998: 2010, or arboricultural techniques where it can be demonstrated to be in the interests of good arboricultural practice.

#### Protected Species:

The applicant should note that under the terms of the Wildlife and Countryside Act 1981, it is an offence to disturb nesting birds, bats their roosts and other protected species. You should note that work hereby granted consent does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that nesting birds, bats and other species will be disturbed. Likewise, badgers are protected under the Badgers Act 1992 and if disturbance is likely, a licence may be undertaken from the Ministry of Agriculture and Food before any work is undertaken.

#### Property Rights:

The applicant should note that this consent does not affect any private property rights and therefore does not authorise the carrying out of any work on land, or entering land outside his/her control. If such works are required it will be necessary for the applicant to obtain the landowners consent before the work starts.

#### 2 Year Time Limit:

The applicant should note that the work hereby granted consent shall be carried out and completed within a two-year period from the date of this consent unless otherwise agreed in writing by the local planning authority. This is to enable the local planning authority to reassess the acceptability of the work in light of changed circumstances if it has not been completed within this period.

### **7 DC/20/2913/FUL - Home Farm, Hollesley Road, Capel St Andrew**

The Committee received report **ES/0602** of the Head of Planning and Coastal Management, which related to planning application DC/20/2913/FUL.

*Note: during the determination of this item, Members highlighted typographical errors in the report at paragraphs 4.1 and 6.24. It was agreed that the case officer would amend the report after the meeting and supply an amended copy to the Democratic Services Officer, who would add it to the meeting documents published on the Council's Committee Management Information System (CMIS).*

The application sought to convert an existing farmstead into seven residential properties.

The application had been considered by the Referral Panel as Councillor Mallinder, the Ward Member, had raised concerns over the sites development in terms of the impact it would have on the Area of Outstanding Natural Beauty (AONB) and the Royal Society for the Protection of Birds (RSPB) centre; Councillor Mallinder had also raised concerns over the loss of unique habit and biodiversity and the units becoming short term holiday lets. Councillor Mallinder had considered that seven units to be overdevelopment and would have a detrimental impact on highway safety. The Referral Panel had therefore referred the application to the Committee for determination.

The Committee received a presentation on the application from the Senior Planner, who was acting as the case officer.

The site's location was outlined, and the Committee was in receipt of an aerial view of the site; the Senior Planner highlighted on the image the steel-framed barns that would be removed as part of the development. Another aerial image of the site was displayed which outlined the application site's relationship with Capel St Andrew and other nearby areas.

Photographs of the site from the surrounding highways, barns 1, 2, 3, 4 and the stables, and the elements to be demolished, were shown to the Committee.

The proposed block plan was shown to the Committee.

Drawings of the access visibility splays were displayed. Following concern raised regarding access and highway safety, a speed survey was carried out by the applicant and submitted to

the Highways Authority. The Council had received a formal response from the Highways Authority removing the holding objection and requesting conditions. This information was contained within the update sheet circulated on 21 December 2020.

The proposed plans and elevations for all the plots on the site were displayed to the Committee. The Senior Planner noted that the proposed designs would retain the agricultural heritage of the site.

The material planning considerations and key issues were summarised as the principle of development in relation to conversion of redundant buildings in the countryside, the impact on the Area of Outstanding Natural Beauty (AONB), design and amenity, access, and ecological considerations.

The recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the officers.

The Senior Planner confirmed the proposed doors on the front elevations of plots two and three had been removed.

A water supply to the site had not been finalised; the Senior Planner advised the Committee that this was not a material planning consideration.

A member of the Committee considered that the proposed development was contrary to policies on buildings in the countryside as there was no identified need and asked if there was any way to prevent the dwellings being used as holiday lets. The Senior Planner explained that the proposed development was in accordance with policy SCLP5.5 of the Suffolk Coastal Local Plan regarding the conversion of redundant buildings in the countryside; the Committee was advised that it would not be possible to add a condition preventing the use of the dwellings as holiday lets.

The Chairman invited Mr Wells, agent for the applicant, to address the Committee.

Mr Wells said he was very familiar with the site and stated that the proposed conversion had been carefully considered. Mr Wells considered that the development was in accordance with policy SCLP5.5 of the Suffolk Coastal Local Plan and policy DM13 of the former Suffolk Coastal Local Plan that had preceded it.

Mr Wells was grateful for the support the application had received from both planning officers and Butley, Wantisden & Capel St Andrew Parish Council.

Mr Wells noted that the Highways Authority was now content with the proposals; in response to the concerns of the Highways Authority the applicant had removed the access to plot three and had undertaken a speed survey and volume traffic survey. The surveys had identified that the average speed past the site was 25mph and that the number of traffic movements was very minimal, and this had justified the reduction of the visibility splays.

Mr Wells considered the proposed conversion scheme to be positive.

There being no questions to Mr Wells the Chairman invited Councillor James Mallinder, Ward Member for Capel St Andrew, to address the Committee.

Councillor Mallinder considered the updated Highways Authority response to be misleading; he outlined the issues with road flooding in the area due to differing levels between the roads and the surrounding fields, with a severe near-miss incident having recently occurred.

Councillor Mallinder pointed out that soil and sand was often spread onto local roads by agricultural vehicles operating in the area and noted that the application site was also close to the RSPB Boyton Reserve.

It was highlighted by Councillor Mallinder that the development would double the size of Capel St Andrew and could bring up to 14 new cars to the area. Councillor Mallinder said he struggled to see what the development would contribute to the community, considering it to be a high density development that did not provide any affordable housing and would impact negatively on the environment and the local community.

The Chairman invited questions to Councillor Mallinder.

Councillor Mallinder reiterated his concerns about the concentration of dwellings provided by the application, as well as concerns about a lack of local public transport links for the area. Councillor Mallinder said that the increase in population that would be caused would make a fundamental difference to the area.

Councillor Mallinder advised that the population of Capel St Andrew was between 10 and 20 people.

In response to a question from the Vice-Chairman, the Senior Planner advised that surface water drainage would be dealt with by soakaways and confirmed that the issue could be controlled by condition.

The Chairman invited the Committee to debate the application that was before it.

Several members of the Committee spoke in support of the application, noting that the issues relating to access and highways safety had been resolved.

One member of the Committee noted that the application was not creating new buildings but would be converting redundant agricultural buildings; he said this would put the buildings to good use and highlighted that such a scheme was supported by national and local planning policies.

Another member of the Committee acknowledged that the development would be an attractive one but was concerned about its impact on the AONB and the local community.

It was noted by a member of the Committee that although the access and highways safety issues had been resolved, there still appeared to be an issue regarding flooding on the roads; she highlighted that the Council had declared a climate emergency and should be taking this seriously. The Member asked the Senior Planner what investigations had taken place in respect of surface water drainage.

In response to this, officers advised the Committee that as the application proposed to develop existing buildings and not construct new buildings, there would be no change to surface water drainage on the site. The Principal Planner explained that existing issues could not be resolved through the planning process and this issue would need to be addressed by the Highways Authority and local landowners.

There being no further debate the Chairman moved to the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report.

On the proposition of Councillor Cooper, seconded by Councillor Ashdown it was by a majority vote

## **RESOLVED**

That **AUTHORITY TO APPROVE** the application be delegated to the Head of Planning and Coastal Management for approval in accordance with local and national policy subject to controlling 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 documents listed below:

Received 19th October 2020

PW1083\_PL\_08RevB

PW1083\_PL\_10RevB

PW1083\_PL\_09RevB

PW1083\_PL\_12RevA

Received 8th October 2020

PW1083\_PL\_16RevA

Received 11th Aug 2020

Ecological impact assessment

Received 4th Aug 2020

Design and Access Statement

Heritage Assess Assessment

Heritage Impact Assessment

Structural inspection report

Preliminary Ecological Assessment

PW1083\_PL\_15

PW1083\_PL\_14

PW1083\_PL\_13

PW1083\_PL\_11

PW1083\_PL\_07  
PW1083\_PL\_06  
PW1083\_PL\_05  
PW1083\_PL\_04  
PW1083\_PL\_03  
PW1083\_PL\_02  
PW1083\_PL\_01

for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

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

4. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Impact Assessment (EclA) (Liz Lord Ecology, August 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

5. No removal of hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding 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.*

6. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a. Risk assessment of potentially damaging construction activities.
- b. Identification of "biodiversity protection zones".
- c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d. The location and timing of sensitive works to avoid harm to biodiversity features.

- e. The times during construction when specialist ecologists need to be present on site to oversee works.
- f. Responsible persons and lines of communication.
- g. The role and responsibilities on site of an ecological clerk of works (ECoW) or
- h. Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

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

7. The development shall not in any circumstances commence unless the local planning authority has been provided with either:

- a. a licence issued by Natural England pursuant to The Conservation of Habitats and Species Regulations (2017) (as amended) authorising the specified development to go ahead; or
- b. a statement in writing from the relevant licensing body to the effect that it does not consider that the specified development will require a licence.

*Reason: To ensure that the legislation relating to protected species has been adequately addressed as part of the implementation of the development*

8. Prior to commencement an Ecological Enhancement Strategy, addressing how ecological enhancements will be achieved on site, will be submitted to and approved in writing by the local planning authority. Ecological enhancement measures will be delivered and retained in accordance with the approved Strategy.

*Reason: To ensure that the development delivers ecological enhancements.*

9. No external lighting shall be installed on site unless a "lighting design strategy for biodiversity" has been submitted to and approved by the local planning authority.

The strategy shall:

- a. identify those areas/features on site that are particularly sensitive for biodiversity likely to be impacted by lighting and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

Any external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

*Reason: To ensure that impacts on ecological receptors from external lighting are prevented.*

10. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a site investigation consisting of the following components has been submitted to, and approved in writing by, the local planning authority:

a) an intrusive investigation(s), including:

- the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- an explanation and justification for the analytical strategy;
- a revised conceptual site model; and
- a revised assessment of the risks posed from contamination at the site to relevant receptors, including:

human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including: BS 10175:2011+A1:2013 and CLR11.

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

11. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved by, the LPA. The RMS must include, but is not limited to:

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

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

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

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

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

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

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

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

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

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

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

Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

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

15. 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], Class[es] [A;B;C;D;E] 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.*

16. No other part of the development hereby permitted shall be commenced until the existing vehicular access has been improved, laid out and completed in all respects in accordance with DM01 and with an entrance width of 4.5m.

Thereafter the access shall be retained in the specified form.

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

17. The use shall not commence until the area(s) within the site shown on Drawing No. PW1083\_PL08 Rev. B for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

*Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.*

18. Before the access is first used visibility splays shall be provided as shown on Drawing No. PW1083\_SLK01 Rev. / and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

*Reason: In the interests of Highway Safety to ensure there a suitable visibility splays for the proposed 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 and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

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

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

A CIL commencement Notice (CIL Form 6) must be submitted at least 24 hours prior to the commencement date. The consequences of not submitting CIL Forms can result in the loss of payment by instalments, surcharges and other CIL enforcement action. CIL forms can be downloaded direct from the planning portal: [https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

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

3. It is unclear whether the development will involve a connection to the mains, or a private water supply. If the development involves connecting to an existing private water supply, or the creation of a new private water supply advice should be sought from the Environmental Protection Team prior to commencing works. All works undertaken must comply with the Private Water Supplies Regulations 2016 (as amended).

#### **8 DC/20/4028/FUL - Public Conveniences, The Ferry, Felixstowe, IP11 9RZ**

The Committee received report **ES/0603** of the Head of Planning and Coastal Management, which related to planning application DC/20/4028/FUL.

The application sought permission to make improvements to the public toilets, which included the construction of an annex building for a sewage treatment plant to the rear and the reconfiguration of the public toilet building.

As the applicant was East Suffolk Council, the application was before the Committee for determination, in accordance with the Scheme of Delegation set out in the East Suffolk Council Constitution.

The Committee received a presentation on the application from the Trainee Planner, who was acting as the case officer.

The site's location was outlined, and the Committee was shown photographs of aerial views of the site and views of the site from the road.

The proposed block plan was outlined to the Committee.

The proposed elevations and floor plans were displayed, as well as a section of the proposed development which highlighted the size of the septic tank required and the reason for the height of the building.

The Trainee Planner outlined the alternative solutions for sewage removal that had been considered; it had been determined by applicant that the solution selected was the only feasible one for the site.

The material planning considerations and key issues were summarised as noise/odour pollution, design (scale, overbearing), fire/access hazard, the Area of Outstanding Natural Beauty (AONB), the re-siting of a container, misjudgement of calculations, common land, and not 21-day notice being erected.

The recommendation to approve the application, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the officers.

The Trainee Planner confirmed that there was sufficient space for a tanker to access the site to drain the septic tank.

The Chairman invited Kathryn Hurlock, the Council's Asset and Investment Manager and speaking on behalf of the applicant, to address the Committee.

Ms Hurlock confirmed that the Council was currently providing public conveniences at The Ferry and the existing facility had been operating for a number of years. The conveniences were the only ones in the area, with the next nearest facilities being at The Dip; Ms Hurlock explained that as a result the public conveniences were used extensively as The Ferry was a popular area and that a long-term solution was required for them, in order to meet current regulations on the removal of sewage waste.

Ms Hurlock confirmed that expert advice had been sought to ascertain the solution proposed and highlighted the issues on the site regarding flooding. During development of the proposal consideration had been given to flooding, fire risk and noise pollution.

Ms Hurlock confirmed that the solution proposed was the best possible for the site; it was designed to assimilate into the local landscape and would give an overall update to the facilities available. Ms Hurlock advised that a noise assessment was completed.

Ms Hurlock concluded that the Council was committed to ensuring that the updated conveniences could be used by both tourists and local businesses in the area.

The Chairman invited questions to Ms Hurlock.

Ms Hurlock advised that several local businesses at The Ferry were reliant on the public conveniences as they did not have toilet facilities of their own, explaining that the size of proposed substantial sewage plant was to accommodate this level of use.

The Chairman invited the Committee to debate the application that was before it.

The Chairman opened the debate by stating that the public conveniences at The Ferry were long overdue for an overhaul. The Chairman was in support of the proposals, acknowledging the increased height and noting the increased use of the facilities at peak periods.

Another member of the Committee, who was also Ward Member for Western Felixstowe, also supported the application and agreed that the existing facilities needed to be refreshed, noting that Felixstowe Town Council had been lobbied by local businesses in the past to improve the facilities.

There being no further debate on the application the Chairman moved to the recommendation approve the application, as set out in the report.

On the proposition of Councillor Deacon, seconded by Councillor Cooper it was by unanimous vote

## **RESOLVED**

That the application be **APPROVED** subject to the conditions detailed below.

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 15-12-52/02, 03B, 04A, 05 and 10 received 09/10/2020, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

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

4. The development will be completed in accordance with the Noise Assessment Report which includes all proposed plant, machinery and noise mitigation recommendations based on BS4142:2014. The noise mitigation measures recommended should be implemented in full prior to the operations on the site and retained thereafter.

*Reason: To protect the amenity of surrounding residential properties, as noise from fixed plant or machinery (e.g. heat pumps, compressors, extractor systems, fans, pumps, air conditioning plant or generators,) can be annoying and disruptive.*

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.

The meeting concluded at 3:12 pm

.....  
Chairman



**PLANNING COMMITTEE SOUTH**

**Title of Report:** East Suffolk Enforcement Action– Case Update

**Meeting Date** 26 January 2021

**Report Author and Tel No** Mia Glass  
01502 523081

Is the report Open or Exempt?	Open
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**REPORT**

The attached is a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has either been sanctioned under delegated powers or through the Committee up until 18 December 2020. At present there are 13 such cases.

Information on all cases has been updated at the time of preparing the report such that the last bullet point in the status column shows the position at that time. Officers will provide a further verbal update should the situation have changed for any of the cases.

Members will note that where Enforcement action has been authorised the Councils Solicitor shall be instructed accordingly, but the speed of delivery of response may be affected by factors which are outside of the control of the Enforcement Service.

**RECOMMENDATION**

That the report concerning Outstanding Enforcement matters up to 18 December 2020 be received and noted.

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
EN08/0264 & ENF/2013/0191	15/01/2010	North	Pine Lodge Caravan Park, Hazels Lane, Hinton	Erection of a building and new vehicular access; Change of use of the land to a touring caravan site (Exemption Certificate revoked) and use of land for the site of a mobile home for gypsy/traveller use. Various unauthorised utility buildings for use on caravan site.	<ul style="list-style-type: none"> <li>• 15/10/2010 - EN served</li> <li>• 08/02/2010 - Appeal received</li> <li>• 10/11/2010 - Appeal dismissed</li> <li>• 25/06/2013 - Three Planning applications received</li> <li>• 06/11/2013 – The three applications refused at Planning Committee.</li> <li>• 13/12/2013 - Appeal Lodged</li> <li>• 21/03/2014 – EN’s served and become effective on 24/04/2014/ 04/07/2014 - Appeal Start date - Appeal to be dealt with by Hearing</li> <li>• 31/01/2015 – New planning appeal received for refusal of Application DC/13/3708</li> <li>• 03/02/2015 – Appeal Decision – Two notices quashed for the avoidance of doubt, two notices upheld. Compliance time on notice relating to mobile home has been extended from 12 months to 18 months.</li> <li>• 10/11/2015 – Informal hearing held</li> </ul>	28/02/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>• 01/03/2016 – Planning Appeal dismissed</li> <li>• 04/08/2016 – Site re-visited three of four Notices have not been complied with.</li> <li>• Trial date set for 21/04/2017</li> <li>• Two charges relating to the mobile home, steps and hardstanding, the owner pleaded guilty to these to charges and was fined £1000 for failing to comply with the Enforcement Notice plus £600 in costs.</li> <li>• The Council has requested that the mobile home along with steps, hardstanding and access be removed by 16/06/2017.</li> <li>• 19/06/2017 – Site re-visited, no compliance with the Enforcement Notice.</li> <li>• 14/11/2017 – Full Injunction granted for the removal of the mobile home and steps.</li> <li>• 21/11/2017 – Mobile home and steps removed from site.</li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>• Review site regarding day block and access after decision notice released for enforcement notice served in connection with unauthorised occupancy /use of barn.</li> <li>• 27/06/2018 – Compliance visit conducted to check on whether the 2010.</li> <li>• 06/07/2018 – Legal advice being sought.</li> <li>• 10/09/2018 – Site revisited to check for compliance with Notices.</li> <li>• 11/09/2018 – Case referred back to Legal Department for further action to be considered.</li> <li>• 11/10/2018 – Court hearing at the High Court in relation to the steps remain on the 2014 Enforcement Notice/ Injunction granted. Two months for compliance (11/12/2018).</li> <li>• 01/11/2018 – Court Hearing at the High Court in relation to the 2010 Enforcement Notice. Injunctive</li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>remedy sought. Verbal update to be given.</p> <ul style="list-style-type: none"> <li>• Injunction granted. Three months given for compliance with Enforcement Notices served in 2010.</li> <li>• 13/12/2018 – Site visit undertaken in regards to Injunction served for 2014 Notice. No compliance. Passed back to Legal for further action.</li> <li>• 04/02/2019 –Site visit undertaken to check on compliance with Injunction served on 01/11/2018</li> <li>• 26/02/2019 – case passed to Legal for further action to be considered. Update to be given at Planning Committee</li> <li>• High Court hearing 27/03/2019, the case was adjourned until the 03/04/2019</li> <li>• 03/04/2019 - Officers attended the High Court, a warrant was issued due to non-attendance and failure to provide medical evidence explaining the non-</li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>attendance as was required in the Order of 27/03/2019.</p> <ul style="list-style-type: none"> <li>• 11/04/2019 – Officers returned to the High Court, the case was adjourned until 7 May 2019.</li> <li>• 07/05/2019 – Officers returned to the High Court. A three month suspended sentence for 12 months was given and the owner was required to comply with the Notices by 03/09/2019.</li> <li>• 05/09/2019 – Site visit undertaken; file passed to Legal Department for further action.</li> <li>• Court date arranged for 28/11/2019.</li> <li>• 28/11/2019 - Officers returned to the High Court. A new three month suspended sentence for 12 months was given and the owner was required to comply in full with the Injunctions and the Order of the Judge by 31/01/2020</li> <li>• Site visited. Case currently with the Council's Legal Team for assessment.</li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>Charging orders have been placed on the land to recover costs.</li> </ul>	
EN/09/0305	18/07/2013	South	Park Farm, Chapel Road, Bucklesham	Storage of caravans	<ul style="list-style-type: none"> <li>Authorisation granted to serve Enforcement Notice.</li> <li>13/09/2013 -Enforcement Notice served.</li> <li>11/03/2014 – Appeal determined - EN upheld Compliance period extended to 4 months</li> <li>11/07/2014 - Final compliance date</li> <li>05/09/2014 - Planning application for change of use received</li> <li>21/07/2015 – Application to be reported to Planning Committee for determination</li> <li>14/09/2015 – site visited, caravans still in situ, letter sent to owner requesting their removal by 30/10/2015</li> <li>11/02/2016 – Site visited, caravans still in situ. Legal advice sought as to further action.</li> <li>09/08/2016 – Site re-visited, some caravans re-moved but 20 still in situ. Advice to be sought.</li> </ul>	April 2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>• Further enforcement action to be put on hold and site to be monitored</li> <li>• Review in January 2019</li> <li>• 29/01/2019 - Legal advice sought; letter sent to site owner.</li> <li>• 18/02/2019 – contact received from site owner.</li> <li>• 04/04/2019 – Further enforcement action to be placed on hold and monitored.</li> <li>• Review in April 2021.</li> </ul>	
ENF/2014/0104	16/08/2016	South	Top Street, Martlesham	Storage of vehicles	<ul style="list-style-type: none"> <li>• 23/11/2016 – Authorisation granted to serve an Enforcement Notice</li> <li>• 22/03/2017 – Enforcement Notice served. Notice takes effect on 26/04/2017. Compliance period is 4 months.</li> <li>• 17/07/2017 – Enforcement Notice withdrawn and to be re-served</li> <li>• 11/10/2017 – Notice re-served, effective on 13/11/2017 – 3 months for compliance</li> <li>• 23/02/2018 – Site visited. No compliance with Enforcement</li> </ul>	20/01/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>Notice. Case to be referred to Legal Department for further action.</p> <ul style="list-style-type: none"> <li>• Notice withdrawn</li> <li>• 09/07/2018 – Notice reserved, compliance date 3 months from 06/08/2018 (expires 06/11/2018)</li> <li>• 01/10/2018 - PINS has refused to accept Appeal as received after the time limit.</li> <li>• Time for compliance is by 06/12/2018</li> <li>• Site visit to be completed after the 06/12/2018 to check for compliance with the Notice</li> <li>• 07/12/2018 – Site visit completed, no compliance, case passed to Legal for further action.</li> <li>• 17/01/2019 – Committee updated that Enforcement Notice has been withdrawn and will be re-served following advice from Counsel.</li> <li>• 21/02/2019 – Authorisation granted by Committee to serve an Enforcement Notice. Counsel has advised that the Council give 30</li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>days for the site to be cleared before the Notice is served.</p> <ul style="list-style-type: none"> <li>• 01/04/2019 – Enforcement Notice served.</li> <li>• 28/05/2019 – Enforcement Appeal has been submitted to the Planning Inspectorate.</li> <li>• Start date has now been received, Statements are due by 12/12/2019.</li> <li>• Awaiting Planning Inspectorate Decision</li> <li>• Appeal Dismissed with variations. Compliance by 20 January 2021</li> </ul>	
ENF/2016/0292	11/08/2016	South	Houseboat Friendship, New Quay Lane, Melton	Change of use of land	<ul style="list-style-type: none"> <li>• 11/08/2016 – Authorisation granted to serve Enforcement Notice with an 8 year compliance period.</li> <li>• Enforcement Notice to be drafted</li> <li>• Enforcement Notice served on 20/10/2016, Notice effective on 24/11/ 2016 – 8 year compliance period (expires 24/11/2024).</li> </ul>	24/11/2024

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2017/0170	21/07/2017	North	Land Adj to Oak Spring, The Street, Darsham	Installation on land of residential mobile home, erection of a structure, stationing of containers and portacabins	<ul style="list-style-type: none"> <li>• 16/11/2017 – Authorisation given to serve EN.</li> <li>• 22/02/2018 – EN issued. Notice comes into effect on 30/03/2018 and has a 4 month compliance period</li> <li>• Appeal submitted. Awaiting Start date</li> <li>• Appeal started, final comments due by 08/02/2019.</li> <li>• Waiting for decision from Planning Inspectorate.</li> <li>• 17/10/2019 – Appeal Decision issued by PINS. Enforcement Notice relating to the Use of the land quashed and to be re-issued as soon as possible, Notice relating to the operational development was upheld with an amendment.</li> <li>• 13/11/2019 – EN served in relation to the residential use of the site. Compliance by 13/04/2020</li> <li>• Site visited. Case conference to be held</li> <li>• Appeal received in relation to the EN for the residential use</li> </ul>	31/01/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>• Appeal started. Statement submitted for 16<sup>th</sup> June 2020</li> <li>• Awaiting Planning Inspectorate Decision</li> <li>• Appeal dismissed with some amendments. Compliance by 11/12/2020</li> <li>• Site visit to be undertaken after 11/12/20</li> </ul>	
ENF/2015/0279 /DEV	05/09/2018	North	Land at Dam Lane Kessingland	Erection of outbuildings and wooden jetties, fencing and gates over 1 metre adjacent to highway and engineering operations amounting to the formation of a lake and soil bunds.	<ul style="list-style-type: none"> <li>• Initial complaint logged by parish on 22/09/2015</li> <li>• Case was reopened following further information on the 08/12/2016/</li> <li>• Retrospective app received 01/03/2017.</li> <li>• Following delays in information requested, on 20/06/2018, Cate Buck, Senior Planning and Enforcement Officer, took over the case, she communicated and met with the owner on several occasions.</li> </ul>	30/04/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>• Notice sever by recorded delivery 05/09/2018.</li> <li>• Appeal has been submitted. Awaiting Start date.</li> <li>• Start letter received from the Planning Inspectorate. Statement due by 30/07/19.</li> <li>• Awaiting Planning Inspectorate Decision</li> <li>• Appeal dismissed. Compliance with both Notices by 05/08/2020</li> <li>• Further legal advice being sought in relation to the buildings and fencing. Extension of time given until 30/04/21 for removal of the lake and reverting the land back to agricultural use due to Licence being required for removal of protected species.</li> </ul>	
ENF/2018/0057	15/11/2018	North	The Stone House, Low Road, Bramfield	Change of use of land for the stationing of chiller/refrigeration units and the installation of bunds and hardstanding	<ul style="list-style-type: none"> <li>• Enforcement Notices served on 10/12/2018</li> <li>• Notice effective on 24/01/2019</li> <li>• 3 months given for compliance</li> </ul>	31/03/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>• Appeal submitted awaiting Start Date.</li> <li>• Start letter received from the Planning Inspectorate. Statement due by 30/07/19.</li> <li>• Awaiting Planning Inspectorate Decision</li> <li>• Appeal dismissed and amended. Compliance with both Notices by 13/08/2020</li> <li>• Site visit conducted. Some works have been completed but due to Covid-19 pandemic work to remove refrigeration units has been delayed. Extension of time given until 02/10/2020.</li> <li>• Further extension of time given until 30/11/20.</li> <li>• <b>03/12/2020 - Site visited. MCU Notice has been complied with and Operational Development Notice partially complied with. Final steps are not required for completed until 31<sup>st</sup> March 2021.</b></li> </ul>	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2018/0543 /DEV	24/05/2019	North	Land at North Denes Caravan Park The Ravine Lowestoft	Without planning permission operational development involving the laying of caravan bases, the construction of a roadway, the installation of a pumping station with settlement tank and the laying out of pipe works in the course of which waste material have been excavated from the site and deposited on the surface.	<ul style="list-style-type: none"> <li>• Temporary Stop Notice Served 02/05/2019 and ceases 30/05/2019</li> <li>• Enforcement Notice served 24/05/2019, comes into effect on 28/06/2019</li> <li>• Stop Notice Served 25/05/2019 comes into effect 28/05/2019.</li> <li>• Appeal has been submitted. Awaiting Start date.</li> <li>• Appeal to be dealt with as a Hearing. Deadline for Statements 03/08/2020</li> <li>• Awaiting date of hearing from Planning Inspectorate.</li> <li>• Hearing date set for 02/02/2021.</li> </ul>	30/03/2021
ENF/2018/0385 /COND	01/08/2019	North	28 Beverley Close Lowestoft	Breach of condition 2 & 3 of DC/15/2586/FUL	<ul style="list-style-type: none"> <li>• Breach of Condition Notice served 01/08/2019.</li> <li>• DC/19/4557/VOC Planning application submitted 21/11/2019</li> <li>• Application refused 15/01/2020</li> </ul>	01/12/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>• Currently within appeal period.</li> <li>• Application received DC/20/1387/AME to amend roof material.</li> <li>• DC/20/1387/AME approved 28/04/2020.</li> <li>• Team monitoring progress</li> <li>• Work due to commence early November 2020.</li> <li>• Site Visit planned to check compliance.</li> </ul>	
ENF/2019/0391 /SEC215	26/11/2019	North	46 Wissett Way Lowestoft	Untidy Site	<ul style="list-style-type: none"> <li>• Notice served 26/11/2019</li> <li>• Compliance visit to be conducted when possible.</li> <li>• Site visit conducted 12/06/2020, notice not fully complied with. Internal discussions taking place regarding next step.</li> <li>• Enquires being made to take direct action.</li> <li>• Contractors arranged to undertake the required work.</li> </ul>	30/01/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>• Owner arranged for workers to undertake required work in place of Council Contractors.</li> <li>• Site visit due to check compliance.</li> <li>• Notice not complied with in full. Internal discussions being held to decide the next step.</li> <li>• <b>Contractors being contacted to complete work.</b></li> </ul>	
ENF/2018/0090 /DEV	10/12/2019	South	Dairy Farm Cottage, Sutton Hoo	Erection of a summer house	<ul style="list-style-type: none"> <li>• Enforcement Notice served 10/12/2019</li> <li>• Awaiting site visit to check on compliance</li> <li>• Site visit undertaken, summer house still in situ. Further action to be considered.</li> <li>• Property has now changed hands. Contact with new owner to be established.</li> <li>• Officers are now in contact with the new owners and are discussing a way forward.</li> <li>• Six weeks given for summerhouse, decking and steps to be removed.</li> </ul>	31/01/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>• <b>Site to visited.</b></li> </ul>	
ENF/2015/0214 /MULTI	17/01/2020	South	98 Tangham Cottages, Tangham	Change of use of land and building for business, residential and holiday let purposes	<ul style="list-style-type: none"> <li>• 17/01/2020 – Enforcement Notice served.</li> <li>• Appeal received. Statements due by 27/04/2020</li> <li>• Awaiting Planning Inspectorate Decision</li> <li>• Appeal dismissed with amendments. Compliance date 26.12.2020. Judicial review submitted.</li> <li>• Judicial review dismissed. Compliance date 23/03/2021</li> </ul>	23/03/2021
ENF/2019/0035 /DEV	30/06/2020	South	The White Cottage, 3-4 Queens Head Lane, Woodbridge	Installation of a wheelchair lift	<ul style="list-style-type: none"> <li>• 30/06/2020 – Enforcement Notice served. Appeal submitted awaiting start date.</li> <li>• Appeal started. Final comments by 09/11/20</li> <li>• <b>Awaiting Planning Inspector Decision.</b></li> </ul>	30/01/2021



## **Committee Report**

**Application no** DC/20/3264/FUL

**Location**

Land Between High Street And  
Chapel Lane  
Pettistree  
Suffolk  
IP13 0HQ

**Expiry date** 8 December 2020

**Application type** Full Application

**Applicant** Hopkins Homes Limited

**Parish** Pettistree

**Proposal** A phased development comprising Hybrid Planning Application: (i) Full Planning Application - Residential development of 129 dwellings (including affordable housing) together with public open space, roads, accesses, parking, garages, drainage and associated infrastructure; (ii) Outline Planning Application - seven No. serviced Self Build Plots with associated access and infrastructure.

**Case Officer** Phil Perkin  
(01502) 523073  
philip.perkin@eastsuffolk.gov.uk

### **1 Summary**

- 1.1 This application seeks full planning permission for the development of 129 houses and associated infrastructure and outline planning permission for seven self-build dwellings.
- 1.2 The site is allocated in the East Suffolk Council Suffolk Coastal Local Plan for the development of approximately 150 houses under Policy SCLP12.60.

- 1.3 This application referred to the Planning Committee by the Head of Planning and Coastal Management under the terms of the Scheme of Delegation due to the level of public interest
- 1.4 The principle of residential development on the site is accepted and the proposal is in accordance with the Local Plan. There are no technical barriers to development and whilst noting the local concerns, the layout of the development and design of the houses is considered acceptable.
- 1.5 Officers are seeking authority to approve the application with conditions, subject to the completion of a Section 106 legal agreement to secure the necessary obligations. Members will note that there is a tandem, identical application (reference DC/20/3361/FUL) which is also being presented to the Planning Committee for determination.

### The Case for Development

- 1.6 The site is allocated for the development of up to 150 houses by Policy SCLP12.60 of the East Suffolk Council Suffolk Coastal Local Plan (adopted September 2020). The principle of residential development on the site is therefore established and the application will deliver 136 houses including 45 affordable dwellings and seven self-build plots which are significant benefits of the proposal.
- 1.7 The Local Plan allocation forms part of the Council's strategy for growth which seeks to include appropriate growth in rural areas that will help to support and sustain existing communities.
- 1.8 Overall, the design of the development is considered to be acceptable and in conformity with the requirements of Policy SCLP12.60. In addition to the affordable dwellings the proposal will deliver a mix of house types, sizes and designs as well open space and landscaping providing a high-quality environment. There will also be funding available for highway improvements within Wickham Market High Street.
- 1.9 There will be economic benefits in the short to medium term through the creation of jobs in the construction industry and in the longer term benefits to the services and facilities in Wickham Market through increase visitor spend in the local economy.

## **2 Site description**

- 2.1 The 6.15 hectare application site is situated between the High Street and Chapel Lane, Pettistree and is currently in agricultural use. The site abuts existing residential development on Morris Road and Hall Lane to the north of the site.
- 2.2 The site is located within Pettistree Parish but adjoins the built-up area (and Parish) of Wickham Market to the north. The site is located immediately to the south of a recent residential development of 65 dwellings and is bordered to the west by the B1438/High Street which joins leads to the A12 to the south, and to the east by Chapel Lane which is a narrow rural road. Land to the south of the site is agricultural in use.

2.3 The northern boundary of the site abutting the adjacent residential development, is the lowest point of the site. From here the site rises gradually to the south. There is young and semi-mature tree planting regularly spaced along the High Street/B1438 frontage and a mature hedge along the Chapel Lane frontage. Otherwise there are no natural features on the site. There are no listed buildings or other heritage assets adjacent to the site and the site does not fall within a designated landscape area.

### **3 Proposal**

3.1 As will be noted from the description this is a hybrid application meaning it seeks consent for both full planning permission and outline planning permission.

3.2 The application seeks full planning permission for 129 dwellings (including 45 affordable dwellings) together with public open space, roads, accesses, parking, garages, drainage and associated infrastructure and outline planning permission for seven serviced self-build plots with associated access and infrastructure.

3.3 A new vehicular access is proposed from the High Street to include a footway connection to the existing footpath on the east side of the High Street. A pedestrian crossing of the High Street is proposed along with pedestrian connections onto Chapel Road.

3.4 A mix of dwelling types and sizes are proposed. Building heights are generally proposed to be two storeys with some bungalows proposed along the southern boundary towards the western edge and some 2.5 storey dwellings with dormer windows along the main vehicular route through the middle of the site.

3.5 The design approach reflects the properties to the north. Materials are mainly red, buff and multi facing bricks and red and black pantiles. To a lesser extent render and weatherboarding is also employed. Design features used throughout include brick and render quoins, flush and projecting plinths and diaper brickwork.

3.6 Open spaces within the site vary in size and function. There are two play areas within the site and landscaped areas to the north and south of the site. There is a landscaped buffer around the whole site which incorporates a circular walking route and links onto Chapel Road. Landscaped drainage basins are also located in the northern part of the site.

3.7 The planning application is supported by the following documents:

- Planning Statement and Design and Access Statement (including Statement of Community Involvement);
- Public Exhibition Report;
- Ecological Assessment;
- Habitat Regulations Assessment;
- Landscape and Visual Impact Assessment;
- Arboricultural Impact Assessment;
- Archaeological Desk Based Assessment and Geophysical Survey Report;
- Transport Assessment and Interim Travel Plan;
- Flood Risk Assessment and Drainage Strategy;
- Site Investigation Report; and

- Sustainability Statement

3.8 In addition, street scene elevations have been provided and an amended layout to address comments made by the Highway Authority and Head of Housing.

#### 4 Consultations

4.1 Thirty nine objections have been received from local residents raising the following matters(inter alia):

- Increase in traffic and congestion
- Pedestrian safety
- Surface water flooding
- Too close to existing properties to the north
- Overlooking and loss of residential amenity
- Visually intrusive on the southern edge of Wickham Market
- Poor pedestrian and cycle links
- Landscape impact
- Detrimental to the historic views of Wickham Market and the unique church spire.
- Loss of agricultural land
- Impact on wildlife
- Pettistree parish is doubled in size
- Coalescence of Pettistree and Wickham Market
- Inadequate sewage system
- Light pollution
- Inadequate parking
- Limited space at the medical centre, dentists and schools
- Inadequate public transport

#### Consultees

Consultee	Date consulted	Date reply received
Pettistree Parish Council	9 September 2020	6 October 2020
<p>Pettistree Parish Council has reviewed its comments on the development of the newly adopted Local Plan and the duplicate planning applications referenced above. It is stressed that these comments apply to both applications and must be listed under them both. Please note that Pettistree parish Council objects strongly to both applications.</p> <p>The Principle of having a development on the agricultural land between the High Street (81438) and Chapel Lane.</p> <p>1. The land is in the parish of Pettistree but the area of the proposed development is now designated as within the settlement boundary of Wickham Market. We recognise that this has been sanctioned by the new Local Plan but wish to point out that this is still a m</p>		

atter of protest and is being investigated by our member of parliament, Dr. Therese Coffey.

2, Both Pettistree and Wickham Market Parish Councils object to the development in principle.

The Development is inappropriate for the site.

1. The density of housing proposed is excessive.
    - a. The proposed density is 24 per hectare.
    - b. The density proposed by SHELAR is 15 per hectare as Wickham Market and Pettistree both come under the "Elsewhere" recommendation of 15 per hectare. (neither Wickham Market nor Pettistree is a Market Town:)
  2. The archeological content of the site has not been sufficiently evaluated. This is made clear in the comment from James Rolfe of the Archeological Service in his document dated 10.09.20
  3. It is not acceptable that Pettistree Parish Council should be expected to be responsible for the residents of a development that has been clearly labelled as part of Wickham market.
  4. There will be inevitable confusion in the minds of residents as to whether they are part of Pettistree or Wickham Market.
  5. If this pattern of development is allowed there will be inevitable coalescence of the two settlements, especially if further development is allowed after this one.
  6. Screening by hedges and trees has been proposed but if this is adequate access to Wickham Market will be hindered, and if it is inadequate coalescence with the rest of Pettistree land will occur.
  7. The development is not in accordance with the drafts of Wickham Market's Neighbourhood Plan.
  8. The scale and nature of this development would bring a liability to second home proliferation and loss of any sense of community with either village.
  9. There is inadequate public transport, especially access to the railway at Campsea Ashe. Buses through the village are infrequent and finish by 7.00 PM with none on Sundays
- Details of the Development Plan

1. The existing infrastructure is not adequate to support the development.
  - a. Sewage system already overloaded, needing lorry drainage every week. (Anglian Waste/s comment of adequacy does not give sufficient detail to be believable.)
  - b. Refuse collection capacity uncertain.
  - c. The Medical Centre does not have sufficient space or staffing to cope with 135 new homes (about 450 people). It has no room to expand. Any expansion of the medical practice that is funded is likely to take place at Rendlesham
  - d. There is insufficient capacity in the secondary schools (Farlingaye and Thomas Mills are both full and pupils are being sent to Leiston.)
  - e. Surface water drainage is not adequately catered for. The plan to let areas flood when self-contained drainage is not sufficient will intrude on the existing Hopkins Homes development and

cause a marshy area with mosquitos, and a water hazard for children. Chapel Lane already floods with heavy rain.

2. Plans for hedges and trees to screen the new development and try to minimize coalescence of the settlements are scanty and will be inadequate to hide the buildings on rising ground. The cross section shown on the plans is misleading as it does not show the buildings on the rising ground and is chosen to show the only wide part of the hedging at the south west corner.

3. Loss of views of Wickham Market. and its landmark church spire from the south caused by the buildings on the rising ground. '

4. Worry of residents in the existing Hopkins Homes being overlooked, especially at the south-west end.

5. Increased vehicle and pedestrian congestion trying to access the centre of Wickham market from the new development. The road and pavement near the Post Office is inadequate with no plans for mitigation. No safe footway to the primary school.

6. Access to and from the A12 and on the At2 itself is already congested at times, will get much worse with Sizewell C construction traffic and with traffic from the planned new development.

7. The Pettistree Greyhound is the only pub in the two villages and cannot cope with the influx of new residents.

8. Pettistree Village Hall is too small to accommodate any meeting of the new residents

9. Provision of facilities for the elderly and pre-school children is unclear.

10. The plans suggest that the Parish Council will become responsible for care and maintenance of grassed common spaces after a short period. (In Wickham Place the owners now pay for it to a private company). Who pays for street lighting long term?

11. Unclear to whom and in what amounts CIL payments would be made to support the development.

12'. There are only five bungalows planned on site and they are all at the southern edge (making it a long way to walk to the Co-Op etc. for the residents who are more likely to be elderly).

13. There is no provision in the plans to support green energy initiatives.

a. There are no solar panels to generate electricity.

b. No plans for collection and use of "grey" water.

c. No provision of charging points for electric cars to match all car parking spaces.

#### CONDUCT OF THE PLANNING PROCESS

1. Pettistree Parish Council was not consulted or informed at all about the full planning application until the pair of applications were put on the planning website. There has been no subsequent approach from the developers to explain the plans.

2. The reason and implications of having so-called duplicate applications has not been made clear. This is supposed to be public consultation so expert knowledge of procedures cannot be assumed.

3. The means of access on -line to the planning documents and the way of making comments is very difficult for the non-expert user.

a. Multiple clicks are needed to get to any given document.

b. In most areas it is not possible to use the "back button a browser to get to a previous field. It is necessary to re-enter a starting point and work forward. This is too hard for non -experts with limited time available.

c. A previously registered "login" for East Suffolk Council cannot be used for these applications.

d. The space available for free-text comment on the on-line "comments" form is only 2000 characters (including spaces). This amounts to about 300 words and is not sufficient to comment on an application of 162 pages and a further 100 items as plans of plots etc.

Pettistree Parish Council has no objection to reasonable expansion of housing in the village. In recent years several villagers have applied to build bn suitable plots in the parish, but they have been refused and what used to be called the village envelope (settlement boundary) has remained extremely tight. We recognise that the new local plan has imposed future development on Pettistree's good agricultural land, but we find many faults with the current applications by Hopkins Homes.

Consultee	Date consulted	Date reply received
Ufford Parish Council (neighbouring Parish)	27 October 2020	27 October 2020

Please note that the following comments apply to both DC/20/3361/FUL and DC/20/3264/FUL. Ufford Parish Council would firstly like to completely endorse the comments made on these two applications by Wickham Market and Pettistree Parish Councils. We do not wish to repeat the arguments put forward for objecting to these applications by our neighbouring Councils but we would like it recorded that we fully agree with them. Our comments instead will be based on the impact this development, if approved, would have on the residents of Ufford.

Ufford Parish Council wish to object to the above applications on the following grounds:

#### Highways

As you will be aware, there is no south-bound junction on to the A12 at Pettistree and all traffic travelling south out of Wickham Market has to travel along the Ufford High Street to gain access to the A12. The addition of over 130 dwellings in this location will inevitably mean over 250 vehicles, many of which will be driven by working people, making the morning and evening rush hour traffic even more busy than it already is. Traffic returning from Woodbridge and Melton will also use the Melton Crossroads and follow the B1438 travelling north the length of the High Street in Ufford. Where access to industrial workplaces such as Bentwaters Park is sought, this will result in additional traffic navigating the notorious 'Ufford Triangle' at the top of The Avenue and using Lower Ufford and Hawkeswade Bridge as a 'rat run'. This area is totally unsuitable for non-local traffic and accidents at the 'triangle' are frequent.

Also, if this additional traffic chooses to travel through Melton and on to Woodbridge they will only add to the already 'at capacity' junction known as the Melton Crossroads, where the air quality is monitored and recognised to be at the margin of acceptable levels.

Public transport from Wickham Market is very limited, and ceases at 7pm, with no bus services on Sundays. The rail station is at Campsea Ashe, and from the site in question is too far for walking and the roads are unsuitable for walking with no footpaths. Therefore almost all journeys for work or leisure will be undertaken by car. It is very hard to see how this conforms with the declared climate emergency by ESC and SCC, and the intention to reach net zero by 2050.

#### Healthcare

The Medical Centre in Wickham Market is already at capacity with no physical room for expansion, even if the funds were available for this. As a result, the Branch Surgery at Rendlesham is the only place where expansion could occur. If this is the case, this will result in every journey to the facilities being undertaken by car and through the unsuitable roads in Lower Ufford mentioned above. This would be nonsense when medical facilities were just a few hundred metres away in Wickham Market.

The pressure on Medical facilities in Wickham Market affects the population in Ufford, as many residents are patients and presently can combine a journey (by car usually) with shopping at Wickham.

#### Schools

The nearest secondary schools Thomas Mills, Framlingham and Farlingaye in Woodbridge are both already at capacity. Therefore the High School for children living at the proposed site would be Leiston. Given the type of housing proposed, it is likely that a number of buses will be required for this purpose, which hardly fits with the 'Climate Emergency' status declared by both East Suffolk Council and Suffolk County Council.

#### Ribbon Development

Finally, a development such as this will add to the continuous 'ribbon development' in East Suffolk that results in villages encroaching on each other and ultimately losing their individual identity.

#### Conclusion

We urge ESC to refuse these applications on the grounds above and the grounds stated by both Wickham Market and Pettistree Parish Councils.

Consultee	Date consulted	Date reply received
Wickham Market Parish Council (neighbouring Parish)	14 September 2020	15 October 2020

**Summary of comments:**

Wickham Market Parish Council held a virtual Planning Committee meeting on 5th October 2020 in order to consider the above-mentioned planning applications. This meeting was extremely well attended. An informal meeting was also held with representatives from Pettistree Parish Council and as a result of this meeting I can confirm Wickham Market Parish Council agrees with the **STRONG OBJECTIONS** raised by Pettistree Parish Council in respect of these applications. Wickham Market Parish Council wishes to stress the comments below relate to both planning applications even though Wickham Market were only consulted on DC/20/3264/FUL (although at a later stage than Pettistree Parish Council).

Wickham Market Parish Council **STRONGLY OBJECTS** to both planning applications. The site is agricultural land between the High Street (B1438) and Chapel Lane. The land is within the Parish of Pettistree but the area of the proposed development has been designated within an extended settlement boundary for Wickham Market. The Parish Council understands this has been sanctioned by the recent adoption of ESC's Local Plan, but I wish to point out this is still a matter of protest from Pettistree Parish Council and Wickham Market Parish Council. Wickham Market Parish Council objected to Policy SCLP 12.60 as stated within their responses sent dated 12th September 2018 and 20th February 2019.

Strong Objections raised previously to this policy and the process as to how it got into the Local Plan still stand, as follows:-

The site is not within the Wickham Market Parish or Neighbourhood Plan (NP) area. The site is within the Settlement Boundary and it does not comply with the NP policies and objectives. The site is 6.15ha which gives a housing density of 24 dwellings per hectare. This is significantly in excess of the 15 dwellings per hectare stated within the SHELAA as the housing density to use for this area.

The residents of the proposed new development would use the services of Wickham Market being the nearby Service Centre. ESC has extended the Village Settlement Boundary to capture the allocation, but Wickham Market Parish Council would not automatically receive any CIL payment for this development. This will result in the residents of this proposed development paying a lower amount of Parish Precept to Pettistree Parish Council and could also allow Pettistree Parish Council to significantly reduce their Parish Precept if they wish which could create friction within the local community.

The **MAIN OBJECTIONS** to the two applications are as follows:-

It should also be noted that the previous issues raised following the Hopkins Homes Consultation Event have also been largely ignored with only minor amendments made to the proposed layout of houses.

**DESIGN AND APPEARANCE**

Poor design and lack of specific street scenes and elevations across the site area to enable a thorough understanding and assessment of both design and visual impacts. This is unacceptable. The site is 6.15ha which gives a housing density of 24 dwellings per hectare. This is significantly in excess of the 15 dwellings per hectare as stated within the SHELAA as the housing density to use for this area.

The scale and nature of this development would bring a liability to further second home owners bringing a high risk of loss of any sense of community life within either village. o The adopted policy SCLP 5.1 requires that development must be of a scale appropriate to the size, location and character of the village. The proposed development clearly does not adhere to this policy and is an overdevelopment of the site.

Lack of connectivity to the neighbouring development at Wickham Place. This is not compliant with both national and local guidance, connectivity encourages social cohesion.

There is no provision in the plans to support Green Energy Initiatives.

The homes have no scheme for Solar Panels to generate electricity.

With regards to Electric Vehicle charging points there is no evidence that each dwelling has: Ducting and suitable consumer unit to allow the install of one wall charging unit per dwelling when required by householder.

The Local Plan, in SCLP 9.2, requires higher energy and water efficiency standards. In the Planning, Design and Access Statement it states: "6.62 In accordance with Policy SCLP 9.2 the proposal will be required to deliver higher energy and water efficiency standards. As set out in the submitted Sustainability Statement, it is proposed that the required 20% reduction in carbon emissions will be achieved using low carbon technology" and/or onsite renewable energy options where practically achievable". This development falls well below the expected standards. o Within Wickham Market's emerging Neighbourhood Plan the relevant policy is:

#### **POLICY WICK5: DESIGNING FOR RENEWABLE ENERGY AND CARBON REDUCTION**

All developments must be designed so that it results in at least a 20% reduction in CO2 emissions below the Target CO2 Emission Rate (TER) set out in the Building Regulations. This requirement is more stringent to the Local Plan where it only applies to developments of over 10 dwellings. All developments should achieve water efficiency (achieving the optional technical standard for water efficiency) through the use of grey water, rainwater harvesting and SuDS schemes. Site layout should be designed to utilise and benefit from natural sunlight and solar gain incorporating solar energy generation measures on all houses. All new development should make provision for electric charging facilities on site.

Residents in the existing Hopkins Homes development Wickham Place will be overlooked, especially at the South-Western boundary.

Plans for hedgerows and trees to screen the new development in order to try and minimize coalescence of the settlements is inadequate and will not screen the dwellings from the wider countryside on rising ground. The cross section shown on the plans is misleading as it does not show the buildings on the rising ground and is chosen to show only the wider part of the hedging at the South-Western boundary corner.

## LANDSCAPE

SCLP 10.4 highlights the need to promote high quality design across the plan area. It sets out the need to ensure that development is of a scale that is appropriate to landscape character and will protect and enhance this character.

The supporting text in the Local Plan at Para 2.667 states the following 'Development needs to be sensitive to retaining settlement and landscape character and pattern. This includes views towards the historic village core and church and across plateau landscape. There are opportunities for biodiversity enhancements related to the site's situation within the wider agricultural landscape'. This has not been achieved by the proposed scheme.

Landscape impacts and lack of any wider landscape mitigation for views (land is rising) of the development. Impacts on Key Views identified in the emerging WM Neighbourhood Plan have not been considered, these being 7, 9, 10, 12.

Soft landscaping commitments were not carried out as per approved plans at the neighbouring development Wickham Place. This was in part due to SCC Highways reluctance to accept trees within five metres of highway boundaries and to the use of underground drainage structures which precluded the approved tree planting. Similar issues will arise in that planting indicated will again be left out of the scheme resulting in the development lacking greenery. This is not acceptable.

The development does not comply with the emerging NP which describes the need to both protect and provide for wildlife and the use of native species within developments.

The submitted Landscape Strategy Plan largely refers to non native species. One of the two footpath connection points will involve cutting through a mature elm hedge (home to birds such as whitethroat and yellow hammer rather than using existing gaps.

Adverse visual impacts have been identified from identified Viewpoints 6 and 8 submitted LVIA) There will be clear views of the development from Walnuts Lane and the Pettistree Conservation Area ( with the impacts affecting the setting of both the CA and the Wickham Market Cemetery.

## HIGHWAY SAFETY

The highway infrastructure within Wickham Market is inadequate to cope with this development, and the traffic it will generate. Specific concerns are as follows:

The road and pavement near Wickham Market Post Office is inadequate for safe pedestrian use with no plans for any improvement scheme.

There is no safe walking route to Wickham Market Primary School, although the Parish Council wishes to point out that as a result of the Wickham Place development no new primary school age children were admitted to Wickham Market Primary School.

The footway on the Eastern side of High Street (B1438) stops just north of Morris Road and subsequently, there is a need for pedestrians to cross the High Street in order to access any of the local amenities including the Primary School.

The development would clearly impact upon the High Street, significantly increasing vehicular, pedestrian and cycle movements. Due to the narrow road and footways, there are congestion issues and highway safety concerns within this area. Increased traffic of possibly 450+ cars will clearly add to these issues and further impact the High Street.

Many roads within Wickham Market have pinch points with speeding and hazardous driving occurring on a daily basis. The roads within the village would not be able to cope with possibly an additional 450+ vehicles along with the proposed traffic implications resulting from the development of the proposed Sizewell C Park & Ride site.

Previous commitments to footway improvements secured by the S.278 agreement for Wickham Place do not appear to have been carried out and this is not acceptable.

#### POLICY SCLP10.5: SETTLEMENT COALESCENCE

Development of undeveloped land and intensification of developed land between settlements will only be permitted where it does not lead to the coalescence of settlements through a reduction in openness and space or the creation of urbanising effects between settlements. Neighbourhood plans may include policies addressing local issues related to settlement coalescence.

It is felt these applications are not in line with the above-mentioned policy as the development will create an urbanising effect between the two settlements. The applications seek to increase the population of Wickham Market by at least 12.6% based on the 2011 census (this is only considering two adults per proposed household) but when considering the population within Pettistree this then rises to 140% (population of 194 in 2011). The existing special quality of open countryside will be replaced by an urbanised approach to this historic village. The size of Wickham Market's Conservation Area and the number of listed buildings within it bears witness to its historic village character. Wickham Market's entrance from the South will disappear resulting in loss of views of Wickham Market and its landmark Church Spire caused by the buildings on rising ground.

There will be obvious confusion amongst the new residents as to if they are part of Pettistree or Wickham Market and if this development is allowed there will be inevitable coalescence of the two settlements, especially if further development is granted following this one.

#### POLICY SCLP11.7: ARCHAEOLOGY

An archaeological assessment proportionate to the potential and significance of remains must be included with any planning application affecting areas of known or suspected archaeological importance to ensure that provision is made for the preservation of important archaeological remains. Where proposals affect archaeological sites, preference will be given to preservation in situ unless it can be shown that recording of remains, assessment, analysis report and/or deposition of the archive is more appropriate. Archaeological conditions or planning obligations will be imposed on consents as appropriate. Measures to disseminate and promote information about archaeological assets to the public will be supported.

The Archaeological remains/findings on this site have not been sufficiently evaluated. This is made clear in the comments from James Rolfe of the Archaeological Service within his correspondence dated 10.09.2020. Wickham Market Parish Council insist that a full independent Archaeological

Study is carried out ASAP and the findings from this are reported back to the Parish Council via the Parish Clerk.

This should be carried out in accordance with the Local Plan which states at Para 12.668 that: 'This large site lies to the south of prehistoric and Roman sites excavated prior to development of land south of Featherbroom Gardens. It has not been subject to systematic archaeological investigation. Suffolk County Council have highlighted that archaeological assessment should be required to inform any planning application to ensure that proposals are sensitive to assets of archaeological interest'.

#### POLICY SCLP5.8: HOUSING MIX

Proposals for new housing development will be expected to deliver the housing needed for different groups in the community as identified in the Strategic Housing Market Assessment, or latest equivalent assessment. 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 (1 and 2 bedrooms). To contribute towards meeting the significant needs for housing for older people, proposals for ten or more dwellings should demonstrate how the development will contribute to meeting the needs of older people.

There are only five bungalows planned for the site and these are all sited at the Southern edge boundary making it a long way to walk to the Co-Op and village centre facilities for residents who are more than likely to be elderly. It is also noted there are no bungalows within the proposed affordable/social housing scheme either.

#### INFRASTRUCTURE

The existing infrastructure is not adequate to support the proposed development, as follows:-  
The existing sewage system would not be able to cope as this is already at full capacity and requires lorry drainage every week.

Space for bin collection and bin storage points on the plan appears to have been largely overlooked and not adequately accommodated within the layout. Many bins will be left out on the roads and on fronts of properties thereby creating an unattractive appearance.

Wickham Market Medical Centre does not have sufficient space or staffing to cope with the proposed new homes (resulting in around possibly 450+ people). It has no room to expand and it is felt that any expansion of the Medical Centre provided through funding is likely to take place at Rendlesham Surgery resulting in residents of Wickham Market having to travel further to attend a doctor's appointment. This is not acceptable. There is insufficient capacity at both local Secondary Schools as Farlingaye and Thomas Mills High Schools are both full and pupils are being sent to Leiston Academy.

Surface water drainage is not adequately catered for. The plan to let areas flood when self-contained drainage is not sufficient will intrude on the existing Wickham Place development and could result in a marshy area with mosquitos, and a water hazard for children.

Chapel Lane floods regularly following heavy rain, this problem has increased since Wickham Place was built and is worse during winter months. The development is likely to exacerbate this problem significantly.

Play Areas - Distances and access to the Village Hall Playing field being by main road only result in the requirement for a Neighbourhood Equipped Area for Play (NEAP) on site (Ref SPG 15; Village Hall field is approx. 600m away); The layout does not conform to SPG 15 in respect to Play Space Allocation.

Local Play Spaces i.e., at Wickham Place are not linked and therefore discourage social cohesion between children and families.

Policy SCLP 8.2 states that 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.

Library Services: Local Plan Policy 12.677 refers to Library provision but erroneously states that the site falls within the Woodbridge catchment. There is no reference to Wickham Market library which is a functioning library but would not be able to expand in terms of services (the library was saved by local people when threatened with closure), lying as it does within the same area as the Medical Centre. The area where Hopkins Homes show the proposed huge drainage basins as featured on their proposed plan, show the ditches are absolutely empty, however, the ditch does significantly fill with water the opposite end nearing the B1438 where Hopkins Homes propose to build Plot 1 and Plot 23.

If footfall increases in Wickham Market then presumably disabled numbers increase possibly too. The footway between the development and Wickham Market is narrow and would force wheelchair users/disabled residents into the road.

There is inadequate public transport. The last bus is at 7:00pm with no service on a Sunday.

#### OTHER OBJECTIONS

Some of the comments within the questionnaire within the Design & Access Statement were factually incorrect.

The consultation period for an application of this size and during these current times was unacceptable and should have definitely been longer

#### CONCLUSION

Wickham Market Parish Council raise **STRONG OBJECTIONS** to both applications as stated above. If East Suffolk Council are minded to consider approving this scheme against both Pettistree and Wickham Market Parish Councils Strong Objections along with many local Objections raised then Wickham Market Parish Council would expect to see considerable input and negotiation taking place with Hopkins Homes to deal with the many issues as raised above. The Parish Council would also like to point out that when Wickham Place was completed it became apparent that the gas had not been connected and this then resulted in a 6-week road closure through Wickham Market. I trust that you will take the above comments into consideration.

## Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County Council- Highways Department	9 September 2020	28 September 2020
Summary of comments: Holding objection on the grounds that a crossing of the High Street is required and funding for highway safety improvements in Wickham Market High Street and an extension of the 30mph speed limit.		

Consultee	Date consulted	Date reply received
Environment Agency	9 September 2020	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Suffolk County Council Flooding Authority	9 September 2020	23 September 2020
Summary of comments: No objection subject to conditions.		

## Non statutory consultees

Consultee	Date consulted	Date reply received
Head of Environmental Services	11 November 2020	11 November 2020
Summary of comments: No objection subject to conditions and request for air quality assessment		

Consultee	Date consulted	Date reply received
Anglian Water	25 September 2020	1 October 2020
Summary of comments: No objection. The foul drainage from this development is in the catchment of Wickham Market Water Recycling Centre that will have available capacity for these flows.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	9 September 2020	30 September 2020
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
Head of Housing	9 September 2020	10 September 2020
Summary of comments: The affordable housing mix is acceptable. Suggestion for two ground floor apartments to have wet rooms.		

Consultee	Date consulted	Date reply received
Head of Economic Development	9 September 2020	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	9 September 2020	29 September 2020
Summary of comments: Comments on funding for health needs arising which will be sought from CIL contributions.		

Consultee	Date consulted	Date reply received
Disability Forum	9 September 2020	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Network Rail	9 September 2020	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	9 September 2020	14 September 2020
Summary of comments: A condition is required for fire hydrants.		

Consultee	Date consulted	Date reply received
Cadent Gas Limited	9 September 2020	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Police - Design out Crime Officer	9 September 2020	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Suffolk County Council Section 106 Officer	9 September 2020	16 September 2020
Summary of comments: No objection. Infrastructure requirements to be met through a combination of future CIL funding bids and S106 contributions.		

Consultee	Date consulted	Date reply received
Suffolk County Council Archaeological Unit	9 September 2020	10 September 2020
Summary of comments: Request for archaeological evaluation to be submitted.		

Consultee	Date consulted	Date reply received
Suffolk County Council Policy Section	9 September 2020	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Suffolk County Council - Rights Of Way	9 September 2020	28 September 2020
Summary of comments: No objection received		

Consultee	Date consulted	Date reply received
SUSTRANS	9 September 2020	No response
Summary of comments: No response received		

### Reconsultation consultees

Consultee	Date consulted	Date reply received
Pettistree Parish Council	1 December 2020	15 December 2020

In respect of the documents submitted by the agents for Hopkins Homes since the expiry date of the original applications on 8th November 2020, Pettistree Parish Council has reviewed its comments on the duplicate planning applications referenced above. It is stressed that these comments apply to both applications and must be listed under them both.

Please note that Pettistree Parish Council continues to object strongly to both applications.

We still fail to understand how the so-called duplicate applications are being treated separately by the Planning department and in particular why they are listed on the "public access" website as having different expiry dates (i.e. deadlines for comment), namely 16th and 18th December.

We note that there is still uncertainty how the roads and footways will be managed. The comments by the Highways Department of SCC make it clear that the current plans would not be acceptable for adoption of the roads and footways. The requirement for trees to be at least 5 metres from the highway make the newly illustrated plans untenable.

A new 3D illustration of the positions of the new homes does not give useful new information. It gives no idea of how the buildings on rising ground will adversely impact visual amenity.

The illustration of the ten metre landscape buffer suggests that if it is high enough to protect views from outside the development, it will cause an oppressive feeling of loss of space to the residents whose homes are shown to be very close to the buffer vegetation, especially along the east boundary.

The phasing plan appears to show that the self-build plots are at the centre of the southern boundary which is probably the highest point. Assurance is needed that the plans of the self-build

homes will not breach the restrictions placed on Hopkins-build homes, intended to protect the visual amenity of the surroundings.

The proposed elevations are very confusing because the key diagram is rotated 90e compared with the alignment of the other plans and this obscures the elevation effect of the site of the 9 metre high self-build homes.

The signalised pedestrian crossing on the 81438 should improve pedestrian safety, but it will tend to restrict traffic flow and contribute to traffic congestion trying to enter or leave Wickham Market.

The elevations and materials plans highlight the uncertainty over the final appearance of the homes on the self-build plots which are one of the highest areas of the development and therefore most easily seen. Guidance on this should be assured if the development goes ahead and must be in accordance with the Self-Build Design Code.]

The Environmental Protection document is very vague about the anticipated traffic flows, in that it gives no figures for current and future flows and appears to discount the Sizewell C traffic on little evidence. It does not consider the rat-running traffic (not necessarily Sizewell traffic) that will come from the 81078 via Pettistree's lanes as it tries to avoid the anticipated congestion in the North of Wickham Market. The recommendation on providing charging points for electric vehicles is welcomed.

The Revised Submission Letter dated 30th November asks for the applications to be considered at the Planning Committee Meeting on 26th January. They point out that the results of detailed Air Quality Assessment {AaA} and archaeological trial trenching are not yet available. The commitment to a footway connection to Chapel Lane should be viewed in the context of the absence of any footway in most of Chapel Lane, which is narrow and often has a lot of vehicles parked outside the houses lining the lane. The lane is also subject to heavy flooding in wet weather as has been evident over the last three weeks. The re-siting of the 30mph signs is welcomed.

The new documents have not addressed our concerns about the adequacy of foul water and surface water drainage systems. The current frequency of auxiliary emptying by tankers, of the sewage tank system at the Wickham Market Work is being investigated by Wickham Market PC and should be part of their comments. The inadequacy of surface water drainage from the current agricultural field (i.e. the development site) has been illustrated by the heavy flooding seen in Chapel Lane in the last three weeks, and the way that the archaeological ditching has been filled to the brim with water and very slow to drain after overnight rain. High water levels were very slow to drain away from the pool that forms as water exits from the drain under the 81438 (High Street). Surface water drainage in particular needs further planning attention.

Consultee	Date consulted	Date reply received
Suffolk County Council- Highways Department	1 December 2020	9 December 2020
Summary of comments: No objection subject to conditions and minor amendments if the estate roads are to be adopted.		

Consultee	Date consulted	Date reply received
Ufford Parish Council	1 December 2020	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Wickham Market Parish Council	1 December 2020	21 December 2020
<p>Wickham Market Parish Council's Planning Committee continue to Strongly Object to both planning applications and agree with all the comments made by Pettistree Parish Council especially those regarding sewerage and foul water waste.</p> <p>They do not support these planning applications on any grounds including the updated plans and street scenes and feel this is the wrong place for any development as a whole.</p> <p>Public concerns have been made regarding connectivity to the proposed development and those who live in Wickham Place do not wish for the two sites to be connected.</p> <p>I trust that you will take the above comments into consideration.</p>		

Consultee	Date consulted	Date reply received
Head of Environmental Services	14 October 2020	23 October 2020
Summary of comments: Reiterates request for air quality assessment.		

**No reason entered**

Consultee	Date consulted	Date reply received
Suffolk County Council - Minerals And Waste	19 November 2020	No response
Summary of comments: No response received		

**5 Publicity**

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

Category	Published	Expiry	Publication
Major Application	17 September 2020	8 October 2020	East Anglian Daily Times

## Site notices

General Site Notice

Reason for site notice: Major Application

Date posted:

Expiry date:

### 6 Planning policy

6.1 National Planning Policy Framework (NPPF) (2019)

6.2 National Planning Policy Guidance Note (NPPG)

6.3 Suffolk Coastal East Suffolk Local Plan (September 2020) policies:

Policy SCLP3.1 - Strategy for Growth

Policy SCLP10.4 - Landscape Character

Policy SCLP10.5 - Settlement Coalescence

Policy SCLP11.1 - Design Quality

Policy SCLP11.2 - Residential Amenity

Policy SCLP11.7 - Archaeology

Policy SCLP12.60 - Land between High Street and Chapel Lane, Pettistree (adjoining Wickham Market)

Policy SCLP7.1 - Sustainable Transport

Policy SCLP5.8 - Housing Mix (Suffolk Coastal Local Plan, Adopted September 2020)

Policy SCLP5.9 - Self Build and Custom Build Housing

Policy SCLP5.10 - Affordable Housing on Residential Developments

Policy SCLP9.5 - Flood Risk

Policy SCLP7.2 - Parking Proposals and Standards

Policy SCLP8.2 - Open Space

Policy SCLP9.2 - Sustainable Construction

Policy SCLP9.6 - Sustainable Drainage Systems

Policy SCLP9.7 - Holistic Water Management

Policy SCLP10.1 - Biodiversity and Geodiversity

### 7 Planning considerations

#### Principle of Development

7.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the plan unless material considerations indicate otherwise. The relevant policies are set out above.

- 7.2 The Local Plan was adopted in September 2020 and sets out the level of growth which needs to be planned in the area and identifies where that growth should be located for the period up to 2036.
- 7.3 The site is allocated in the Local Plan under Policy SCLP12.60 - Land between High Street and Chapel Lane, Pettistree (adjoining Wickham Market), for the development of approximately 150 dwellings. The principle of residential development on the site is therefore accepted. This allocation forms part of the delivery of the strategy of the Local Plan as set out in Policy SCLP3.1 - Strategy for Growth, which sets out that opportunities for economic growth and for creating and enhancing sustainable and inclusive communities includes appropriate growth in rural areas that will help to support and sustain existing communities.
- 7.4 With regards to the density of the development the proposal has been designed so that the residential built form is retained within an area of 4.25ha. The proposed density of development within this development area is 32dph and across the whole site it would be 22dph. By way of comparison, the site to the north is built at a density of 20dph. Therefore, whilst the number of dwellings proposed is slightly below the number allowed for in Policy SCLP12.60 this is balanced against the layout which allows for generous open space that is considered to respect the context of the site and its surrounding character.
- 7.5 Policy SCLP12.60 sets down certain criteria for the development of the site which are considered as follows:-
- a) A mix of dwelling types including housing to meet the needs of older people and provision of self-build plots:
- 7.6 Policy SCLP5.8 Housing Mix in the adopted Local Plan expects developments to 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 (1 and 2 bedrooms). Broadly, the mix of housing proposed is considered to be consistent with the size mix envisaged by the policy, and the provision for one and two bedroom dwellings in particular (totalling 48% of the 129 subject to the full application) reflects the requirement of the policy for a focus on smaller dwellings.
- 7.7 Policy SCLP5.8 states that proposals of ten or more dwellings should demonstrate how the development will contribute to meeting the needs of older people and that 50% of dwellings will need to meet the requirements for accessible and adaptable dwellings under Part M4(2) of the Building Regulations.
- 7.8 69 (53%) of the proposed dwellings would meet the requirements of Part M4(2) of the Building Regulations, consistent with Policy SCLP5.8 and 5 of the proposed dwellings would be provided as bungalows (excluding any that may be constructed on the self-build plots). In addition, at the request of the Council's Head of Housing, wet rooms have been included in two of the one bed ground floor apartments for occupants with mobility issues.
- 7.9 The provision of seven plots for self-build and custom-build housing is in accordance with Policy SCLP5.9 Self Build and Custom Build Housing which requires 5% of dwellings on sites of 100 or more dwellings to be for self or custom build. A key element of self and custom build schemes is the flexibility to design and build homes to individual requirements

however it is important that an element of coherence in the design and appearance of the overall site is maintained. As such, a design code for the self-build plots has been submitted, in accordance with Policy SCLP5.9, to establish design principles to which each plot should adhere. The design code can be subject to a planning condition.

b) Provision of affordable housing on site:

- 7.10 45 affordable houses are proposed and these are proposed as 50% affordable rent and 50% shared ownership. The overall number is consistent with the requirement in Policy SCLP5.10 Affordable Housing on Residential Developments for one in three units on sites of ten or more dwellings to be affordable. The Council's Housing Enabling Manager has considered the number, type and tenure of the affordable homes and has confirmed that the mix is acceptable. It can therefore be concluded that the proposal is compliant with Policy SCLP5.10 in seeking to address specific local identified needs.

c) Provision of 0.1ha of land for a new early years setting if needed:

- 7.11 Suffolk County Council have confirmed that there is no need for this on the basis that there is currently a surplus of spaces.

d) Provision of a landscape buffer of at least 10 metres depth along the southern boundary of the site, to create a 'soft' and distinctive gateway to Wickham Market:

- 7.12 A buffer of this minimum depth is provided and shown on the application drawings.

e) Provision of open space to provide for all ages:

- 7.13 Policy SCLP8.2 Open Space states that new residential development will be expected to contribute to the provision of open space in order to encourage active lifestyles and to increase participation in formal and informal recreation for all sectors of the community to benefit community health, well-being and green infrastructure.
- 7.14 Within the site there are a variety of open spaces totalling some 1.9 hectares catering for different age groups. According to the Fields in Trust guidance, the recommendation for a development of 136 houses is that there should be a Local Equipped Area of Play and a Local Area of Play with a minimum of six different experiences. In addition to the proposed LEAP, the central area of open space now includes a LAP within the amended layout. Details of the equipment to be provided can be secured by condition.
- 7.15 In addition to the playspaces large, landscaped areas are proposed to the north of the site, incorporating the drainage basins which will provide amenity and biodiversity benefits, parts of a circular walking route and areas of structural and informal amenity space. A southern area of landscape open space incorporates the landscape buffer, the majority of the circular walking route and areas of structural and informal amenity space. The circular walking route provides recreation opportunities for adults and children alike and provides links to Chapel Lane which leads to Footpath 6 and the countryside beyond. It is considered therefore that the amount and variety of open space within the site provides opportunities for all sectors of the community in accordance with Policy SCLP8.2. Appropriate management and maintenance can be secured in the S106 Agreement.

f) Provision of pedestrian connectivity with footpaths to the north on the B1438:

7.16 A pedestrian footway is proposed along the B1438 High Street to connect with existing provision. See also highway consideration comments below.

g) Proportionate archaeological assessment will be required:

7.17 The site has high potential for the discovery of archaeological assets and Suffolk County Council Archaeological Unit requested a geophysical survey and a trenched evaluation to be submitted with the application. This initial archaeological evaluation has now taken place and the County Archaeologist has provisionally advised that there are no archaeological grounds to refuse the application and the development can go forward with conditions for a suitable programme of archaeological works. This can be confirmed upon receipt of the full evaluation report.

This archaeological evaluation is under way and an update will be provided within the Late Representations report.

h) Evidence is required to demonstrate there is adequate provision for treatment at the Water Recycling Centre or that this can be provided:

7.18 Anglian Water have confirmed in the submitted Anglian Water Pre-Planning Report that the Water Recycling Centre currently has capacity to treat the flows from the proposed development.

i) A site-specific Flood Risk Assessment will be required, and any necessary mitigation provided:

7.19 The application is supported by a Flood Risk Assessment. As noted above Suffolk County Council as Lead Local Flood Authority raises no objection to the application subject to conditions.

j) Confirmation of adequate capacity in the foul sewerage network or action to upgrade to create the required capacity:

7.20 Anglian Water have confirmed that the foul sewerage network has capacity to treat the flows from the proposed development. As will be noted above the Parish Council and some local residents have raised concerns that the sewage system is already overloaded requiring lorry drainage every week. Officers have raised this concern directly with Anglian Water and received the following response:

*"We can advise that tankers are used on all water recycling centre to remove the sludge that is collected in the settlement stage of our process. Tankers visit site 2-3 times a week on weekdays, there is no tankering at the weekend. We can confirm that our water recycling centre is working well and is compliant under our EA Permit."*

7.21 Anglian Water have also advised that local residents can contact their operations team on 0345 714 5145 at anytime to report any drainage movements concerns.

k) Any planning application should be supported by evidence which assesses the quality and quantity of sand and gravel resources on site in order to determine whether on-site resources should be used on-site during development.

- 7.22 A Minerals Safeguarding Assessment has been submitted which finds that there may be opportunities for the extraction of sand and gravel although it is unlikely that significant quantities would be available for any commercial extraction. However there are opportunities to extract and reuse Mineral during the construction phase of the scheme to reduce the amount of off site disposal of material. As such the report recommends that a Materials Management Plan or focussed Minerals Management Plan is produced so that the reuse of materials may be documented as proof of the sustainable use of reclaimed Mineral beneath the site. This report can be secured by condition.

### Highway Considerations

- 7.23 It is proposed to access the site via a new access from the High Street (B1438) to serve all modes of transport. The Highway Authority have scrutinised the application and in response to issues raised a number of revisions have been made. A footway will be provided along the site frontage to connect to the existing footway north of the site. This will provide a connection to the existing local footway provision and access to the bus stop immediately north of the site. A signalised pedestrian crossing of the High Street will be provided to the north of Morris Road.
- 7.24 The existing bus stops are proposed to be improved by the provision of hardstanding's, shelters and Real Time Passenger Information (RTPI) screens as shown on the revised Preliminary Access Proposals plan. The Suffolk County Council Passenger Transport Team has confirmed that these improvements can be secured as part of the highway improvement works.
- 7.25 The proposal will result in an increase in vehicular, pedestrian and cycle movements and as a result the Highway Authority identified some existing congestion and highway safety issues within Wickham Market High Street are of the view that the development would clearly impact upon Wickham Market High Street, significantly increasing vehicular, pedestrian and cycle movements. Due to the narrow road and footways, there are congestion issues and highway safety concerns within this area.
- 7.26 The Highway Authority are of the view that the development would impact upon Wickham Market High Street by the increase in vehicular, pedestrian and cycle movements and recognises that due to the narrow road and footways, there are congestion issues and highway safety concerns within this area. These issues are also recognised in some of the consultation responses notably from Wickham Market and Pettistree Parish Councils. To mitigate the impact of the development the Highway Authority requires a contribution of £40,800 towards highway safety improvements in the centre of Wickham Market. The applicant has agreed to this contribution to mitigate impacts arising directly from the development, which can be secured by S106 legal agreement.
- 7.27 The development is located outside of the existing 30 mph speed limit and network of street lighting and the Highway Authority require the speed limit to be extended so that the proposed access is covered by the 30 mph speed limit and street lighting. The revised

Preliminary Access Proposals drawing shows the 30 mph speed limit relocated to south of the site access and these works can be secured in via a s106 contribution.

- 7.28 Policy SCLP7.1: Sustainable Transport states that development proposals should be designed from the outset to incorporate measures that will encourage people to travel using non-car modes to access home, school, employment, services and facilities.
- 7.29 The application is accompanied by a Transport Assessment and Interim Travel Plan as required by Policy SCLP7.1. The Travel Plan seeks to positively and effectively encourage the use of more sustainable and healthy travel modes such as walking, cycling and public transport by future residents of the scheme. The Travel Plan includes a number of measures to promote sustainable modes of transport and, to ensure that those measures are implemented, Suffolk County Council has requested a Travel Plan Contribution which can be secured through a S106 Agreement.
- 7.30 The Suffolk County Council Public Rights of Way Team requested an access point from the internal perimeter path onto Chapel Lane in the in the south east corner of the site as this gives closest access to Pettistree Footpath 6. This access is shown on the amended layout plan.
- 7.31 The applicant has agreed to all of the Highway Authority's related improvement requests and on this basis officers are satisfied that the proposal will not, subject to appropriate highway related conditions, result in an adverse impact on the local highway network or adverse highway safety concerns.
- 7.32 The Highway authority have confirmed that the amended plans are acceptable and raises no objection to the application subject to conditions.

#### Design Considerations including connectivity

- 7.33 Allocation policy SCLP12.60 provides criteria on how development of the site should come forward and Policy SCLP11.1 also provide broader design guidance. The NPPF Chapter 12 sets out how well-designed places can be achieved stating that good design is a key aspect of sustainable development (para. 124).
- 7.34 Policy SCLP11.1 requires development to support locally distinctive and high-quality design that demonstrates an understanding of the key features of local character and seeks to enhance these features through innovative and creative means. This includes ensuring the development responds to the local context in terms of massing, retaining and/or enhancing the existing landscaping, protecting the amenity of the wider environment and neighbouring uses as well as including hard and soft landscaping to aid the integration of the development into the surrounding.
- 7.35 It is considered that the proposed layout will provide for an attractive development with a mix of house types and designs that will add interest and variety to the appearance of the street scene. There is a landscaped hierarchy of access throughout the site with the access network framed around the central spine road running east west through the development which comprises of a landscaped lined corridor with frontage development

and areas of public open space located along the route. Paving blocks are proposed for the minor roads and private drives.

- 7.36 Parking has been provided in accordance with the Suffolk County Council parking standards to ensure homes have appropriate levels of car and bicycle parking. Two rear parking courts are proposed which is considered acceptable as part of a varied parking strategy which this layout provides, thus avoiding an over dominance of parking in the street scene.
- 7.37 It is considered that sufficient space and separation exists between the proposed dwellings to ensure that the amenities of the occupants are not adversely affected by overlooking or loss of privacy. Similarly, it is considered that there is sufficient separation between the proposed dwellings and the existing dwellings to the north to ensure that the amenities of the existing properties are not adversely affected.
- 7.38 Concern has been expressed about the proximity of Plots 1 and 23 to the dwelling located to the north of Plot 1. However, Plot 1 has a side to side relationship with the existing dwelling to the north with a separation distance of some 16m between the two side elevations, which is considered sufficient to ensure there would be no loss of amenity. The gap between these properties is proposed as part of the landscaped on-site open space and new trees are proposed that would further reduce any inter-visibility between the two properties.
- 7.39 Plot 23 is located to the south-east of the existing dwelling with a separation distance of some 20m between the corner of each dwelling and 23m between the nearest windows. The rear elevations of each dwelling would face each other at a significant angle such that there would be no impact on residential amenity from overlooking.
- 7.40 The revised layout includes enhanced pedestrian and cycle connectivity along the High Street and to Chapel Lane which is welcomed. However, to promote social inclusion and interaction it was requested that a direct footway connection be provided between the site and the existing residential development to the north (developed by Hopkins Homes). However, the applicant does not consider that such a connection is deliverable as the open space and landscaping areas that would be required to deliver this direct footway connection now resides with a management company controlled by the residents. There was also opposition to a potential direct footway connection between the two sites as evidenced in the submitted Public Exhibition Report.
- 7.41 This lack of connectivity between the two sites is considered to be a failing of the layout albeit offset to a certain degree by the by the connections that will be provided via the High Street and Chapel Lane. It does result in a barrier between two public open spaces and two developments fronting each other. The management company control of the full southern edge was rather short sighted by the developer of that site. Whilst some existing residents do not wish to be integrated with the new development it must be acknowledged that the two developments do create a clear comprehensive identity and a lack of such cohesion is highly undesirable.
- 7.42 In light of the barrier created by the management company status it is proposed that a section 106 contribution be secured to provide a fund (with the amount to be determined) to enable connectivity works between the two public open spaces should the residents of

the two future completed developments wish to undertake connecting works. This connectivity does have to be balanced against the comments of the Council's Ecologist who advises that works to the north boundary due to the presence of black redstart (a red list species on the Birds of Conservation Concern list) having been recorded using the habitats along the northern boundary of the site which are best left undisturbed. Such works may require their own biodiversity assessment at the time.

#### Landscape and Visual Impact

- 7.43 The application is accompanied by a Landscape and Visual Impact Assessment which has been scrutinised by the Arboriculture and Landscape Manager. The site comprises an arable field between two roads with a recent housing development to the north, and a non-defined southern boundary across the existing cultivated land. In its current state it is very typical of the prevailing landscape character of the area, but apart from its agrarian use, it has few defining features. Historic aerial imagery (1945) shows a degree of field subdivision, but no evidence exists on the ground today. Interestingly there seems to be less roadside tree planting than there is now. Apart from the fundamental change from agricultural use to residential use, there will be little if any additional impact on the existing fabric of the landscape. Existing site boundary trees and hedges will be retained and will not be directly affected by the development apart from the creation of the site access.
- 7.44 The application is accompanied by an indicative landscape strategy plan which shows that space has been allowed in the site layout to achieve a strong treescape across the site, which, subject to final selection of tree species, will make a positive contribution to local landscape character. The required 10m wide planted landscape buffer strip across the southern boundary is allowed for in the landscape strategy.
- 7.45 From the information supplied the Council's Arboriculture and Landscape Manager is of the view that the site has the capacity to accommodate the proposed development without significant adverse impact on landscape character.
- 7.46 Potential visual impacts are considered and whilst some potentially adverse visual impacts are predicted in the local area for receptors especially on the local footpath network, provided that the described landscape mitigation strategy is fully implemented, these are not considered to be significant in the medium to long term as new tree and shrub planting matures. It should be noted that the proposed development will often be seen in the context of the existing adjacent recent housing development.
- 7.47 The LVIA concludes that the Site has the capacity to accommodate a sensitively designed residential development which will not give rise to significant landscape or visual effects and is in line with adopted and emerging planning policy. It is considered that, from a landscape and visual perspective, potential development of the Site can be supported. Officers concur with this conclusion. Officers further consider that whilst the 10m landscaped buffer will provide a good degree of screening and a 'soft' edge to the development, complete screening of the development would not be appropriate as the people who live there should be able to have a degree of views out over the countryside.

## Heritage Assets

- 7.48 As noted in paragraph 2.3 above there are no listed buildings or other heritage assets in or adjacent to the site. All Saints Church in the centre of Wickham Market is a Grade II\* listed building and its tower and spire is a prominent landmark feature visible in views including along the High Street opposite the application site. It is acknowledged that the proposal will change the surroundings to the existing built setting to the church tower and spire but the effect of this change will be negligible. The proposal will add built form to the existing built form, but the countryside edge to the built form will remain. The proposal will not block existing views in the foreground as the church is located in the centre of Wickham Market and is surrounded by built form that historically has always been added to as the village expanded. The proposal is not dissimilar in height to existing development and therefore respects and preserves the landmark status of the church tower and spire. As there is no identified harm to the setting of the church the relevant tests in paragraphs 195 and 196 of the National Planning Policy Framework are not here engaged and the requirements of paragraph 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 are thereby met.
- 7.49 With regards to the impact on Wickham Market Conservation area this is located mainly around the historic core of the village and extends along the B1438 to the north. There is intervening built development between the southern boundary of the conservation area and the application site. Whilst there will be some change to the setting of the conservation area the effect will be similar to the existing built form and therefore negligible.
- 7.50 The boundary of Pettistree Conservation Area runs along Walnuts Lane to the west of the site. The wide landscape setting surrounding the conservation area will be retained without significant change and therefore the impact on the conservation area will be negligible.
- 7.51 For the reasons outlined above, the scheme is acceptable in terms of matters of heritage consideration and would accord with policies SCLP11.4 and SCLP11.5.

## Ecology

- 7.52 The application is supported by an Ecology Assessment (Hopkins Ecology, August 2020 and 'Shadow' Habitats Regulations Assessment (Hopkins Ecology, August 2020) which the Council's Ecologist considers satisfactory. As identified in the Ecology Assessment the site is predominantly comprised of arable land and is of relatively low value for protected and UK Priority species, with only small amounts of habitat available for breeding birds and foraging/commuting bats. The only UK Priority habitat present is the hedgerow on the eastern boundary, this is retained as part of the proposed development.
- 7.53 Overall, it is not considered that the proposed development, subject to the implementation of the mitigation measures identified, will result in any significant direct adverse ecological impacts. The implementation of the proposed landscaping and an ecological enhancement strategy will improve the biodiversity value of the site, in accordance with the objectives of Policy SCLP10.1: Biodiversity and Geodiversity, and can be secured by condition.

- 7.54 The application site is within 13km of 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.
- 7.55 The Council, as the competent authority, has to undertake an assessment to determine whether the development is likely to have a significant effect on these sites in accordance with the Conservation of Habitats and Species Regulations 2017. The closest designated site is the Sandlings SPA which is approximately 4km to the south of the application site. Given this separation distance it is only considered that the Appropriate Assessment needs to assess impacts arising from increased in-combination recreational disturbance. The applicant has provided a 'shadow' Habitats Regulations Assessment to inform such an assessment and Natural England have also been consulted in their statutory role.
- 7.56 The submitted 'Shadow' Habitats Regulations Assessment identifies the relevant European designated sites for the HRA and the impact pathways which are likely to arise from the proposed development. As recognised in the report, the only impact requiring mitigation is increased recreational disturbance at designated sites arising from in-combination residential development. Mitigation in the form of onsite greenspace provision, connections to the existing PRoW network (allowing a 2.7km walking route) and a financial contribution to the Suffolk Coast RAMS strategy are identified.
- 7.57 Having considered the proposed avoidance and mitigation measures above Officers conclude that with mitigation the proposal will not have an Adverse Effect on the Integrity of the European sites included within the Suffolk Coast RAMS. Natural England have been consulted on the appropriate assessment undertaken as is required, and have confirmed that they have no objection subject to appropriate mitigation in the form of an upfront per dwelling contribution to the RAMS strategy. This can be secured in a S106 Agreement. Officers consider that the proposal is acceptable in this regard in accordance with SCLP10.1 (Biodiversity and Geodiversity).

#### Flood Risk and Surface Water Drainage

- 7.58 Policy SCLP9.5: Flood Risk states that development will not be permitted in areas at high risk of flooding and Policy SCLP9.6 states that developments should use sustainable drainage systems to drain surface water. Developments of ten dwellings or more will be required to utilise sustainable drainage systems, unless demonstrated to be inappropriate. Sustainable drainage systems should:
- a) Be integrated into the landscaping scheme and green infrastructure provision of the development;
  - b) Contribute to the design quality of the scheme; and
  - c) Deliver sufficient and appropriate water quality and aquatic biodiversity improvements, wherever possible.
- 7.59 The site is located in flood zone 1 which has the lowest risk of flooding and therefore is a preferable location for residential development.
- 7.60 With regards to surface water drainage the submitted Flood Risk Assessment demonstrates that the site is safe and suitable for its proposed use, that the proposal can be sustainably drained and that it would not increase flood risk elsewhere. The drainage

strategy incorporates SuDS features within the site including the use of permeable paving and swales alongside the main access road. Storage will be provided on the site and this will include four final infiltration basins within the landscaped areas in the north and north east parts of the site.

- 7.61 The Lead Local Flood Authority at Suffolk County Council has reviewed the submitted documents and raises no objection to the application subject to conditions. It can therefore be concluded that the site can be drained satisfactorily in accordance with current best practice guidance. Concerns have been expressed about flooding on the site particularly along the northern boundary and adjacent to Chapel Lane that the LLFA are aware of. However, the proposed drainage strategy will utilise infiltration as this has been identified as a suitable method of surface water disposal for the site. The Morris Road development drains (at least in part) via infiltration along the southern edge of the site utilising infiltration crates. The proposed development proposes to infiltrate in the same area (northern boundary adjacent Morris Road site), utilising above ground SuDS which will provide amenity and biodiversity benefit. There has been surface water flooding recently adjacent to Chapel Road in the location of one of the proposed infiltration basins, however the LLFA see this as a positive reinforcement that the proposed basins are located in the correct place. All surface water drainage systems are required (as per DEFRA non-statutory technical standards) to be designed for no flooding off site during the 1 in 100 year rainfall event, with a 40% increase in peak rainfall intensity to account for climate change. The proposed surface water drainage strategy complies with this requirement.

### Infrastructure

- 7.62 The Infrastructure Delivery Framework appended to the Local Plan identifies the infrastructure needed to support new development. The Infrastructure Funding Statement (2019-2020) takes this information a step further through the allocation of District CIL, through the collection and use of s106 contributions or through planning conditions (such as highways works).
- 7.63 In terms of education provision the Infrastructure Funding Statement (IFS) identifies a new pre-school (early years) requirement if needed. However this requirement is not triggered by this application as confirmed by Suffolk County Council. The County Council would seek CIL funding for Secondary School education provision, library improvements and waste infrastructure.
- 7.64 In terms of health provision the IFS identifies a need for additional floorspace and enhancements at Wickham Market Practice and its branch Rendlesham Surgery. In commenting on the application the Ipswich and East Suffolk Clinical Commissioning Group have stated that CIL funding will be sought to increase capacity.
- 7.65 Suffolk County Council have requested a financial contribution towards secondary school transport provision as the nearest available secondary school for pupils to attend is in Woodbridge which is beyond the three mile statutory walking distance. East Suffolk has secured such secondary school transport contributions through S106 agreements on other sites on the basis of them being necessary and directly related to the development. The

County Council's request is supported and the applicant has agreed to the contribution therefore the recommendation includes this as an obligation for the S106 agreement

### Other Matters

- 7.66 The Head of Environmental Services initially requested the submission of a more detailed air quality assessment due to concern regarding cumulative road traffic impacts on local air quality when this development is considered alongside the proposed Sizewell C project, and specifically the park and ride facility proposed to the north of Wickham Market.
- 7.67 However, they have since confirmed that a more detailed assessment is not required as estimates of Sizewell C related traffic on the High Street would be low as the majority of the SZC traffic travelling via Wickham Market would enter and leave the proposed park and ride facility via the A1078 just north of Wickham Market. The Highway Authority has confirmed that the estimated vehicle movements from the proposed development are accurate. Air quality impacts will be mitigated by the provision of electric vehicle charging points, a travel plan, and improvements to public transport provision.
- 7.68 With regards to sustainable construction Policy SCLP9.2 requires a 20% reduction in CO2 emission below the target CO2 emission rate set out in the Building Regulations. The Design and Access Statement and the Sustainability Statement state that this will be achieved through using low carbon technology and/or onsite renewable energy options where practically achievable. Further details of how the 20% reduction in CO2 emissions can be secured by condition.

### Coalescence between Pettistree and Wickham Market

- 7.69 As will be noted above both Pettistree and Wickham Market Parish Councils and a number of local residents raise concerns that the proposal will lead to the coalescence of the two settlements. However the allocation of the site in the recently adopted Local Plan establishes the principle of residential development. The Inspector examining the Local Plan will have considered all representations submitted by the Parish Council's and local residents and will have taken on board the matters raised during the hearing sessions in coming to his conclusions that the Plan is legally compliant and sound.
- 7.70 The identification of appropriate site allocations is the result of the consideration of the planning merits of potential sites, alongside their relationship to the strategy of the Local Plan. In the case of this site, it is well related to the settlement of Wickham Market which is a Large Village identified as a location suitable for some growth in the Local Plan, in particular noting the strategy of the Plan of supporting development in the A12 corridor. The site has been allocated based upon sound planning considerations.
- 7.71 Pettistree village itself is identified for planning purposes as separate to Wickham Market, and as a Small Village has its own Settlement Boundary. The local plan is not seeking to 'join' Wickham Market and Pettistree villages - quite the reverse in that the Plan states that the aim of avoiding coalescence of these communities should not be compromised through the development of the site allocation.

- 7.72 Concern is also expressed in that the site allocation is within Pettistree Parish yet is considered to be being treated as though it is a part of Wickham Market. Whilst the position of parish boundaries are certainly known during the process of considering and selecting appropriate sites for allocation, the presence of a parish boundary cannot influence the proper planning for development in appropriate locations. There are other cases in the Local Plan where site allocations extend into adjoining parishes.

### Economic Benefits

- 7.73 In the short to medium term there will be economic benefits arising through the creation of jobs in the construction industry and supply chains. In the longer term there will be benefits to the local economy through increased spend from the new residents supporting facilities and services in Wickham Market.
- 7.74 The proposed housing will be liable for Community Infrastructure Levy for the whole of the permitted Gross Internal Area, although the affordable housing and self-build dwellings will be subject to potential relief. It is estimated that the CIL from the market housing will be at the High Zone rate of which 15% as Neighbourhood CIL would normally go direct to Parish Council for spending on infrastructure or anything else that supports development. The fact that the development is very much attached to Wickham Market yet in within Pettistree Parish has caused concern in representations. The infrastructure effects will be felt within Wickham Market more than within Pettistree and Wickham Market would not receive any Neighbourhood CIL from this development. This issue is amplified by the fact that Pettistree has a very small population which then results in a considerable cap being placed on the amount of Neighbourhood CIL they could receive (a requirement of the CIL regulations). This would result in a greater percentage of CIL from this site being retained as District CIL. An initial joint meeting with the two Parish Council's has taken place with the Major Sites and Infrastructure Team to explore how local CIL spending across both Pettistree and Wickham Market can be maximised in light of the Neighbourhood CIL cap and the parish boundary situation. There is an opportunity, through close collaborative working, to ensure that that the equivalent of 15% of CIL received is spent locally through both Neighbourhood and District CIL and this will be an ongoing matter of consideration for the CIL Spending Working Group.
- 7.75 CIL as a whole is not an economic benefit to be given weight in any planning balance, since it is a developer contribution to mitigate effects on infrastructure, in the same way as a number of necessary s106 contributions sought in this case. However, the freedom of spending of Neighbourhood CIL does allow wider benefits for the area so modest weight can be given to that as an economic benefit.

## **8 Conclusion**

- 8.1 Officers consider that the proposed development accords with the housing allocation in the local plan under Policy SCLP12.60 and will provide a high-quality residential development including, amongst other things, affordable housing, green infrastructure, sustainable drainage features, highway improvements within Wickham Market High Street and an overall density of development appropriate for the location of the site. The lack of connectivity with the existing development to the north is a design shortfall in the scheme and fails to create community cohesion between the developments, however a mechanism to allow for connectivity should the communities wish to provide it is proposed

for the S106. There is no identified harm in this proposal on the landscape, the setting of heritage assets or the local environment.

- 8.2 The proposal is considered to represent sustainable development in accordance with the objectives of the National Planning Policy Framework and the adopted Local Plan. The application is therefore recommended for approval.

## **9 Recommendation**

AUTHORITY TO APPROVE with conditions (including but not limited to those below), subject to the completion of a S106 Legal Agreement within 6 months to secure obligations (including but not limited to):

- Provision of 45 affordable dwellings;
- Per-dwelling contribution to the Suffolk RAMS;
- Provision and long term management of public open space;
- Financial contribution to fund secondary school transport;
- Financial contribution to fund improvement works to local bus stops;
- Financial contribution to fund highway safety improvements in Wickham Market High Street;
- Financial contribution to extend the 30mph speed limit; and
- Financial contribution to implement the travel plan.
- Financial contribution to be available for 10 years from the completion of the open spaces on the northern boundary to allow for an agreed community connection if requested by the management companies of both sites.

If the S106 is not completed within six months AUTHORITY TO REFUSE the application.

### **Conditions:**

1. For the seven dwellings offered for self or custom builders (in outline):

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

Reason: To comply with section 92 of the Town and Country Planning Act 1990.

2. The seven self-build plots shall be developed in accordance with the design principles set down in the Self-Build Design Code Revision A (November 2020). Plans and particulars showing the detailed proposals for all the following aspects of the self build plots ("the reserved matters") shall be submitted to the Local Planning Authority and development shall not be commenced before these details have been approved:

- i) The siting of all buildings within their plots.
- ii) The design of all the buildings, including the colour and texture of facing and roofing materials. 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.

iii) Measures to minimise water and energy consumption and to provide for recycling of waste.

iv) The provision to be made within each plot for the parking, loading and unloading of vehicles.

v) The alignment, height and materials of all walls and fences and other means of enclosure.

Reason: To secure a properly planned development.

3. For the 129 dwelling part where full planning permission is sought:  
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.

4. The development hereby permitted shall be completed in all respects strictly in accordance with the following plans:

Site Location Plan 001 received 25 August 2020,  
External works layout 002 Rev C received 7 January 2021,  
Planning layout 003 Rev C received 7 January 2021,  
Materials Plan 004 Rev B received 22 December 2020,  
Street Scenes 005 received 30 November 2020,  
10m Landscape Buffer 007 Rev A received 22 December 2020,  
Self-build Phasing Plan 008 Rev A received 22 December 2020  
Preliminary Access Proposals 1904-347-SK001 Rev E received 30 November 2020,  
3D Views 006 received 30 November 2020.  
Landscape Strategy Plan 6692/ASP4/LSP Rev C received 26 August 2020,  
Landscape Cross Section Detail 6692/ASP5/CSD Rev A received 26 August 2020

And the following house type plans:

201 Rev A received 30 November 2020,  
101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119,  
120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138,  
139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 202, 203, 204, 205,  
206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218 A, 219 A, 220, 221, 222, 223,  
224, 225, 226, 227, 228, 229, 230 and 231 received 25 August 2020;

And the following garage plans:

301, 302, 303 and 304 received 25 August 2020;

And the following miscellaneous plans:

Substation 401, External Works Details 402 and Bin and Cycle Store 403 received 25 August 2020

for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

5. Prior to the commencement of development, a Minerals Management Plan shall be submitted to and approved by the local planning authority. The plan shall be implemented in accordance with the agreed details.

Reason: To ensure the sustainable use of reclaimed Mineral beneath the site.

6. Details of the play equipment to be provided on the site shall be submitted to and agreed by the local planning authority. The play equipment shall be installed in accordance with the approved details prior to first occupation of the dwellings.

Reason: To ensure appropriate provision of play equipment.

7. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecology Assessment (Hopkins Ecology, August 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

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

Reason: To ensure that nesting birds are protected.

9. Prior to commencement, a "lighting design strategy for biodiversity" for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for biodiversity likely to be impacted by lighting and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To ensure that impacts on ecological receptors from external lighting are prevented.

10. Prior to commencement an Ecological Enhancement Strategy, addressing how ecological enhancements will be achieved on site, will be submitted to and approved in writing by the local planning authority. Ecological enhancement measures will be delivered and retained in accordance with the approved Strategy.

Reason: To ensure that the development delivers ecological enhancements.

11. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved by, the local planning authority prior 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 rolled forward over a five-year period).
  - g) Details of the body or organisation responsible for implementation of the plan.
  - h) 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.

12. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation programme.

Reason: To ensure the provision of amenity afforded by appropriate landscape design.

13. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority; and any trees or plants which, within a period of five years from completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation; all works shall be carried out in accordance with the relevant provisions of appropriate British Standards or other recognised Codes of Good Practice.

Reason: to ensure that the appearance of the development is satisfactory.

14. Deliveries to the construction site and collections of waste during the construction phase shall be undertaken between 09.00 and 16.30 (except for the delivery of abnormal loads to the site which may cause congestion on the local road network).

Reason: In the interests of amenity.

15. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved by the Local Planning Authority. This should contain information on hours of construction and how noise will be controlled so as to avoid annoyance to occupiers of neighbouring properties. Examples of measures to be included are:
- a) Good practice procedures as set out in BS5228:2014,
  - b) Best Practicable Means (BPM) as defined in Section 72, of the Control of Pollution Act 1974 (COPA),
  - c) Careful location of plant to ensure any potentially noisy plant is kept away from the site boundary as far as possible,
  - d) Careful selection of construction plant, ensuring equipment with the minimum power rating possible is used, and that all engine driven equipment is fitted with a suitable silencer,
  - e) Regular maintenance of plant and equipment to ensure optimal efficiency and quietness,
  - f) Training of construction staff where appropriate to ensure that plant and equipment is used effectively for minimum periods,
  - g) If identified as necessary, the use of localised hoarding or enclosures around specific items of plant or machinery to limit noise breakout especially when working close to the boundary.

The Construction Management Plan shall be implemented in accordance with the approved details.

Reason: In the interests of amenity.

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

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

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

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

Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

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

17. Dust control measures shall be applied during the construction phase of the development in accordance with the dust mitigation measures set out in Section 5.4 (Pages 19 to 23) of the SLR Air Quality Screening and Dust Risk Assessment report dated 8 October 2020.

Reason: In the interests of amenity.

18. No development shall take place until a scheme for the installation of fire hydrants throughout the site has been submitted to and approved in writing by the Local Planning Authority in conjunction with the Fire and Rescue Service. The fire hydrants shall be installed prior to occupation of dwellings.

Reason: In the interests of fire safety.

19. Before the development hereby permitted is occupied full details of electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles.

20. Prior to the commencement of development full details of how the development will achieve high 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 and water efficiency of 110 litres/person/day shall be submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the agreed details.

Reason: In the interests of sustainable construction.

21. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved by the local planning authority.

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

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

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

23. Within 28 days of completion of the last dwelling/building become erected details of all Sustainable Drainage System components and piped networks have been submitted, in an approved form, to and approved by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk

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

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

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. This condition is a pre commencement planning condition and requires details to be agreed prior to the commencement of development to ensure flooding risk as a result of both construction and use of the site is minimised and does not result in environmental harm or even risk to life.

25. The new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. 1904-347-SK001 Rev E; and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.

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

26. No part of the development shall be commenced until details of the proposed pedestrian crossing and associated highway improvements (including Bus Stop improvements) indicatively shown on Drawing No. 1904-347-SK001 Rev E have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to occupation.

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

27. Before the development is commenced details of the areas to be provided for storage of Refuse/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.

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

28. Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

29. 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 except with the written agreement of the Local Planning Authority.

Reason: To ensure that satisfactory access is provided for the safety of residents and the public.

30. The new estate road junction(s) with High Street inclusive of cleared land within the sight splays to this junction must be formed prior to any other works commencing or delivery of any other materials.

Reason: To ensure a safe access to the site is provided before other works and to facilitate off street parking for site workers in the interests of highway safety.

31. The use shall not commence until the area(s) within the site shown on Drawing No. WIC5 003 C for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and

manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

32. Before the development is commenced details of the areas to be provided for secure cycle storage 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: To ensure the provision and long term maintenance of adequate on-site space for cycle storage to encourage sustainable travel.

33. Before the access is first used visibility splays shall be provided as shown on Drawing No. 1904-347-SK001 Rev E with an X dimension of 2.4m and a Y dimension of 120m to the north and 160m to the south and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

#### **Informatives:**

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

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

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

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

CIL forms can be downloaded direct from the planning portal:

[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

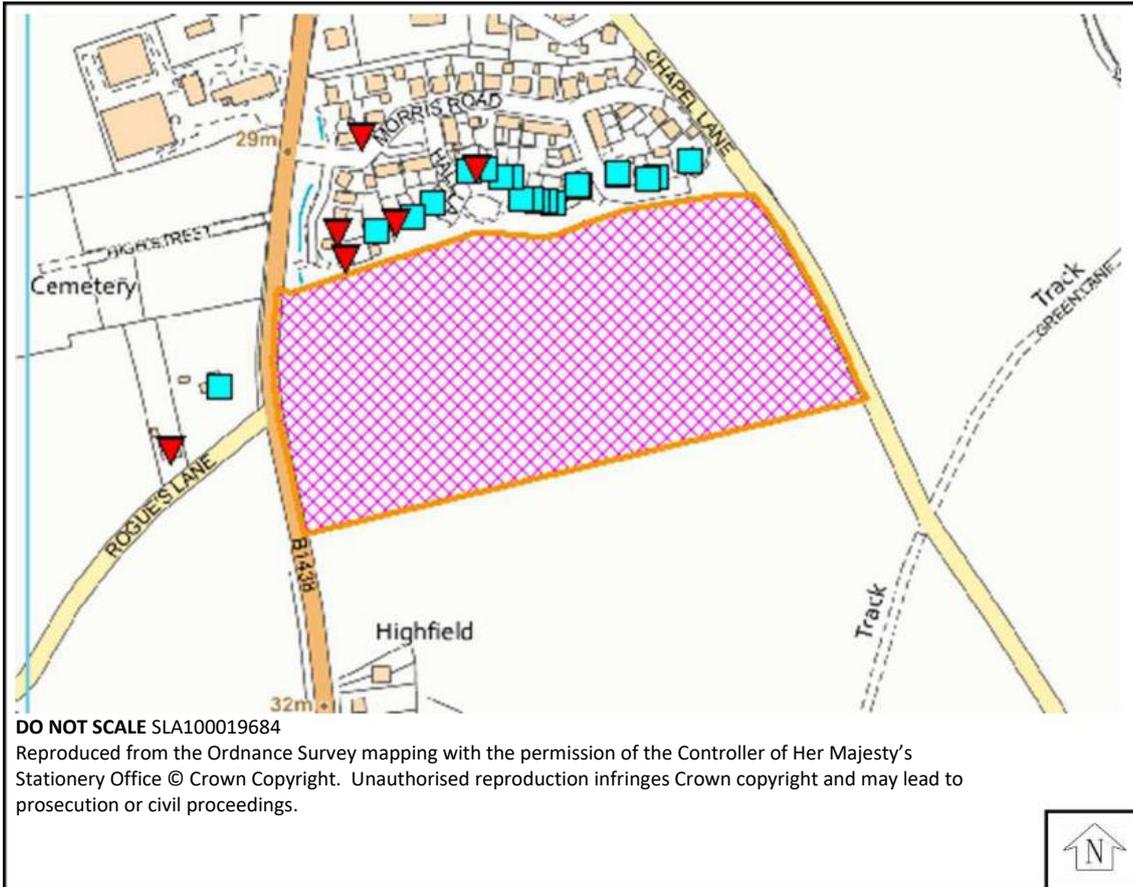
Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

3. 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.
4. 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.
5. 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.
6. The Local Planning Authority recommends that developers of housing estates should enter into formal agreement with the Highway Authority under Section 38 of the Highways Act 1980 relating to the construction and subsequent adoption of Estate Roads.

### **Background information**

See application reference DC/20/3264/FUL on [Public Access](#)

# Map



## Key

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

## Committee Report

**Application no** DC/20/3361/FUL

**Location**

Land Between High Street And  
Chapel Lane  
Pettistree  
Suffolk  
IP13 0HQ

**Expiry date** 8 December 2020

**Application type** Full Application

**Applicant** Hopkins Homes Limited

**Parish** Pettistree

**Proposal** A phased development comprising Hybrid Planning Application (Duplicate): (i) Full Planning Application - Residential development of 129 dwellings (including affordable housing) together with public open space, roads, accesses, parking, garages, drainage and associated infrastructure; (ii) Outline Planning Application - seven No. serviced Self Build Plots with associated access and infrastructure.

**Case Officer** Phil Perkin  
(01502) 523073  
[philip.perkin@eastsuffolk.gov.uk](mailto:philip.perkin@eastsuffolk.gov.uk)

### 1 Summary

- 1.1 This application seeks full planning permission for the development of 129 houses and associated infrastructure and outline planning permission for seven self-build dwellings.
- 1.2 The site is allocated in the East Suffolk Council Suffolk Coastal Local Plan for the development of approximately 150 houses under Policy SCLP12.60.

- 1.3 This application referred to the Planning Committee by the Head of Planning and Coastal Management under the terms of the Scheme of Delegation due to the level of public interest.
- 1.4 The principle of residential development on the site is accepted and the proposal is in accordance with the Local Plan. There are no technical barriers to development and whilst noting the local concerns, the layout of the development and design of the houses is considered acceptable.
- 1.5 Officers are seeking authority to approve the application with conditions, subject to the completion of a Section 106 legal agreement to secure the necessary obligations. Members will note that there is an identical application (reference DC/20/3264/FUL) which is also being presented to the Planning Committee for determination.

### The Case for Development

- 1.6 The site is allocated for the development of up to 150 houses by Policy SCLP12.60 of the East Suffolk Council Suffolk Coastal Local Plan (adopted September 2020). The principle of residential development on the site is therefore established and the application will deliver 136 houses including 45 affordable dwellings and seven self-build plots which are significant benefits of the proposal.
- 1.7 The Local Plan allocation forms part of the Council's strategy for growth which seeks to include appropriate growth in rural areas that will help to support and sustain existing communities.
- 1.8 Overall, the design of the development is considered to be acceptable and in conformity with the requirements of Policy SCLP12.60. In addition to the affordable dwellings the proposal will deliver a mix of house types, sizes and designs as well open space and landscaping providing a high-quality environment. There will also be funding available for highway improvements within Wickham Market High Street.
- 1.9 There will be economic benefits in the short to medium term through the creation of jobs in the construction industry and in the longer term, benefits to the services and facilities in Wickham Market through increase visitor spend in the local economy.

## **2 Site description**

- 2.1 The 6.15 hectare application site is situated between the High Street and Chapel Lane, Pettistree and is currently in agricultural use. The site abuts existing residential development on Morris Road and Hall Lane to the north of the site.
- 2.2 The site is located within Pettistree Parish but adjoins the built-up area (and Parish) of Wickham Market to the north. The site is located immediately to the south of a recent residential development of 65 dwellings and is bordered to the west by the B1438/High Street which joins leads to the A12 to the south, and to the east by Chapel Lane which is a narrow rural road. Land to the south of the site is agricultural in use.
- 2.3 The northern boundary of the site abutting the adjacent residential development, is the lowest point of the site. From here the site rises gradually to the south. There is young and

semi-mature tree planting regularly spaced along the High Street/B1438 frontage and a mature hedge along the Chapel Lane frontage. Otherwise, there are no natural features on the site. There are no listed buildings or other heritage assets adjacent to the site and the site does not fall within a designated landscape area.

### **3 Proposal**

- 3.1 As will be noted from the description this is a hybrid application meaning it seeks consent for both full planning permission and outline planning permission.
- 3.2 The application seeks full planning permission for 129 dwellings (including 45 affordable dwellings) together with public open space, roads, accesses, parking, garages, drainage and associated infrastructure and outline planning permission for seven serviced self-build plots with associated access and infrastructure.
- 3.3 A new vehicular access is proposed from the High Street to include a footway connection to the existing footpath on the east side of the High Street. A pedestrian crossing of the High Street is proposed along with pedestrian connections onto Chapel Road.
- 3.4 A mix of dwelling types and sizes are proposed. Building heights are generally proposed to be two storeys with some bungalows proposed along the southern boundary towards the western edge and some 2.5 storey dwellings with dormer windows along the main vehicular route through the middle of the site.
- 3.5 The design approach reflects the properties to the north. Materials are proposed to be mainly red, buff and multi facing bricks and red and black pantiles. To a lesser extent render and weatherboarding is also to be employed. Design features used throughout would include brick and render quoins, flush and projecting plinths and diaper brickwork.
- 3.6 Open spaces within the site vary in size and function. There are two play areas within the site and landscaped areas to the north and south of the site. There is a landscaped buffer around the whole site which incorporates a circular walking route and links onto Chapel Road. Landscaped drainage basins are also located in the northern part of the site.
- 3.7 The planning application is supported by the following documents:
  - Planning Statement and Design and Access Statement (including Statement of Community Involvement);
  - Public Exhibition Report;
  - Ecological Assessment;
  - Habitat Regulations Assessment;
  - Landscape and Visual Impact Assessment;
  - Arboricultural Impact Assessment;
  - Archaeological Desk Based Assessment and Geophysical Survey Report;
  - Transport Assessment and Interim Travel Plan;
  - Flood Risk Assessment and Drainage Strategy;
  - Site Investigation Report; and
  - Sustainability Statement

3.8 In addition, street scene elevations have been provided and an amended layout to address comments made by the Highway Authority and Head of Housing.

#### 4 Consultations

4.1 Thirty nine objections have been received from local residents raising the following matters(inter alia):

- Increase in traffic and congestion
- Pedestrian safety
- Surface water flooding
- Too close to existing properties to the north
- Overlooking and loss of residential amenity
- Visually intrusive on the southern edge of Wickham Market
- Poor pedestrian and cycle links
- Landscape impact
- Detrimental to the historic views of Wickham Market and the unique church spire.
- Loss of agricultural land
- Impact on wildlife
- Pettistree parish is doubled in size
- Coalescence of Pettistree and Wickham Market
- Inadequate sewage system
- Light pollution
- Inadequate parking
- Limited space at the medical centre, dentists and schools
- Inadequate public transport

#### Consultees

Consultee	Date consulted	Date reply received
Pettistree Parish Council	9 September 2020	6 October 2020
<p>Pettistree Parish Council has reviewed its comments on the development of the newly adopted Local Plan and the duplicate planning applications referenced above. It is stressed that these comments apply to both applications and must be listed under them both. Please note that Pettistree parish Council objects strongly to both applications.</p> <p>The Principle of having a development on the agricultural land between the High Street (81438) and Chapel Lane.</p> <p>1. The land is in the parish of Pettistree but the area of the proposed development is now designated as within the settlement boundary of Wickham Market. We recognise that this has been sanctioned by the new Local Plan but wish to point out that this is still a matter of protest and is being investigated by our member of parliament, Dr. Therese Coffey.</p> <p>2, Both Pettistree and Wickham Market Parish Councils object to the development in principle.</p>		

The Development is inappropriate for the site.

1. The density of housing proposed is excessive.

a. The proposed density is 24 per hectare.

b. The density proposed by SHELAR is 15 per hectare as Wickham Market and Pettistree both come under the "Elsewhere" recommendation of 15 per hectare. (neither Wickham Market nor Pettistree is a Market Town:)

2. The archeological content of the site has not been sufficiently evaluated. This is made clear in the comment from James Rolfe of the Archeological Service in his document dated 10.09.20

3. It is not acceptable that Pettistree Parish Council should be expected to be responsible for the residents of a development that has been clearly labelled as part of Wickham market.

4. There will be inevitable confusion in the minds of residents as to whether they are part of Pettistree or Wickham Market.

5. If this pattern of development is allowed there will be inevitable coalescence of the two settlements, especially if further development is allowed after this one.

6. Screening by hedges and trees has been proposed but if this is adequate access to Wickham Market will be hindered, and if it is inadequate coalescence with the rest of Pettistree land will occur.

7. The development is not in accordance with the drafts of Wickham Market's Neighbourhood Plan.

8. The scale and nature of this development would bring a liability to second home proliferation and loss of any sense of community with either village.

9. There is inadequate public transport, especially access to the railway at Campsea Ashe. Buses through the village are infrequent and finish by 7.00 PM with none on Sundays

Details of the Development Plan

1. The existing infrastructure is not adequate to support the development.

a. Sewage system already overloaded, needing lorry drainage every week. (Anglian Waste/s comment of adequacy does not give sufficient detail to be believable.)

b. Refuse collection capacity uncertain.

c. The Medical Centre does not have sufficient space or staffing to cope with 135 new homes (about 450 people). It has no room to expand. Any expansion of the medical practice that is funded is likely to take place at Rendlesham

d. There is insufficient capacity in the secondary schools (Farlingaye and Thomas Mills are both full and pupils are being sent to Leiston.)

e. Surface water drainage is not adequately catered for. The plan to let areas flood when self-contained drainage is not sufficient will intrude on the existing Hopkins Homes development and cause a marshy area with mosquitos, and a water hazard for children. Chapel Lane already floods with heavy rain.

2. Plans for hedges and trees to screen the new development and try to minimize coalescence of the settlements are scanty and will be inadequate to hide the buildings on rising ground. The cross section shown on the plans is misleading as it does not show the buildings on the rising ground and is chosen to show the only wide part of the hedging at the south west corner.
3. Loss of views of Wickham Market. and its landmark church spire from the south caused by the buildings on the rising ground. '
4. Worry of residents in the existing Hopkins Homes being overlooked, especially at the south-west end.
5. Increased vehicle and pedestrian congestion trying to access the centre of Wickham market from the new development. The road and pavement near the Post Office is inadequate with no plans for mitigation. No safe footway to the primary school.
6. Access to and from the A12 and on the At2 itself is already congested at times, will get much worse with Sizewell C construction traffic and with traffic from the planned new development.
7. The Pettistree Greyhound is the only pub in the two villages and cannot cope with the influx of new residents.
8. Pettistree Village Hall is too small to accommodate any meeting of the new residents
9. Provision of facilities for the elderly and pre-school children is unclear.
10. The plans suggest that the Parish Council will become responsible for care and maintenance of grassed common spaces after a short period. (In Wickham Place the owners now pay for it to a private company). Who pays for street lighting long term?
11. Unclear to whom and in what amounts CIL payments would be made to support the development.
- 12'. There are only five bungalows planned on site and they are all at the southern edge (making it a long way to walk to the Co-Op etc. for the residents who are more likely to be elderly).
13. There is no provision in the plans to support green energy initiatives.
  - a. There are no solar panels to generate electricity.
  - b. No plans for collection and use of "grey" water.
  - c. No provision of charging points for electric cars to match all car parking spaces.

#### CONDUCT OF THE PLANNING PROCESS

1. Pettistree Parish Council was not consulted or informed at all about the full planning application until the pair of applications were put on the planning website. There has been no subsequent approach from the developers to explain the plans.
2. The reason and implications of having so-called duplicate applications has not been made clear. This is supposed to be public consultation so expert knowledge of procedures cannot be assumed.

3. The means of access on -line to the planning documents and the way of making comments is very difficult for the non-expert user.

a. Multiple clicks are needed to get to any given document.

b. In most areas it is not possible to use the "back button a browser to get to a previous field. It is necessary to re-enter a starting point and work forward. This is too hard for non -experts with limited time available.

c. A previously registered "login" for East Suffolk Council cannot be used for these applications.

d. The space available for free-text comment on the on-line "comments" form is only 2000 characters (including spaces). This amounts to about 300 words and is not sufficient to comment on an application of 162 pages and a further 100 items as plans of plots etc.

Pettistree Parish Council has no objection to reasonable expansion of housing in the village. In recent years several villagers have applied to build bn suitable plots in the parish, but they have been refused and what used to be called the village envelope (settlement boundary) has remained extremely tight. We recognise that the new local plan has imposed future development on Pettistree's good agricultural land, but we find many faults with the current applications by Hopkins Homes.

Consultee	Date consulted	Date reply received
Ufford Parish Council (neighbouring Parish)	27 October 2020	27 October 2020

Please note that the following comments apply to both DC/20/3361/FUL and DC/20/3264/FUL. Ufford Parish Council would firstly like to completely endorse the comments made on these two applications by Wickham Market and Pettistree Parish Councils. We do not wish to repeat the arguments put forward for objecting to these applications by our neighbouring Councils but we would like it recorded that we fully agree with them. Our comments instead will be based on the impact this development, if approved, would have on the residents of Ufford.

Ufford Parish Council wish to object to the above applications on the following grounds:

#### Highways

As you will be aware, there is no south-bound junction on to the A12 at Pettistree and all traffic travelling south out of Wickham Market has to travel along the Ufford High Street to gain access to the A12. The addition of over 130 dwellings in this location will inevitably mean over 250 vehicles, many of which will be driven by working people, making the morning and evening rush hour traffic even more busy than it already is. Traffic returning from Woodbridge and Melton will also use the Melton Crossroads and follow the B1438 travelling north the length of the High Street in Ufford. Where access to industrial workplaces such as Bentwaters Park is sought, this will result in additional traffic navigating the notorious 'Ufford Triangle' at the top of The Avenue and using Lower Ufford and Hawkeswade Bridge as a 'rat run'. This area is totally unsuitable for non-local traffic and accidents at the 'triangle' are frequent.

Also, if this additional traffic chooses to travel through Melton and on to Woodbridge they will only add to the already 'at capacity' junction known as the Melton Crossroads, where the air quality is monitored and recognised to be at the margin of acceptable levels.

Public transport from Wickham Market is very limited, and ceases at 7pm, with no bus services on Sundays. The rail station is at Campsea Ashe, and from the site in question is too far for walking and the roads are unsuitable for walking with no footpaths. Therefore almost all journeys for work or leisure will be undertaken by car. It is very hard to see how this conforms with the declared climate emergency by ESC and SCC, and the intention to reach net zero by 2050.

#### Healthcare

The Medical Centre in Wickham Market is already at capacity with no physical room for expansion, even if the funds were available for this. As a result, the Branch Surgery at Rendlesham is the only place where expansion could occur. If this is the case, this will result in every journey to the facilities being undertaken by car and through the unsuitable roads in Lower Ufford mentioned above. This would be nonsense when medical facilities were just a few hundred metres away in Wickham Market.

The pressure on Medical facilities in Wickham Market affects the population in Ufford, as many residents are patients and presently can combine a journey (by car usually) with shopping at Wickham.

#### Schools

The nearest secondary schools Thomas Mills, Framlingham and Farlingaye in Woodbridge are both already at capacity. Therefore the High School for children living at the proposed site would be Leiston. Given the type of housing proposed, it is likely that a number of buses will be required for this purpose, which hardly fits with the 'Climate Emergency' status declared by both East Suffolk Council and Suffolk County Council.

#### Ribbon Development

Finally, a development such as this will add to the continuous 'ribbon development' in East Suffolk that results in villages encroaching on each other and ultimately losing their individual identity.

#### Conclusion

We urge ESC to refuse these applications on the grounds above and the grounds stated by both Wickham Market and Pettistree Parish Councils.

Consultee	Date consulted	Date reply received
Wickham Market Parish Council (neighbouring Parish)	14 September 2020	15 October 2020
<p>Wickham Market Parish Council held a virtual Planning Committee meeting on 5th October 2020 in order to consider the above-mentioned planning applications. This meeting was extremely well attended. An informal meeting was also held with representatives from Pettistree Parish Council and as a result of this meeting I can confirm Wickham Market Parish Council agrees with the <b>STRONG OBJECTIONS</b> raised by Pettistree Parish Council in respect of these applications. Wickham Market Parish Council wishes to stress the comments below relate to both planning applications</p>		

even though Wickham Market were only consulted on DC/20/3264/FUL (although at a later stage than Pettistree Parish Council).

Wickham Market Parish Council STRONGLY OBJECTS to both planning applications. The site is agricultural land between the High Street (B1438) and Chapel Lane. The land is within the Parish of Pettistree but the area of the proposed development has been designated within an extended settlement boundary for Wickham Market. The Parish Council understands this has been sanctioned by the recent adoption of ESC's Local Plan, but I wish to point out this is still a matter of protest from Pettistree Parish Council and Wickham Market Parish Council. Wickham Market Parish Council objected to Policy SCLP 12.60 as stated within their responses sent dated 12th September 2018 and 20th February 2019.

Strong Objections raised previously to this policy and the process as to how it got into the Local Plan still stand, as follows:-

The site is not within the Wickham Market Parish or Neighbourhood Plan (NP) area. The site is within the Settlement Boundary and it does not comply with the NP policies and objectives. The site is 6.15ha which gives a housing density of 24 dwellings per hectare. This is significantly in excess of the 15 dwellings per hectare stated within the SHELAA as the housing density to use for this area.

The residents of the proposed new development would use the services of Wickham Market being the nearby Service Centre. ESC has extended the Village Settlement Boundary to capture the allocation, but Wickham Market Parish Council would not automatically receive any CIL payment for this development. This will result in the residents of this proposed development paying a lower amount of Parish Precept to Pettistree Parish Council and could also allow Pettistree Parish Council to significantly reduce their Parish Precept if they wish which could create friction within the local community.

The MAIN OBJECTIONS to the two applications are as follows:-

It should also be noted that the previous issues raised following the Hopkins Homes Consultation Event have also been largely ignored with only minor amendments made to the proposed layout of houses.

#### DESIGN AND APPEARANCE

Poor design and lack of specific street scenes and elevations across the site area to enable a thorough understanding and assessment of both design and visual impacts. This is unacceptable. The site is 6.15ha which gives a housing density of 24 dwellings per hectare. This is significantly in excess of the 15 dwellings per hectare as stated within the SHELAA as the housing density to use for this area.

The scale and nature of this development would bring a liability to further second home owners bringing a high risk of loss of any sense of community life within either village. o The adopted policy SCLP 5.1 requires that development must be of a scale appropriate to the size, location and character of the village. The proposed development clearly does not adhere to this policy and is an overdevelopment of the site.

Lack of connectivity to the neighbouring development at Wickham Place. This is not compliant with both national and local guidance, connectivity encourages social cohesion.

There is no provision in the plans to support Green Energy Initiatives.

The homes have no scheme for Solar Panels to generate electricity.

With regards to Electric Vehicle charging points there is no evidence that each dwelling has: Ducting and suitable consumer unit to allow the install of one wall charging unit per dwelling when required by householder.

The Local Plan, in SCLP 9.2, requires higher energy and water efficiency standards. In the Planning, Design and Access Statement it states: "6.62 In accordance with Policy SCLP 9.2 the proposal will be required to deliver higher energy and water efficiency standards. As set out in the submitted Sustainability Statement, it is proposed that the required 20% reduction in carbon emissions will be achieved using low carbon technology" and/or onsite renewable energy options where practically achievable". This development falls well below the expected standards. o Within Wickham Market's emerging Neighbourhood Plan the relevant policy is:

#### **POLICY WICK5: DESIGNING FOR RENEWABLE ENERGY AND CARBON REDUCTION**

All developments must be designed so that it results in at least a 20% reduction in CO2 emissions below the Target CO2 Emission Rate (TER) set out in the Building Regulations. This requirement is more stringent to the Local Plan where it only applies to developments of over 10 dwellings. All developments should achieve water efficiency (achieving the optional technical standard for water efficiency) through the use of grey water, rainwater harvesting and SuDS schemes. Site layout should be designed to utilise and benefit from natural sunlight and solar gain incorporating solar energy generation measures on all houses. All new development should make provision for electric charging facilities on site.

Residents in the existing Hopkins Homes development Wickham Place will be overlooked, especially at the South-Western boundary.

Plans for hedgerows and trees to screen the new development in order to try and minimize coalescence of the settlements is inadequate and will not screen the dwellings from the wider countryside on rising ground. The cross section shown on the plans is misleading as it does not show the buildings on the rising ground and is chosen to show only the wider part of the hedging at the South-Western boundary corner.

#### **LANDSCAPE**

SCLP 10.4 highlights the need to promote high quality design across the plan area. It sets out the need to ensure that development is of a scale that is appropriate to landscape character and will protect and enhance this character.

The supporting text in the Local Plan at Para 2.667 states the following 'Development needs to be sensitive to retaining settlement and landscape character and pattern. This includes views towards the historic village core and church and across plateau landscape. There are opportunities for biodiversity enhancements related to the site's situation within the wider agricultural landscape'. This has not been achieved by the proposed scheme.

Landscape impacts and lack of any wider landscape mitigation for views (land is rising) of the development. Impacts on Key Views identified in the emerging WM Neighbourhood Plan have not been considered, these being 7, 9, 10, 12.

Soft landscaping commitments were not carried out as per approved plans at the neighbouring development Wickham Place. This was in part due to SCC Highways reluctance to accept trees within five metres of highway boundaries and to the use of underground drainage structures which precluded the approved tree planting. Similar issues will arise in that planting indicated will again be left out of the scheme resulting in the development lacking greenery. This is not acceptable.

The development does not comply with the emerging NP which describes the need to both protect and provide for wildlife and the use of native species within developments.

The submitted Landscape Strategy Plan largely refers to non native species. One of the two footpath connection points will involve cutting through a mature elm hedge (home to birds such as whitethroat and yellow hammer rather than using existing gaps.

Adverse visual impacts have been identified from identified Viewpoints 6 and 8 submitted LVIA) There will be clear views of the development from Walnuts Lane and the Pettistree Conservation Area ( with the impacts affecting the setting of both the CA and the Wickham Market Cemetery.

#### HIGHWAY SAFETY

The highway infrastructure within Wickham Market is inadequate to cope with this development, and the traffic it will generate. Specific concerns are as follows:

The road and pavement near Wickham Market Post Office is inadequate for safe pedestrian use with no plans for any improvement scheme.

There is no safe walking route to Wickham Market Primary School, although the Parish Council wishes to point out that as a result of the Wickham Place development no new primary school age children were admitted to Wickham Market Primary School.

The footway on the Eastern side of High Street (B1438) stops just north of Morris Road and subsequently, there is a need for pedestrians to cross the High Street in order to access any of the local amenities including the Primary School.

The development would clearly impact upon the High Street, significantly increasing vehicular, pedestrian and cycle movements. Due to the narrow road and footways, there are congestion issues and highway safety concerns within this area. Increased traffic of possibly 450+ cars will clearly add to these issues and further imp act the High Street.

Many roads within Wickham Market have pinch points with speeding and hazardous driving occurring on a daily basis. The roads within the village would not be able to cope with possibly an additional 450+ vehicles along with the proposed traffic implications resulting from the development of the proposed Sizewell C Park & Ride site.

Previous commitments to footway improvements secured by the S.278 agreement for Wickham Place do not appear to have been carried out and this is not acceptable.

#### POLICY SCLP10.5: SETTLEMENT COALESCENCE

Development of undeveloped land and intensification of developed land between settlements will only be permitted where it does not lead to the coalescence of settlements through a reduction in openness and space or the creation of urbanising effects between settlements. Neighbourhood plans may include policies addressing local issues related to settlement coalescence.

It is felt these applications are not in line with the above-mentioned policy as the development will create an urbanising effect between the two settlements. The applications seek to increase the population of Wickham Market by at least 12.6% based on the 2011 census (this is only considering two adults per proposed household) but when considering the population within Pettistree this then rises to 140% (population of 194 in 2011). The existing special quality of open countryside will be replaced by an urbanised approach to this historic village. The size of Wickham Market's Conservation Area and the number of listed buildings within it bears witness to its historic village character. Wickham Market's entrance from the South will disappear resulting in loss of views of Wickham Market and its landmark Church Spire caused by the buildings on rising ground.

There will be obvious confusion amongst the new residents as to if they are part of Pettistree or Wickham Market and if this development is allowed there will be inevitable coalescence of the two settlements, especially if further development is granted following this one.

#### POLICY SCLP11.7: ARCHAEOLOGY

An archaeological assessment proportionate to the potential and significance of remains must be included with any planning application affecting areas of known or suspected archaeological importance to ensure that provision is made for the preservation of important archaeological remains. Where proposals affect archaeological sites, preference will be given to preservation in situ unless it can be shown that recording of remains, assessment, analysis report and/or deposition of the archive is more appropriate. Archaeological conditions or planning obligations will be imposed on consents as appropriate. Measures to disseminate and promote information about archaeological assets to the public will be supported.

The Archaeological remains/findings on this site have not been sufficiently evaluated. This is made clear in the comments from James Rolfe of the Archaeological Service within his correspondence dated 10.09.2020. Wickham Market Parish Council insist that a full independent Archaeological Study is carried out ASAP and the findings from this are reported back to the Parish Council via the Parish Clerk.

This should be carried out in accordance with the Local Plan which states at Para 12.668 that: 'This large site lies to the south of prehistoric and Roman sites excavated prior to development of land south of Featherbroom Gardens. It has not been subject to systematic archaeological investigation. Suffolk County Council have highlighted that archaeological assessment should be required to inform any planning application to ensure that proposals are sensitive to assets of archaeological interest'.

#### POLICY SCLP5.8: HOUSING MIX

Proposals for new housing development will be expected to deliver the housing needed for different groups in the community as identified in the Strategic Housing Market Assessment, or latest equivalent assessment. 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 (1 and 2 bedrooms). To contribute towards meeting the significant needs for housing for older people, proposals for ten or more dwellings should demonstrate how the development will contribute to meeting the needs of older people.

There are only five bungalows planned for the site and these are all sited at the Southern edge boundary making it a long way to walk to the Co-Op and village centre facilities for residents who are more than likely to be elderly. It is also noted there are no bungalows within the proposed affordable/social housing scheme either.

## INFRASTRUCTURE

The existing infrastructure is not adequate to support the proposed development, as follows:-  
The existing sewage system would not be able to cope as this is already at full capacity and requires lorry drainage every week.

Space for bin collection and bin storage points on the plan appears to have been largely overlooked and not adequately accommodated within the layout. Many bins will be left out on the roads and on fronts of properties thereby creating an unattractive appearance.

Wickham Market Medical Centre does not have sufficient space or staffing to cope with the proposed new homes (resulting in around possibly 450+ people). It has no room to expand and it is felt that any expansion of the Medical Centre provided through funding is likely to take place at Rendlesham Surgery resulting in residents of Wickham Market having to travel further to attend a doctor's appointment. This is not acceptable. There is insufficient capacity at both local Secondary Schools as Farlingaye and Thomas Mills High Schools are both full and pupils are being sent to Leiston Academy.

Surface water drainage is not adequately catered for. The plan to let areas flood when self-contained drainage is not sufficient will intrude on the existing Wickham Place development and could result in a marshy area with mosquitos, and a water hazard for children.

Chapel Lane floods regularly following heavy rain, this problem has increased since Wickham Place was built and is worse during winter months. The development is likely to exacerbate this problem significantly.

Play Areas - Distances and access to the Village Hall Playing field being by main road only result in the requirement for a Neighbourhood Equipped Area for Play (NEAP) on site (Ref SPG 15; Village Hall field is approx. 600m away); The layout does not conform to SPG 15 in respect to Play Space Allocation.

Local Play Spaces i.e., at Wickham Place are not linked and therefore discourage social cohesion between children and families.

Policy SCLP 8.2 states that 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.

Library Services: Local Plan Policy 12.677 refers to Library provision but erroneously states that the site falls within the Woodbridge catchment. There is no reference to Wickham Market library which is a functioning library but would not be able to expand in terms of services (the library was saved by local people when threatened with closure), lying as it does within the same area as the Medical Centre. The area where Hopkins Homes show the proposed huge drainage basins as featured on their proposed plan, show the ditches are absolutely empty, however, the ditch does significantly fill with water the opposite end nearing the B1438 where Hopkins Homes propose to build Plot 1 and Plot 23.

If footfall increases in Wickham Market then presumably disabled numbers increase possibly too. The footway between the development and Wickham Market is narrow and would force wheelchair users/disabled residents into the road.

There is inadequate public transport. The last bus is at 7:00pm with no service on a Sunday.

#### OTHER OBJECTIONS

Some of the comments within the questionnaire within the De sign & Access Statement were factually in correct.

The consultation period for an application of this size and during these current times was unacceptable and should have definitely been longer

#### CONCLUSION

Wickham Market Parish Council raise STRONG OBJECTIONS to both applications as stated above. If East Suffolk Council are minded to consider approving this scheme against both Pettistree and Wickham Market Parish Councils Strong Objections along with many local Objections raised then Wickham Market Parish Council would expect to see considerable input and negotiation taking place with Hopkins Homes to deal with the many issues as raised above. The Parish Council would also like to point out that when Wickham Place was completed it become apparent that the gas had not been connected and this then resulted in a 6-week road closure through Wickham Market. I trust that you will take the above comments into consideration.

#### Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County Council- Highways Department	9 September 2020	28 September 2020
Summary of comments: Holding objection on the grounds that a crossing of the High Street is required and funding for highway safety improvements in Wickham Market High Street and an extension of the 30mph speed limit.		

Consultee	Date consulted	Date reply received
Environment Agency	9 September 2020	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Suffolk County Council Flooding Authority	9 September 2020	23 September 2020
Summary of comments: No objection subject to conditions.		

### Non statutory consultees

Consultee	Date consulted	Date reply received
Head of Environmental Services	11 November 2020	11 November 2020
Summary of comments: No objection subject to conditions and request for air quality assessment		

Consultee	Date consulted	Date reply received
Anglian Water	25 September 2020	1 October 2020
Summary of comments: No objection. The foul drainage from this development is in the catchment of Wickham Market Water Recycling Centre that will have available capacity for these flows.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	9 September 2020	30 September 2020
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
Head of Housing	9 September 2020	10 September 2020
Summary of comments: The affordable housing mix is acceptable. Suggestion for two ground floor apartments to have wet rooms.		

Consultee	Date consulted	Date reply received
Head of Economic Development	9 September 2020	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	9 September 2020	29 September 2020
Summary of comments: Comments on funding for health needs arising which will be sought from CIL contributions.		

Consultee	Date consulted	Date reply received
Disability Forum	9 September 2020	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Network Rail	9 September 2020	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	9 September 2020	14 September 2020
Summary of comments: A condition is required for fire hydrants.		

Consultee	Date consulted	Date reply received
Cadent Gas Limited	9 September 2020	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Police - Design out Crime Officer	9 September 2020	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Suffolk County Council Section 106 Officer	9 September 2020	16 September 2020
Summary of comments: No objection. Infrastructure requirements to be met through a combination of future CIL funding bids and S106 contributions.		

Consultee	Date consulted	Date reply received
Suffolk County Council Archaeological Unit	9 September 2020	10 September 2020
Summary of comments: Request for archaeological evaluation to be submitted.		

Consultee	Date consulted	Date reply received
Suffolk County Council Policy Section	9 September 2020	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Suffolk County Council - Rights Of Way	9 September 2020	28 September 2020
Summary of comments: No objection received		

Consultee	Date consulted	Date reply received
SUSTRANS	9 September 2020	No response
Summary of comments: No response received		

## Reconsultation consultees

Consultee	Date consulted	Date reply received
Pettistree Parish Council	1 December 2020	15 December 2020

In respect of the documents submitted by the agents for Hopkins Homes since the expiry date of the original applications on 8th November 2020, Pettistree Parish Council has reviewed its comments on the duplicate planning applications referenced above. It is stressed that these comments apply to both applications and must be listed under them both.

Please note that Pettistree Parish Council continues to object strongly to both applications.

We still fail to understand how the so-called duplicate applications are being treated separately by the Planning department and in particular why they are listed on the "public access" website as having different expiry dates (i.e. deadlines for comment), namely 16th and 18th December.

We note that there is still uncertainty how the roads and footways will be managed. The comments by the Highways Department of SCC make it clear that the current plans would not be acceptable for adoption of the roads and footways. The requirement for trees to be at least 5 metres from the highway make the newly illustrated plans untenable.

A new 3D illustration of the positions of the new homes does not give useful new information. It gives no idea of how the buildings on rising ground will adversely impact visual amenity.

The illustration of the ten metre landscape buffer suggests that if it is high enough to protect views from outside the development, it will cause an oppressive feeling of loss of space to the residents whose homes are shown to be very close to the buffer vegetation, especially along the east boundary.

The phasing plan appears to show that the self-build plots are at the centre of the southern boundary which is probably the highest point. Assurance is needed that the plans of the self-build homes will not breach the restrictions placed on Hopkins-build homes, intended to protect the visual amenity of the surroundings.

The proposed elevations are very confusing because the key diagram is rotated 90e compared with the alignment of the other plans and this obscures the elevation effect of the site of the 9 metre high self-build homes.

The signalised pedestrian crossing on the 81438 should improve pedestrian safety, but it will tend to restrict traffic flow and contribute to traffic congestion trying to enter or leave Wickham Market.

The elevations and materials plans highlight the uncertainty over the final appearance of the homes on the self-build plots which are one of the highest areas of the development and therefore most easily seen. Guidance on this should be assured if the development goes ahead and must be in accordance with the Self-Build Design Code.]

The Environmental Protection document is very vague about the anticipated traffic flows, in that it gives no figures for current and future flows and appears to discount the Sizewell C traffic on little evidence. It does not consider the rat-running traffic (not necessarily Sizewell traffic) that will come from the 81078 via Pettistree's lanes as it tries to avoid the anticipated congestion in the North of Wickham Market. The recommendation on providing charging points for electric vehicles is welcomed.

The Revised Submission Letter dated 30th November asks for the applications to be considered at the Planning Committee Meeting on 26th January. They point out that the results of detailed Air Quality Assessment {AaA} and archaeological trial trenching are not yet available. The commitment to a footway connection to Chapel Lane should be viewed in the context of the absence of any footway in most of Chapel Lane, which is narrow and often has a lot of vehicles parked outside the houses lining the lane. The lane is also subject to heavy flooding in wet weather as has been evident over the last three weeks. The re-siting of the 30mph signs is welcomed.

The new documents have not addressed our concerns about the adequacy of foul water and surface water drainage systems. The current frequency of auxiliary emptying by tankers, of the sewage tank system at the Wickham Market Work is being investigated by Wickham Market PC and should be part of their comments. The inadequacy of surface water drainage from the current agricultural field (i.e. the development site) has been illustrated by the heavy flooding seen in Chapel Lane in the last three weeks, and the way that the archaeological ditching has been filled to the brim with water and very slow to drain after overnight rain. High water levels were very slow to drain away from the pool that forms as water exits from the drain under the 81438 (High Street). Surface water drainage in particular needs further planning attention.

Consultee	Date consulted	Date reply received
Suffolk County Council- Highways Department	1 December 2020	9 December 2020
Summary of comments: No objection subject to conditions and minor amendments if the estate roads are to be adopted.		

Consultee	Date consulted	Date reply received
Ufford Parish Council (neighbouring parish)	1 December 2020	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Wickham Market Parish Council (neighbouring parish)	1 December 2020	21 December 2020
Wickham Market Parish Council's Planning Committee continue to Strongly Object to both planning applications and agree with all the comments made by Pettistree Parish Council especially those regarding sewerage and foul water waste.		

They do not support these planning applications on any grounds including the updated plans and street scenes and feel this is the wrong place for any development as a whole.

Public concerns have been made regarding connectivity to the proposed development and those who live in Wickham Place do not wish for the two sites to be connected.

I trust that you will take the above comments into consideration.

Consultee	Date consulted	Date reply received
Head of Environmental Services	14 October 2020	23 October 2020
Summary of comments: Reiterates request for air quality assessment.		

#### No reason entered

Consultee	Date consulted	Date reply received
Suffolk County Council - Minerals And Waste	19 November 2020	No response
Summary of comments: No response received		

## 5 Publicity

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

Category	Published	Expiry	Publication
Major Application	17 September 2020	8 October 2020	East Anglian Daily Times

### Site notices

General Site Notice

Reason for site notice: Major Application

Date posted:

Expiry date:

## 6 Planning policy

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “where in making any determination under the planning Acts, if regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise”.

6.2 National Planning Policy Framework (NPPF) (2019)

6.3 National Planning Policy Guidance Note (NPPG)

6.4 Suffolk Coastal East Suffolk Local Plan (September 2020) policies:

Policy SCLP3.1 - Strategy for Growth

Policy SCLP10.4 - Landscape Character

Policy SCLP10.5 - Settlement Coalescence

Policy SCLP11.1 - Design Quality

Policy SCLP11.2 - Residential Amenity

Policy SCLP11.7 - Archaeology

Policy SCLP12.60 - Land between High Street and Chapel Lane, Pettistree (adjoining Wickham Market)

Policy SCLP7.1 - Sustainable Transport

Policy SCLP5.8 - Housing Mix (Suffolk Coastal Local Plan, Adopted September 2020)

Policy SCLP5.9 - Self Build and Custom Build Housing

Policy SCLP5.10 - Affordable Housing on Residential Developments

Policy SCLP9.5 - Flood Risk

Policy SCLP7.2 - Parking Proposals and Standards

Policy SCLP8.2 - Open Space

Policy SCLP9.2 - Sustainable Construction

Policy SCLP9.6 - Sustainable Drainage Systems

Policy SCLP9.7 - Holistic Water Management

Policy SCLP10.1 - Biodiversity and Geodiversity

## **7 Planning considerations**

### Principle of Development

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the plan unless material considerations indicate otherwise. The relevant policies are set out above.
- 7.2 The Local Plan was adopted in September 2020 and sets out the level of growth which needs to be planned in the area and identifies where that growth should be located for the period up to 2036.
- 7.3 The site is allocated in the Local Plan under Policy SCLP12.60 - Land between High Street and Chapel Lane, Pettistree (adjoining Wickham Market), for the development of approximately 150 dwellings. The principle of residential development on the site is therefore accepted. This allocation forms part of the delivery of the strategy of the Local Plan as set out in Policy SCLP3.1 - Strategy for Growth, which sets out that opportunities for economic growth and for creating and enhancing sustainable and inclusive communities includes appropriate growth in rural areas that will help to support and sustain existing communities.
- 7.4 With regards to the density of the development the proposal has been designed so that the residential built form is retained within an area of 4.25ha. The proposed density of development within this development area is 32dph and across the whole site it would be

22dph. By way of comparison, the site to the north is built at a density of 20dph. Therefore, whilst the number of dwellings proposed is slightly below the number allowed for in Policy SCLP12.60 this is balanced against the layout which allows for generous open space that is considered to respect the context of the site and its surrounding character.

7.5 Policy SCLP12.60 sets down certain criteria for the development of the site which are considered as follows:-

a) A mix of dwelling types including housing to meet the needs of older people and provision of self-build plots:

7.6 Policy SCLP5.8 Housing Mix in the adopted Local Plan expects developments to 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 (1 and 2 bedrooms). Broadly, the mix of housing proposed is considered to be consistent with the size mix envisaged by the policy, and the provision for one and two bedroom dwellings in particular (totalling 48% of the 129 subject to the full application) reflects the requirement of the policy for a focus on smaller dwellings.

7.7 Policy SCLP5.8 states that proposals of ten or more dwellings should demonstrate how the development will contribute to meeting the needs of older people and that 50% of dwellings will need to meet the requirements for accessible and adaptable dwellings under Part M4(2) of the Building Regulations.

7.8 69 (53%) of the proposed dwellings would meet the requirements of Part M4(2) of the Building Regulations, consistent with Policy SCLP5.8 and 5 of the proposed dwellings would be provided as bungalows (excluding any that may be constructed on the self-build plots). In addition, at the request of the Council's Head of Housing, wet rooms have been included in two of the one bed ground floor apartments for occupants with mobility issues.

7.9 The provision of seven plots for self-build and custom-build housing is in accordance with Policy SCLP5.9 Self Build and Custom Build Housing which requires 5% of dwellings on sites of 100 or more dwellings to be for self or custom build. A key element of self and custom build schemes is the flexibility to design and build homes to individual requirements however it is important that an element of coherence in the design and appearance of the overall site is maintained. As such, a design code for the self-build plots has been submitted, in accordance with Policy SCLP5.9, to establish design principles to which each plot should adhere. The design code can be subject to a planning condition.

b) Provision of affordable housing on site:

7.10 45 affordable houses are proposed and these are proposed as 50% affordable rent and 50% shared ownership. The overall number is consistent with the requirement in Policy SCLP5.10 Affordable Housing on Residential Developments for one in three units on sites of ten or more dwellings to be affordable. The Council's Housing Enabling Manager has considered the number, type and tenure of the affordable homes and has confirmed that the mix is acceptable. It is can therefore be concluded that the proposal is compliant with Policy SCLP5.10 in seeking to address specific local identified needs.

c) Provision of 0.1ha of land for a new early years setting if needed:

- 7.11 Suffolk County Council have confirmed that there is no need for this on the basis that there is currently a surplus of spaces.
- d) Provision of a landscape buffer of at least 10 metres depth along the southern boundary of the site, to create a 'soft' and distinctive gateway to Wickham Market:
- 7.12 A buffer of this minimum depth is provided and shown on the application drawings.
- e) Provision of open space to provide for all ages:
- 7.13 Policy SCLP8.2 Open Space states that new residential development will be expected to contribute to the provision of open space in order to encourage active lifestyles and to increase participation in formal and informal recreation for all sectors of the community to benefit community health, well-being and green infrastructure.
- 7.14 Within the site there are a variety of open spaces totalling some 1.9 hectares catering for different age groups. According to the Fields in Trust guidance, the recommendation for a development of 136 houses is that there should be a Local Equipped Area of Play (LEAP) and a Local Area of Play (LAP) with a minimum of six different experiences. In addition to the proposed LEAP, the central area of open space now includes a LAP within the amended layout. Details of the equipment to be provided can be secured by condition.
- 7.15 In addition to the playspaces large, landscaped areas are proposed to the north of the site, incorporating the drainage basins which will provide amenity and biodiversity benefits, parts of a circular walking route and areas of structural and informal amenity space. A southern area of landscape open space incorporates the landscape buffer, the majority of the circular walking route and areas of structural and informal amenity space. The circular walking route provides recreation opportunities for adults and children alike and provides links to Chapel Lane which leads to Footpath 6 and the countryside beyond. It is considered therefore that the amount and variety of open space within the site provides opportunities for all sectors of the community in accordance with Policy SCLP8.2. Appropriate management and maintenance can be secured in the S106 Agreement.
- f) Provision of pedestrian connectivity with footpaths to the north on the B1438:
- 7.16 A pedestrian footway is proposed along the B1438 High Street to connect with existing provision. See also highway consideration comments below.
- g) Proportionate archaeological assessment will be required:
- 7.17 The site has high potential for the discovery of archaeological assets and Suffolk County Council Archaeological Unit requested a geophysical survey and a trenched evaluation to be submitted with the application. This initial archaeological evaluation has now taken place and the County Archaeologist has provisionally advised that there are no archaeological grounds to refuse the application and the development can go forward with conditions for a suitable programme of archaeological works. This can be confirmed upon receipt of the full evaluation report. This archaeological evaluation is under way and an update will be provided within the Late Representations report/Update Sheet.

h) Evidence is required to demonstrate there is adequate provision for treatment at the Water Recycling Centre or that this can be provided:

7.18 Anglian Water have confirmed in the submitted Anglian Water Pre-Planning Report that the Water Recycling Centre currently has capacity to treat the flows from the proposed development.

i) A site-specific Flood Risk Assessment will be required, and any necessary mitigation provided:

7.19 The application is supported by a Flood Risk Assessment. As noted above Suffolk County Council as Lead Local Flood Authority raises no objection to the application subject to conditions.

j) Confirmation of adequate capacity in the foul sewerage network or action to upgrade to create the required capacity:

7.20 Anglian Water have confirmed that the foul sewerage network has capacity to treat the flows from the proposed development. As will be noted above the Parish Council and some local residents have raised concerns that the sewage system is already overloaded requiring lorry drainage every week. Officers have raised this concern directly with Anglian Water and received the following response:

*"We can advise that tankers are used on all water recycling centre to remove the sludge that is collected in the settlement stage of our process. Tankers visit site 2-3 times a week on weekdays, there is no tankering at the weekend. We can confirm that our water recycling centre is working well and is compliant under our EA Permit."*

7.21 Anglian Water have also advised that local residents can contact their operations team on 0345 714 5145 at anytime to report any drainage movements concerns.

k) Any planning application should be supported by evidence which assesses the quality and quantity of sand and gravel resources on site in order to determine whether on-site resources should be used on-site during development.

7.22 A Minerals Safeguarding Assessment has been submitted which finds that there may be opportunities for the extraction of sand and gravel although it is unlikely that significant quantities would be available for any commercial extraction. However, there are opportunities to extract and reuse Mineral during the construction phase of the scheme to reduce the amount of off-site disposal of material. As such the report recommends that a Materials Management Plan or focussed Minerals Management Plan is produced so that the reuse of materials may be documented as proof of the sustainable use of reclaimed Mineral beneath the site. This report can be secured by condition.

#### Highway Considerations

7.23 It is proposed to access the site via a new access from the High Street (B1438) to serve all modes of transport. The Highway Authority have scrutinised the application and in response to issues raised a number of revisions have been made. A footway will be provided along the site frontage to connect to the existing footway north of the site. This

will provide a connection to the existing local footway provision and access to the bus stop immediately north of the site. A signalised pedestrian crossing of the High Street will be provided to the north of Morris Road.

- 7.24 The existing bus stops are proposed to be improved by the provision of hardstanding's, shelters and Real Time Passenger information (RTPI) screens as shown on the revised Preliminary Access Proposals plan. The Suffolk County Council Passenger Transport Team has confirmed that these improvements can be secured as part of the highway improvement works.
- 7.25 The proposal will result in an increase in vehicular, pedestrian and cycle movements and as a result the Highway Authority identified some existing congestion and highway safety issues within Wickham Market High Street are of the view that the development would clearly impact upon Wickham Market High Street, significantly increasing vehicular, pedestrian and cycle movements. Due to the narrow road and footways, there are congestion issues and highway safety concerns within this area.
- 7.26 The Highway Authority are of the view that the development would impact upon Wickham Market High Street by the increase in vehicular, pedestrian and cycle movements and recognises that due to the narrow road and footways, there are congestion issues and highway safety concerns within this area. These issues are also recognised in some of the consultation responses notably from Wickham Market and Pettistree Parish Councils. To mitigate the impact of the development the Highway Authority requires a contribution of £40,800 towards highway safety improvements in the centre of Wickham Market. The applicant has agreed to this contribution to mitigate impacts arising directly from the development, which can be secured by S106 legal agreement.
- 7.27 The development is located outside of the existing 30 mph speed limit and network of street lighting and the Highway Authority require the speed limit to be extended so that the proposed access is covered by the 30 mph speed limit and street lighting. The revised Preliminary Access Proposals drawing shows the 30 mph speed limit relocated to south of the site access and these works can be secured in via a s106 contribution.
- 7.28 Policy SCLP7.1: Sustainable Transport states that development proposals should be designed from the outset to incorporate measures that will encourage people to travel using non-car modes to access home, school, employment, services and facilities.
- 7.29 The application is accompanied by a Transport Assessment and Interim Travel Plan as required by Policy SCLP7.1. The Travel Plan seeks to positively and effectively encourage the use of more sustainable and healthy travel modes such as walking, cycling and public transport by future residents of the scheme. The Travel Plan includes a number of measures to promote sustainable modes of transport and, to ensure that those measures are implemented, Suffolk County Council has requested a Travel Plan Contribution which can be secured through a S106 Agreement.
- 7.30 The Suffolk County Council Public Rights of Way Team requested an access point from the internal perimeter path onto Chapel Lane in the in the south east corner of the site as this gives closest access to Pettistree Footpath 6. This access is shown on the amended layout plan.

- 7.31 The applicant has agreed to all of the Highway Authority's related improvement requests and on this basis officers are satisfied that the proposal will not, subject to appropriate highway related conditions, result in an adverse impact on the local highway network or adverse highway safety concerns.
- 7.32 The Highway Authority have confirmed that the amended plans are acceptable and raises no objection to the application subject to conditions.

Design Considerations including connectivity

- 7.33 Allocation policy SCLP12.60 provides criteria on how development of the site should come forward and Policy SCLP11.1 also provide broader design guidance. The NPPF Chapter 12 sets out how well-designed places can be achieved stating that good design is a key aspect of sustainable development (para. 124).
- 7.34 Policy SCLP11.1 requires development to support locally distinctive and high-quality design that demonstrates an understanding of the key features of local character and seeks to enhance these features through innovative and creative means. This includes ensuring the development responds to the local context in terms of massing, retaining and/or enhancing the existing landscaping, protecting the amenity of the wider environment and neighbouring uses as well as including hard and soft landscaping to aid the integration of the development into the surrounding.
- 7.35 It is considered that the proposed layout will provide for an attractive development with a mix of house types and designs that will add interest and variety to the appearance of the street scene. There is a landscaped hierarchy of access throughout the site with the access network framed around the central spine road running east west through the development which comprises of a landscaped lined corridor with frontage development and areas of public open space located along the route. Paving blocks are proposed for the minor roads and private drives.
- 7.36 Parking has been provided in accordance with the Suffolk County Council parking standards to ensure homes have appropriate levels of car and bicycle parking. Two rear parking courts are proposed which is considered acceptable as part of a varied parking strategy which this layout provides, thus avoiding an over dominance of parking in the street scene.
- 7.37 It is considered that sufficient space and separation exists between the proposed dwellings to ensure that the amenities of the occupants are not adversely affected by overlooking or loss of privacy. Similarly, it is considered that there is sufficient separation between the proposed dwellings and the existing dwellings to the north to ensure that the amenities of the existing properties are not adversely affected.
- 7.38 Concern has been expressed about the proximity of Plots 1 and 23 to the existing dwelling located to the north of Plot 1. However, Plot 1 has a side to side relationship with the existing dwelling to the north with a separation distance of some 16m between the two side elevations, which is considered sufficient to ensure there would be no loss of amenity. The gap between these properties is proposed as part of the landscaped on-site open space and new trees are proposed that would further reduce any inter-visibility between the two properties.

- 7.39 Plot 23 is located to the south-east of the existing dwelling with a separation distance of some 20m between the corner of each dwelling and 23m between the nearest windows. The rear elevations of each dwelling would face each other at a significant angle such that there would be no impact on residential amenity from overlooking.
- 7.40 The revised layout includes enhanced pedestrian and cycle connectivity along the High Street and to Chapel Lane which is welcomed. However, to promote social inclusion and interaction it was requested that a direct footway connection be provided between the site and the existing residential development to the north (developed by Hopkins Homes). However, the applicant does not consider that such a connection is deliverable as the open space and landscaping areas that would be required to deliver this direct footway connection now resides with a management company controlled by the residents. There was also opposition to a potential direct footway connection between the two sites as evidenced in the submitted Public Exhibition Report.
- 7.41 This lack of connectivity between the two sites is considered to be a failing of the layout albeit offset to a certain degree by the by the connections that will be provided via the High Street and Chapel Lane. It does result in a barrier between two public open spaces and two developments fronting each other. The management company control of the full southern edge was rather short sighted by the developer of that site. Whilst some existing residents do not wish to be integrated with the new development it must be acknowledged that the two developments do create a clear comprehensive identity and a lack of such cohesion is highly undesirable.
- 7.42 In light of the barrier created by the management company status it is proposed that a section 106 contribution be secured to provide a fund (with the amount to be determined) to enable connectivity works between the two public open spaces should the residents of the two future completed developments wish to undertake connecting works. This connectivity does have to be balanced against the comments of the Council's Ecologist who advises that works to the north boundary due to the presence of black redstart (a red list species on the Birds of Conservation Concern list) having been recorded using the habitats along the northern boundary of the site which are best left undisturbed. Such works may require their own biodiversity assessment at that time.

#### Landscape and Visual Impact

- 7.43 The application is accompanied by a Landscape and Visual Impact Assessment which has been scrutinised by the Arboriculture and Landscape Manager. The site comprises an arable field between two roads with a recent housing development to the north, and a non-defined southern boundary across the existing cultivated land. In its current state it is very typical of the prevailing landscape character of the area, but apart from its agrarian use, it has few defining features. Historic aerial imagery (1945) shows a degree of field subdivision, but no evidence exists on the ground today. Interestingly there seems to be less roadside tree planting than there is now. Apart from the fundamental change from agricultural use to residential use, there will be little if any additional impact on the existing fabric of the landscape. Existing site boundary trees and hedges will be retained and will not be directly affected by the development apart from the creation of the site access.

- 7.44 The application is accompanied by an indicative landscape strategy plan which shows that space has been allowed in the site layout to achieve a strong treescape across the site, which, subject to final selection of tree species, will make a positive contribution to local landscape character. The required 10m wide planted landscape buffer strip across the southern boundary is allowed for in the landscape strategy.
- 7.45 From the information supplied the Council's Arboriculture and Landscape Manager is of the view that the site has the capacity to accommodate the proposed development without significant adverse impact on landscape character.
- 7.46 Potential visual impacts are considered and whilst some potentially adverse visual impacts are predicted in the local area for receptors especially on the local footpath network, provided that the described landscape mitigation strategy is fully implemented, these are not considered to be significant in the medium to long term as new tree and shrub planting matures. It should be noted that the proposed development will often be seen in the context of the existing adjacent recent housing development.
- 7.47 The submitted Landscape Visual Impact Assessment (LVIA) concludes that the site has the capacity to accommodate a sensitively designed residential development which will not give rise to significant landscape or visual effects and is in line with adopted and emerging planning policy. It is considered that, from a landscape and visual perspective, potential development of the site can be supported. Officers concur with this conclusion. Officers further consider that whilst the 10m landscaped buffer will provide a good degree of screening and a 'soft' edge to the development, complete screening of the development would not be appropriate as the people who live there should be able to have a degree of views out over the countryside.

#### Heritage Assets

- 7.48 As noted in paragraph 2.3 above there are no listed buildings or other heritage assets in or adjacent to the site. All Saints Church in the centre of Wickham Market is a Grade II\* listed building and its tower and spire is a prominent landmark feature visible in views including along the High Street opposite the application site. It is acknowledged that the proposal will change the surroundings to the existing built setting to the church tower and spire but the effect of this change will be negligible. The proposal will add built form to the existing built form, but the countryside edge to the built form will remain. The proposal will not block existing views in the foreground as the church is located in the centre of Wickham Market and is surrounded by built form that historically has always been added to as the village expanded. The proposal is not dissimilar in height to existing development and therefore respects and preserves the landmark status of the church tower and spire. As there is no identified harm to the setting of the church the relevant tests in paragraphs 195 and 196 of the National Planning Policy Framework are not here engaged and the requirements of paragraph 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 are thereby met.
- 7.49 With regards to the impact on Wickham Market Conservation area this is located mainly around the historic core of the village and extends along the B1438 to the north. There is intervening built development between the southern boundary of the conservation area and the application site. Whilst there will be some change to the setting of the

conservation area the effect will be similar to the existing built form and therefore negligible.

- 7.50 The boundary of Pettistree Conservation Area runs along Walnuts Lane to the west of the site. The wide landscape setting surrounding the conservation area will be retained without significant change and therefore the impact on the conservation area will be negligible.
- 7.51 For the reasons outlined above, the scheme is acceptable in terms of matters of heritage consideration and would accord with Policies SCLP11.4 and SCLP11.5

### Ecology

- 7.52 The application is supported by an Ecology Assessment (Hopkins Ecology, August 2020 and 'Shadow' Habitats Regulations Assessment (Hopkins Ecology, August 2020) which the Council's Ecologist considers satisfactory. As identified in the Ecology Assessment the site is predominantly comprised of arable land and is of relatively low value for protected and UK Priority species, with only small amounts of habitat available for breeding birds and foraging/commuting bats. The only UK Priority habitat present is the hedgerow on the eastern boundary, this is retained as part of the proposed development.
- 7.53 Overall, it is not considered that the proposed development, subject to the implementation of the mitigation measures identified, will result in any significant direct adverse ecological impacts. The implementation of the proposed landscaping and an ecological enhancement strategy will improve the biodiversity value of the site, in accordance with the objectives of Policy SCLP10.1: Biodiversity and Geodiversity, and can be secured by condition.
- 7.54 The application site is within 13km of 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.
- 7.55 The Council, as the competent authority, has to undertake an assessment to determine whether the development is likely to have a significant effect on these sites in accordance with the Conservation of Habitats and Species Regulations 2017. The closest designated site is the Sandlings SPA which is approximately 4km to the south of the application site. Given this separation distance it is only considered that the Appropriate Assessment needs to assess impacts arising from increased in-combination recreational disturbance. The applicant has provided a 'shadow' Habitats Regulations Assessment to inform such an assessment and Natural England have also been consulted in their statutory role.
- 7.56 The submitted 'Shadow' Habitats Regulations Assessment identifies the relevant European designated sites for the HRA and the impact pathways which are likely to arise from the proposed development. As recognised in the report, the only impact requiring mitigation is increased recreational disturbance at designated sites arising from in-combination residential development. Mitigation in the form of onsite greenspace provision, connections to the existing PRow network (allowing a 2.7km walking route) and a financial contribution to the Suffolk Coast RAMS strategy are identified.

7.57 Having considered the proposed avoidance and mitigation measures above Officers conclude that with mitigation the proposal will not have an Adverse Effect on the Integrity of the European sites included within the Suffolk Coast RAMS. Natural England have been consulted on the appropriate assessment undertaken as is required and have confirmed that they have no objection subject to appropriate mitigation in the form of an upfront per dwelling contribution to the RAMS strategy. This can be secured in a S106 Agreement. Officers consider that the proposal is acceptable in this regard in accordance with SCLP10.1 (Biodiversity and Geodiversity).

#### Flood Risk and Surface Water Drainage

7.58 Policy SCLP9.5: Flood Risk states that development will not be permitted in areas at high risk of flooding and Policy SCLP9.6 states that developments should use sustainable drainage systems to drain surface water. Developments of ten dwellings or more will be required to utilise sustainable drainage systems, unless demonstrated to be inappropriate. Sustainable drainage systems should:

- a) Be integrated into the landscaping scheme and green infrastructure provision of the development;
- b) Contribute to the design quality of the scheme; and
- c) Deliver sufficient and appropriate water quality and aquatic biodiversity improvements, wherever possible.

7.59 The site is located in flood zone 1 which has the lowest risk of flooding and therefore is a preferable location for residential development.

7.60 With regards to surface water drainage the submitted Flood Risk Assessment demonstrates that the site is safe and suitable for its proposed use, that the proposal can be sustainably drained and that it would not increase flood risk elsewhere. The drainage strategy incorporates SuDS features within the site including the use of permeable paving and swales alongside the main access road. Storage will be provided on the site and this will include four final infiltration basins within the landscaped areas in the north and north east parts of the site.

7.61 The Lead Local Flood Authority at Suffolk County Council has reviewed the submitted documents and raises no objection to the application subject to conditions. It can therefore be concluded that the site can be drained satisfactorily in accordance with current best practice guidance. Concerns have been expressed about flooding on the site particularly along the northern boundary and adjacent to Chapel Lane that the LLFA are aware of. However, the proposed drainage strategy will utilise infiltration as this has been identified as a suitable method of surface water disposal for the site. The Morris Road development drains (at least in part) via infiltration along the southern edge of the site utilising infiltration crates. The proposed development proposes to infiltrate in the same area (northern boundary adjacent Morris Road site), utilising above ground SuDS which will provide amenity and biodiversity benefit. There has been surface water flooding recently adjacent to Chapel Road in the location of one of the proposed infiltration basins, however the LLFA see this as a positive reinforcement that the proposed basins are located in the correct place. All surface water drainage systems are required (as per DEFRA non-statutory technical standards) to be designed for no flooding off site during the 1 in

100 year rainfall event, with a 40% increase in peak rainfall intensity to account for climate change. The proposed surface water drainage strategy complies with this requirement.

### Infrastructure

- 7.62 The Infrastructure Delivery Framework appended to the Local Plan identifies the infrastructure needed to support new development. The Infrastructure Funding Statement (2019-2020) takes this information a step further through the allocation of District CIL, through the collection and use of s106 contributions or through planning conditions (such as highways works).
- 7.63 In terms of education provision the Infrastructure Funding Statement (IFS) identifies a new pre-school (early years) requirement if needed. However, this requirement is not triggered by this application as confirmed by Suffolk County Council. The County Council would seek CIL funding for Secondary School education provision, library improvements and waste infrastructure.
- 7.64 In terms of health provision the IFS identifies a need for additional floorspace and enhancements at Wickham Market Practice and its branch Rendlesham Surgery. In commenting on the application, the Ipswich and East Suffolk Clinical Commissioning Group have stated that CIL funding will be sought to increase capacity.
- 7.65 Suffolk County Council have requested a financial contribution towards secondary school transport provision as the nearest available secondary school for pupils to attend is in Woodbridge which is beyond the three mile statutory walking distance. East Suffolk has secured such secondary school transport contributions through S106 agreements on other sites on the basis of them being necessary and directly related to the development. The County Council's request is supported and the applicant has agreed to the contribution therefore the recommendation includes this as an obligation for the S106 agreement

### Other Matters

- 7.66 The Head of Environmental Services initially requested the submission of a more detailed air quality assessment due to concern regarding cumulative road traffic impacts on local air quality when this development is considered alongside the proposed Sizewell C project, and specifically the park and ride facility proposed to the north of Wickham Market.
- 7.67 However, they have since confirmed that a more detailed assessment is not required as estimates of Sizewell C related traffic on the High Street would be low as the majority of the SZC traffic travelling via Wickham Market would enter and leave the proposed park and ride facility via the A1078 just north of Wickham Market. The Highway Authority has confirmed that the estimated vehicle movements from the proposed development are accurate. Air quality impacts will be mitigated by the provision of electric vehicle charging points, a travel plan, and improvements to public transport provision.
- 7.68 With regards to sustainable construction Policy SCLP9.2 requires a 20% reduction in Carbon Dioxide (CO<sub>2</sub>) emission below the target CO<sub>2</sub> emission rate set out in the Building Regulations. The Design and Access Statement and the Sustainability Statement state that

this will be achieved through using low carbon technology and/or onsite renewable energy options where practically achievable. Further details of how the 20% reduction in CO2 emissions can be secured by condition.

#### Coalescence between Pettistree and Wickham Market

- 7.69 As will be noted above both Pettistree and Wickham Market Parish Councils and a number of local residents raise concerns that the proposal will lead to the coalescence of the two settlements. However, the allocation of the site in the recently adopted Local Plan establishes the principle of residential development. The Inspector examining the Local Plan will have considered all representations submitted by the Parish Council's and local residents and will have taken on board the matters raised during the hearing sessions in coming to his conclusions that the Plan is legally compliant and sound.
- 7.70 The identification of appropriate site allocations is the result of the consideration of the planning merits of potential sites, alongside their relationship to the strategy of the Local Plan. In the case of this site, it is well related to the settlement of Wickham Market which is a Large Village identified as a location suitable for some growth in the Local Plan, in particular noting the strategy of the Plan of supporting development in the A12 corridor. The site has been allocated based upon sound planning considerations.
- 7.71 Pettistree village itself is identified for planning purposes as separate to Wickham Market, and as a Small Village has its own Settlement Boundary. The local plan is not seeking to 'join' Wickham Market and Pettistree villages - quite the reverse in that the Plan states that the aim of avoiding coalescence of these communities should not be compromised through the development of the site allocation.
- 7.72 Concern is also expressed in that the site allocation is within Pettistree Parish yet is considered to be being treated as though it is a part of Wickham Market. Whilst the position of parish boundaries are certainly known during the process of considering and selecting appropriate sites for allocation, the presence of a parish boundary cannot influence the proper planning for development in appropriate locations. There are other cases in the Local Plan where site allocations extend into adjoining parishes.

#### Economic Benefits

- 7.73 In the short to medium term there will be economic benefits arising through the creation of jobs in the construction industry and supply chains. In the longer term there will be benefits to the local economy through increased spend from the new residents supporting facilities and services in Wickham Market.
- 7.74 The proposed housing will be liable for Community Infrastructure Levy (CIL) for the whole of the permitted Gross Internal Area, although the affordable housing and self-build dwellings will be subject to potential relief. It is estimated that the CIL from the market housing will be at the High Zone rate of which 15% as Neighbourhood CIL would normally go direct to Parish Council for spending on infrastructure or anything else that supports development. The fact that the development is very much attached to Wickham Market yet in within Pettistree Parish has caused concern in representations. The infrastructure effects will be felt within Wickham Market more than within Pettistree and Wickham Market would not receive any Neighbourhood CIL from this development. This issue is

amplified by the fact that Pettistree has a very small population which then results in a considerable cap being placed on the amount of Neighbourhood CIL they could receive (a requirement of the CIL regulations). This would result in a greater percentage of CIL from this site being retained as District CIL. An initial joint meeting with the two Parish Council's has taken place with the Major Sites and Infrastructure Team to explore how local CIL spending across both Pettistree and Wickham Market can be maximised in light of the Neighbourhood CIL cap and the parish boundary situation. There is an opportunity, through close collaborative working, to ensure that that the equivalent of 15% of CIL received is spent locally through both Neighbourhood and District CIL and this will be an ongoing matter of consideration for the CIL Spending Working Group.

- 7.75 CIL as a whole is not an economic benefit to be given weight in any planning balance, since it is a developer contribution to mitigate effects on infrastructure, in the same way as a number of necessary s106 contributions sought in this case. However, the freedom of spending of Neighbourhood CIL does allow wider benefits for the area so modest weight can be given to that as an economic benefit.

## **8 Conclusion**

- 8.1 Officers consider that the proposed development accords with the housing allocation in the local plan under Policy SCLP12.60 and will provide a high-quality residential development including, amongst other things, affordable housing, green infrastructure, sustainable drainage features, highway improvements within Wickham Market High Street and an overall density of development appropriate for the location of the site. The lack of connectivity with the existing development to the north is a design shortfall in the scheme and fails to create community cohesion between the developments, however a mechanism to allow for connectivity should the communities wish to provide it is proposed for the S106. There is no identified harm in this proposal on the landscape, the setting of heritage assets or the local environment.
- 8.2 The proposal is considered to represent sustainable development in accordance with the objectives of the National Planning Policy Framework and the adopted Local Plan. The application is therefore recommended for approval.

## **9 Recommendation**

AUTHORITY TO APPROVE with conditions (including but not limited to those below), subject to the completion of a S106 Legal Agreement within 6 months to secure obligations (including but not limited to):

- Provision of 45 affordable dwellings;
- Per-dwelling contribution to the Suffolk RAMS;
- Provision and long term management of public open space;
- Financial contribution to fund secondary school transport;
- Financial contribution to fund improvement works to local bus stops;
- Financial contribution to fund highway safety improvements in Wickham Market High Street;
- Financial contribution to extend the 30mph speed limit; and
- Financial contribution to implement the travel plan.

- Financial contribution to be available for 10 years from the completion of the open spaces on the northern boundary to allow for an agreed community connection if requested by the management companies of both sites.

If the S106 is not completed within six months AUTHORITY TO REFUSE the application.

**Conditions:**

1. For the seven dwellings offered for self or custom builders (in outline):
  - a) Application for approval of any reserved matters must be made within three years of the date of this outline permission and then
  - b) The development hereby permitted must be begun within either three years from the date of this outline permission or within two years from the final approval of the reserved matters, whichever is the later date.

Reason: To comply with section 92 of the Town and Country Planning Act 1990.

2. The seven self-build plots shall be developed in accordance with the design principles set down in the Self-Build Design Code Revision A (November 2020). Plans and particulars showing the detailed proposals for all the following aspects of the self build plots ("the reserved matters") shall be submitted to the Local Planning Authority and development shall not be commenced before these details have been approved:
  - i) The siting of all buildings within their plots.
  - ii) The design of all the buildings, including the colour and texture of facing and roofing materials. 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.
  - iii) Measures to minimise water and energy consumption and to provide for recycling of waste.
  - iv) The provision to be made within each plot for the parking, loading and unloading of vehicles.
  - v) The alignment, height and materials of all walls and fences and other means of enclosure.

Reason: To secure a properly planned development.

3. For the 129 dwelling part where full planning permission is sought:  
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.

4. The development hereby permitted shall be completed in all respects strictly in accordance with the following plans:

Site Location Plan 001 received 25 August 2020,  
External works layout 002 Rev C received 7 January 2021,  
Planning layout 003 Rev C received 7 January 2021,  
Materials Plan 004 Rev B received 22 December 2020,

Street Scenes 005 received 30 November 2020,  
10m Landscape Buffer 007 Rev A received 22 December 2020,  
Self-build Phasing Plan 008 Rev A received 22 December 2020  
Preliminary Access Proposals 1904-347-SK001 Rev E received 30 November 2020,  
3D Views 006 received 30 November 2020.  
Landscape Strategy Plan 6692/ASP4/LSP Rev C received 26 August 2020,  
Landscape Cross Section Detail 6692/ASP5/CSD Rev A received 26 August 2020

And the following house type plans:

201 Rev A received 30 November 2020,  
101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119,  
120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138,  
139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 202, 203, 204, 205,  
206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218 A 219 A, 220, 221, 222, 223,  
224, 225, 226, 227, 228, 229, 230 and 231 received 25 August 2020;

And the following garage plans:

301, 302, 303 and 304 received 25 August 2020;

And the following miscellaneous plans:

Substation 401, External Works Details 402 and Bin and Cycle Store 403 received 25 August 2020

for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

5. Prior to the commencement of development, a Minerals Management Plan shall be submitted to and approved by the local planning authority. The plan shall be implemented in accordance with the agreed details.

Reason: To ensure the sustainable use of reclaimed Mineral beneath the site.

6. Details of the play equipment to be provided on the site shall be submitted to and approved by the local planning authority. The play equipment shall be installed in accordance with the approved details prior to first occupation of the dwellings.

Reason: To ensure appropriate provision of play equipment.

7. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecology Assessment (Hopkins Ecology, August 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

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

Reason: To ensure that nesting birds are protected.

9. Prior to commencement, a "lighting design strategy for biodiversity" for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:
  - a) identify those areas/features on site that are particularly sensitive for biodiversity likely to be impacted by lighting and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
  - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To ensure that impacts on ecological receptors from external lighting are prevented.

10. Prior to commencement an Ecological Enhancement Strategy, addressing how ecological enhancements will be achieved on site, will be submitted to and approved in writing by the local planning authority. Ecological enhancement measures will be delivered and retained in accordance with the approved Strategy.

Reason: To ensure that the development delivers ecological enhancements.

11. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved by, the local planning authority prior 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 rolled forward over a five-year period).
  - g) Details of the body or organisation responsible for implementation of the plan.
  - h) 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.

12. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation programme.

Reason: To ensure the provision of amenity afforded by appropriate landscape design.

13. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority; and any trees or plants which, within a period of five years from completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation; all works shall be carried out in accordance with the relevant provisions of appropriate British Standards or other recognised Codes of Good Practice.

Reason: to ensure that the appearance of the development is satisfactory.

14. Deliveries to the construction site and collections of waste during the construction phase shall be undertaken between 09.00 and 16.30 (except for the delivery of abnormal loads to the site which may cause congestion on the local road network).

Reason: In the interests of amenity.

15. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved by the Local Planning Authority. This should contain information on hours of construction and how noise will be controlled so as to avoid annoyance to occupiers of neighbouring properties. Examples of measures to be included are:
  - a) Good practice procedures as set out in BS5228:2014,

- b) Best Practicable Means (BPM) as defined in Section 72, of the Control of Pollution Act 1974 (COPA),
- c) Careful location of plant to ensure any potentially noisy plant is kept away from the site boundary as far as possible,
- d) Careful selection of construction plant, ensuring equipment with the minimum power rating possible is used, and that all engine driven equipment is fitted with a suitable silencer,
- e) Regular maintenance of plant and equipment to ensure optimal efficiency and quietness,
- f) Training of construction staff where appropriate to ensure that plant and equipment is used effectively for minimum periods,
- g) If identified as necessary, the use of localised hoarding or enclosures around specific items of plant or machinery to limit noise breakout especially when working close to the boundary.

The Construction Management Plan shall be implemented in accordance with the approved details.

Reason: In the interests of amenity.

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

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

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

Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

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

17. Dust control measures shall be applied during the construction phase of the development in accordance with the dust mitigation measures set out in Section 5.4 (Pages 19 to 23) of the SLR Air Quality Screening and Dust Risk Assessment report dated 8 October 2020.

Reason: In the interests of amenity.

18. No development shall take place until a scheme for the installation of fire hydrants throughout the site has been submitted to and approved by the Local Planning Authority in conjunction with the Fire and Rescue Service. The fire hydrants shall be installed prior to occupation of dwellings.

Reason: In the interests of fire safety.

19. Before the development hereby permitted is occupied full details of electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing .

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles.

20. Prior to the commencement of development full details of how the development will achieve high 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 and water efficiency of 110 litres/person/day shall be submitted to and approved by the local planning authority. The development shall be constructed in accordance with the agreed details.

Reason: In the interests of sustainable construction.

21. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority.

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

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

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

23. Within 28 days of completion of the last dwelling/building become erected details of all Sustainable Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk

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

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. This condition is a pre commencement planning condition and requires details to be agreed prior to the commencement of development to ensure flooding risk as a result of both construction and use of the site is minimised and does not result in environmental harm or even risk to life.

25. The new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. 1904-347-SK001 Rev E; and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.

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

26. No part of the development shall be commenced until details of the proposed pedestrian crossing and associated highway improvements (including Bus Stop improvements) indicatively shown on Drawing No. 1904-347-SK001 Rev E have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to occupation.

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

27. Before the development is commenced details of the areas to be provided for storage of Refuse/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.

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

28. Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

29. 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 except with the written agreement of the Local Planning Authority.

Reason: To ensure that satisfactory access is provided for the safety of residents and the public.

30. The new estate road junction(s) with High Street inclusive of cleared land within the sight splays to this junction must be formed prior to any other works commencing or delivery of any other materials.

Reason: To ensure a safe access to the site is provided before other works and to facilitate off street parking for site workers in the interests of highway safety.

31. The use shall not commence until the area(s) within the site shown on Drawing No. WIC5 003 C for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

32. Before the development is commenced details of the areas to be provided for secure cycle storage 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: To ensure the provision and long term maintenance of adequate on-site space for cycle storage to encourage sustainable travel.

33. Before the access is first used visibility splays shall be provided as shown on Drawing No. 1904-347-SK001 Rev E with an X dimension of 2.4m and a Y dimension of 120m to the north and 160m to the south and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

## **Informatives:**

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

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

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

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

CIL forms can be downloaded direct from the planning portal:

[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

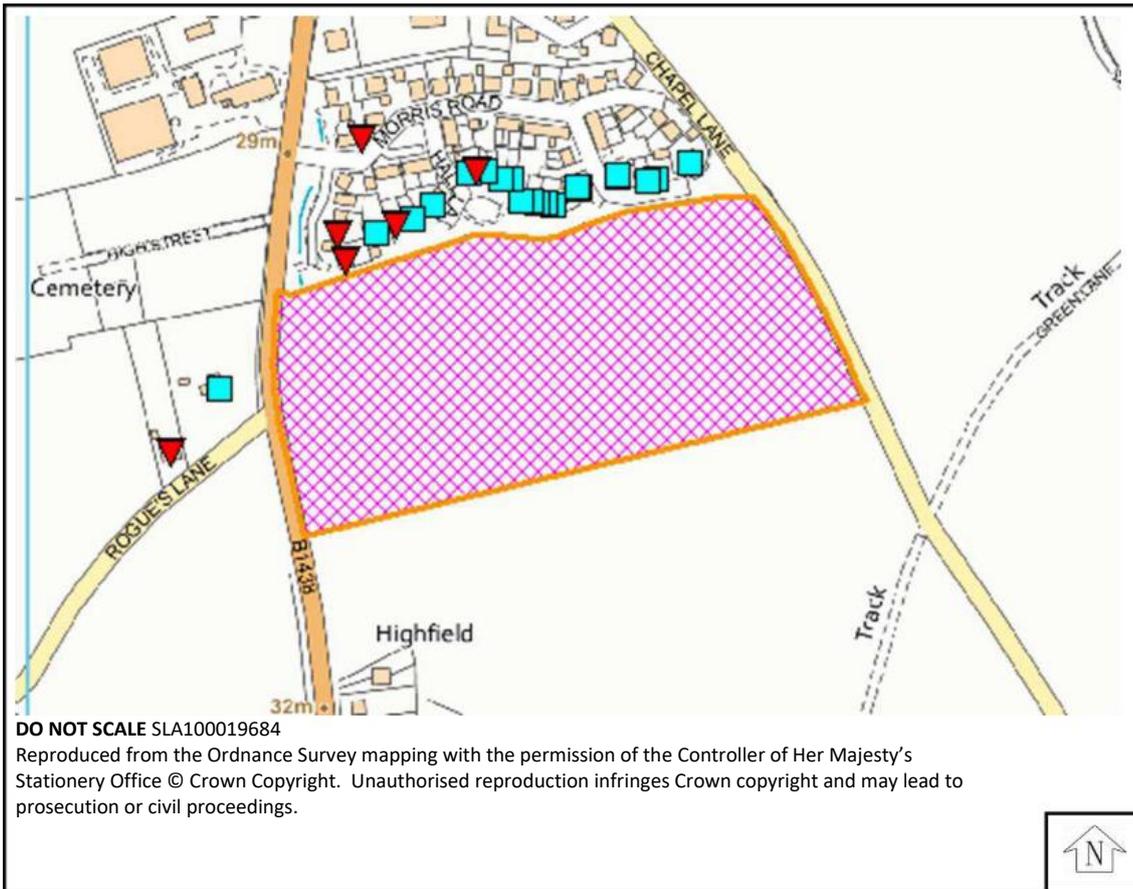
Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

3. 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.
4. 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.
5. 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.
6. The Local Planning Authority recommends that developers of housing estates should enter into formal agreement with the Highway Authority under Section 38 of the Highways Act 1980 relating to the construction and subsequent adoption of Estate Roads.

## **Background information**

See application reference DC/20/3264/FUL on [Public Access](#)

## Map



## Key

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

## **Committee Report**

**Application no** DC/20/1002/ARM

**Location**

Land At Candlet Road  
Felixstowe IP11 9QZ

**Expiry date** 10 June 2020 (Extension of time to 31 January 2021)

**Application type** Approval of Reserved Matters

**Applicant** Persimmon Homes Suffolk

**Parish** Felixstowe

**Proposal** Approval of Reserved Matters and Discharge of Condition 18 relating to Outline Planning Consent (APP/J3530/W/15/3138710 - DC/15/1128/OUT) - Phase 1 - Residential (255 Dwellings, open space and supporting services and infrastructure), land off Candlet Road, Felixstowe. IP11 9QZ

**Case Officer** Phil Perkin  
07585 123438  
[philip.perkin@eastsoffolk.gov.uk](mailto:philip.perkin@eastsoffolk.gov.uk)

### **1. Summary**

- 1.1 The application seeks approval of reserved matters (covering details of: siting/layout/design and appearance (including materials) of buildings and means of access from an existing/proposed public highway; landscaping (hard and soft), layout of sewers and surface water drains; and enclosure/boundary treatment) pursuant to the Phase 1 of the Outline Consent DC/15/1128/OUT, consisting of the development of 255 dwellings, open space, landscaping and associated services and infrastructure (estate drainage/roads/paths/pumping stations etc.) on, 16.90 hectares of land at Candlet Road, Felixstowe.
- 1.2 The outline consent was granted by the Secretary of State for Communities and Local Government on 31 August 2017 (APP/J3530/W/15/3138710). See Appendix A
- 1.3 The matters under consideration relate to the detailed design of the development in terms of siting/layout/design and appearance (including materials) of buildings and means of

access from an existing/proposed public highway; landscaping (hard and soft), layout of sewers and surface water drains; and enclosure/boundary treatment.

- 1.4 The application does not include details of the Commercial Units; Care Home and Independent Living Units also permitted by the outline consent which will be dealt with as separate Reserved Matters Application(s)/phase(s), as will the balance of residential units.
- 1.5 Since the grant of outline planning permission, and during the process of considering this application, a new Local Plan covering the former Suffolk Coastal Area of East Suffolk Council has been adopted which includes this site in the North Felixstowe Garden Neighbourhood within Policy SCLP12.3.
- 1.6 This application referred to the Planning Committee at the discretion of the Head of Planning and Coastal Management under the terms of the Scheme of Delegation due to the level of public interest and significance of the scheme.
- 1.7 The principle of residential development on the site is accepted and the proposal is in accordance with policies in the Local Plan. There are no technical barriers to development and whilst noting the local concerns, the benefits of the scheme outweigh any harm.
- 1.8 Officers are seeking authority to approve the application with conditions, subject to the Suffolk RAMS contribution being received.

## **2. Case for Development**

- 2.1 Outline planning permission for up to 560 dwellings was granted in 2017 through an appeal which was eventually allowed by the Secretary of State. This application for Reserved Matters approval is for Phase 1 of the outline consent, comprising 255 dwellings (including 85 affordable dwellings). The site also now forms part of the North Felixstowe Garden Neighbourhood under Policy SCLP12.3 of the East Suffolk Council Suffolk Coastal Local Plan (September 2020) which allocates approximately 143ha of land for a comprehensive leisure led development and employment land alongside residential development for up to 2000 dwellings (including the 560 with outline planning permission). The principle of residential development on the site is therefore established.
- 2.2 Officers have worked closely with the applicant to ensure a satisfactory layout and consider that the design of the proposal is acceptable and accords with the illustrative masterplan that was approved as part of the outline consent. The proposal provides a legible layout around key open spaces that are functional and well overlooked. The proposal will offer good pedestrian and cycle connectivity within the site to the wider North Felixstowe Garden Neighbourhood when this comes forward and to the existing public rights of way network. The design and appearance of the dwellings are also considered acceptable.
- 2.3 In addition to the significant benefit of 85 affordable dwellings the proposal will deliver a mix of house types, sizes and designs as well as open space and landscaping providing a high-quality environment.
- 2.4 There will be economic benefits in the short to medium term through the creation of jobs in the construction industry and in the longer-term benefits to the services and facilities in Walton and Felixstowe through increase visitor spend in the local economy.

### **3. Site description**

- 3.1 The application site has an area of 16.90ha and is located to the north of Candlet Road (A154) and to the east of Gulpher Road. Adjacent to part of the western boundary is a dwelling, Cowpasture Cottage and next to this another dwelling, Cowpasture Farm, both accessed from Gulpher Road. With the exception of these two properties the closest properties to the site are those south of Candlet Road and the semi-detached dwellings 1 & 2 and 3 & 4 Hill House Cottages opposite the northern boundary and Hill House Farm 300m to the north of the site.
- 3.2 The site forms part of a larger site that has outline consent for up to 560 dwellings granted in 2017. This application is for Phase 1 of the development whilst Phase 2 for the remainder of the site will be subject to a separate reserved matters application in due course.
- 3.3 The site is of irregular shape and is slightly undulating with its highest point in the centre. It is predominantly used for pasture and stabling horses with equestrian buildings located within the site to the east of Cowpasture Cottage. Much of the site is divided into small fields by fences and electrified tapes. A small stable and business units at Abbey Farm are sited along the southern boundary of the site, immediately due west of the existing allotments.
- 3.4 To the west, north and east is agricultural land, the land to the east beyond Phase 2, being separated by Grove Wood to which there is public access. Beyond the woodland is the The Grove recreational area. The southern boundary of the site is formed by Candlet Road itself and the allotments. There are lay-bys either side of Candlet Road. To the south east of the site, and fronting Candlet Road, is the Grove Medical Centre.
- 3.5 There is a public footpath (FP24) that runs from Candlet Road into the site adjacent to the western boundary of the allotments. The footpath then turns to the east leading to Grove Wood. On the opposite side of Candlet Road the footpath leads down to High Road. Candlet Road (A154) is a busy main road that is one of the main routes into Felixstowe from the A14.
- 3.6 The site does not benefit from any local or national landscape designation. The boundary of the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB) lies about 300m north of the site. The Deben Estuary Special Protection Area and Site of Special Scientific Interest is approximately 2.4km away. From the site there are views out towards the AONB.

### **4. Proposal**

- 4.1 Outline planning permission (Ref. DC/15/1128/OUT) for the development of up to 560 dwellings, including a Local Community Centre, a 60 Bedroom extra Care Home and 50 Assisted Living Units, two small Business Units and open space provision with associated Infrastructure was granted in August 2017. The outline consent is also subject to a legal agreement covering issues including affordable housing, open space and obligations to Suffolk County Council.

- 4.2 This application seeks Approval of Reserved Matters for Phase 1 of the outline consent comprising 255 dwellings including 85 units of affordable housing (how many units). The following reserved matters are being considered in this application:
- siting,
  - layout,
  - design and appearance (including materials) of buildings,
  - means of access to buildings and
  - landscaping.
- 4.3 The application initially sought approval for 262 dwellings. However, this has been revised to 255 in order to incorporate more sustainable urban drainage within the development.
- 4.4 This application does not include details of the Commercial Units; Care Home and Independent Living Units permitted by the outline consent, which will be dealt with as separate Reserved Matters Application(s)/phase(s), as will the balance of residential units. The application does not propose the primary school or community centre proposals included in the outline consent. However, a requirement of the unilateral undertaking Section 106 agreement is to confirm and agree with the County Council the location of a possible primary school site prior to the submission of a reserved matters application. That location is therefore detailed on the plan to the satisfaction of the County Council, allowing that site to be utilised in the future. The longer-term plans for primary school education for the wider North Felixstowe Garden Neighbourhood may change to account for the need for a larger school site so this smaller option is secured at least as an option. Similarly, the reserved matters layout plan allows space for a community centre but the outline consent did not provide a mechanism for its delivery.
- 4.5 This application proposes a range of property types from one bedroomed flats to five bedroom detached houses. The majority of properties are two or two and a half storeys in height with a small number of single storey houses and a small block of apartments three storeys in height. The design approach is properties of traditional and contemporary design and character using predominantly red and buff bricks with render and cladding and red and grey pantiles . The development has a density of 38 dwellings per hectare. The table below shows the housing mix for the market and affordable houses

Table 1

No. Beds	Market Housing	Affordable Housing	Total Mix
1	0	28	13%
2	41	33	27%
3	69	20	35%
4	32	4	(4+) 25%
5	28	0	
Total	170	85	

- 4.6 Two main areas of open space are proposed within Phase 1. Pedestrian and cycle links are created through and around the site to connect to adjacent land to the east and west and services and facilities in the area.
- 4.7 This application also seeks to discharge condition 18 of the outline planning permission regarding the surface water drainage strategy for the whole site. Three drainage basins are

proposed within the application site adjacent to the north west, north east and eastern boundaries of the site.

## 5. Consultations/comments

5.1 Eight letters of objection have been received raising the following planning matters:

- impact on wildlife,
- impact on the future for horse riding in the area,
- existing doctors and dentists surgeries are at capacity,
- the roads are at capacity,
- the access onto Candlet Road is inadequate,
- loss of agricultural land,
- the sewerage system is antiquated,
- Felixstowe Academy won't be able to cope with more students,
- the town will continue to lose its charm,
- the application should only be considered in the context of the masterplan for the Felixstowe Garden Neighbourhood,
- unsuitable access to Grove Medical Centre,
- the site is a place of natural beauty,
- loss of woodland.
- removal of tree/shrub belt along Candlet Road south of the allotments,
- what is proposed in respect of laybys uses for allotment holders,
- no site boundary along the western boundary of the allotments.

## Consultees

### Town Council

Consultee	Date consulted	Date reply received
Felixstowe Town Council	13 March 2020	9 April 2020
<p>“The Town Council submits the following comments and recommendations in response to this application:</p> <p>1. Site Layout</p> <p>In terms of the site layout, there is a lack of clear measurements and detail on the distances between individual houses, the length of gardens and the sense of space provided across the development.</p> <p>2. Boundary treatment</p> <p>Boundary plans should seek to retain existing hedgerows and vegetation wherever possible, and clarification is sought as to the proposed boundary treatment to allotment site. See also comments under public Open Space below.</p>		

### 3. Drainage and Sewerage

It is critical that the drainage arrangements are robust enough to mitigate the impact of water being displaced from this development. The site is known to have several watercourses, which are regularly overloaded, as has been borne out by recent local experience. It is therefore imperative that the development is able to manage its own water runoff. The appendices referred to in the drainage strategy document are missing. Additionally, the strategy refers to the need for further assessment which does not appear to have been undertaken and moreover is not an appropriate approach as this is required to be detailed and understood prior to approval of the application.

We note that para 3.17 of the drainage strategy proposes discharging partly into existing watercourses. However, the landscaping drawings show that the watercourses are to be covered over and seeded with wildflower. This documented contradiction between the drainage strategy and landscaping drawing is unacceptable.

The watercourses are an essential element of the local water management system and should be retained, enhanced and properly maintained.

With Appendix I of the drainage strategy missing, we are unable to understand the maintenance requirements of the system being proposed. Furthermore, the liability for its ongoing maintenance needs to be agreed.

The foul-drainage capacity for this area of Felixstowe has been shown, over many years, to be wholly inadequate. This development, together with others, will feed back into the existing system. Therefore, wider discussions should take place with relevant stakeholders to ensure that a fully integrated and strategic approach to provision of sufficient capacity in the long term can be achieved.

In accordance with The Town Council's environmental aspirations, the developer should explore the potential for surface water runoff to be collected and made available to the adjacent allotments which would help reduce the use of fresh water.

### 4. Renewable Energy

Felixstowe Town Council have declared a Climate Emergency; as East Suffolk Council and many other authorities have also done. It is therefore important to consider all development proposals in this context.

The applicant's Design and Access Statement appropriately refers to Policy DM21 (f) which states that 'The District Council will support and strongly encourage the conservation of energy and the use of alternative and renewable sources of energy in the design and layout of proposals for new buildings and conversion of existing buildings, provided it would not seriously detract from the character of the area.'

It is therefore inappropriate that the application is silent on the opportunity to build in well-established technologies for alternative and environmentally friendly energy sources, notably ground source heat pumps. The Town Council notes that locally, organisations such as Flagship Housing have introduced such provision in their own estates, even retrofitting where not originally installed, with a claimed 66% reduction in household energy bills and hence energy usage.

## 5. Highways Issues

We support elements of the holding objection submitted by Suffolk Highways. However, we do not find ourselves in agreement with the following comments in their consultation response:

Para 1 and 2: We believe that the proposed vehicular entrance to the school site should be moved southwards, just to the north of the pond, with provision considered within the school site for parent parking/drop off, to avoid congestion to the northern part of the site and deter people from using Gulpher Road as a school drop of point.

Ref. Para 3: We agree that footpath 24 should be upgraded to provide a metalled surface suitable for pedestrians, linking to the central part of The Grove. However the desired interconnectivity for cyclists should be appropriately routed with a view to establishing links to the wider 'Felixstowe Garden Neighbourhood' concept to the north of the Grove so as to avoid encouraging intensive use of the Grove Woodland by cycles and horses, for which it is not an appropriate location .

Ref. Para 4, 5 and 6: We believe that the developer's proposals are similar to that of other similar developments over recent decades, notably Faulkner's Way Trimley and we do not believe the issues raised by Highways are evident on those sites.

We ask that the developer explore the possibility of an access point into allotment site, which the Council owns and would be pleased to work with them to achieve.

Further to these issues, we note that the application does not refer to the junction arrangements with A154 Candlet Road and associated off-site works. However, condition No. 29 of the Outline planning consent prescribes that this is to be provided upon occupation of no more than 99 dwellings in accordance with previously approved details. The Council has highlighted a number of issues with the approved highways scheme with the applicant, which are supported by the Felixstowe Society of Allotment and Leisure Gardeners (FSALG) and which must be considered prior to discharge of this condition.

Specifically, if built as currently drawn, it will not be possible to retain the mature trees and green corridor along the eastbound side of Candlet Road from the junction of the development to the Grove Surgery whilst also providing the shared use footpath and cycleway. Additionally, construction would necessitate a visually intrusive retaining wall with a fence along the allotment boundary which is some 2 metres higher than the road. This would fundamentally and unnecessarily change this green, tree lined approach. The Council believes that this can be mitigated by reviewing the position of the layby to the eastbound side and/or utilising some of the width of the vegetation, mostly scrub, to the westbound side. We therefore ask that serious consideration is given to this issue as soon as appropriate.

## 6. Public Open Space

We have great concern that the landscape drawings show the complete elimination of the existing watercourse to the north west and north of the site, which are to be covered over and seeded. We believe this is unacceptable both from a drainage perspective, as referred to above, and in terms of the loss of the public amenity and ecological assets which they currently represent, and which should be enhanced as part of the wider Green Spaces concept.

Page 52(50) of the D & A statement correctly records the requirement in the S106 agreement for, inter alia, 'equipped play areas'. However, none are proposed in this application, as stated e.g. at para. 3,3: " Public Open Space ... comprising of ..... 0 Acres of play areas". Accordingly, equipped play areas should be provided.

## 7. Affordable Housing

We commend the exemplary arrangements in terms of the level of provision and integration of affordable housing, balanced throughout the site which we understand will be 'tenure-blind'.

Finally, we would ask that a condition be made that Phase 1 of the development is completed before Phase 2 begins.

The Council therefore recommends REFUSAL of the application unless the issues above can be satisfactorily resolved. The Council therefore recommends REFUSAL of the application unless the issues above can be satisfactorily resolved."

## Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County Council- Highways Department	13 March 2020	1 April 2020
Summary of comments: Holding objection as more details of the pedestrian and cycle routes and roads are required.		

Consultee	Date consulted	Date reply received
Natural England	13 March 2020	30 March 2020
Summary of comments: No objection		

Consultee	Date consulted	Date reply received
Environment Agency	13 March 2020	14 April 2020
Summary of comments: No objection.		

Consultee	Date consulted	Date reply received
Natural England	16 November 2020	23 November 2020
Summary of comments: No comment.		

## Non statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County Council- Public Rights Of Way	13 March 2020	23 March 2020

Summary of comments:  
Comments regarding FP24.

Consultee	Date consulted	Date reply received
Head of Environmental Services	13 March 2020	16 March 2020

Summary of comments:  
No comment.

Consultee	Date consulted	Date reply received
Head of Housing	13 March 2020	22 May 2020

Summary of comments:  
General comments regarding housing need in Felixstowe.

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	13 March 2020	No response

Summary of comments:  
No response

Consultee	Date consulted	Date reply received
Head of Environmental Services	13 March 2020	No response

Summary of comments:  
No response.

Consultee	Date consulted	Date reply received
Suffolk County Council Archaeological Unit	13 March 2020	20 March 2020

Summary of comments:  
No objection.

Consultee	Date consulted	Date reply received
Suffolk Fire and Rescue Service	13 March 2020	No response
Summary of comments: No response		

Consultee	Date consulted	Date reply received
Suffolk Preservation Society	13 March 2020	No response
Summary of comments: No response		

Consultee	Date consulted	Date reply received
The Ramblers Association	13 March 2020	No response
Summary of comments: No response		

Consultee	Date consulted	Date reply received
The Felixstowe Society	13 March 2020	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Anglian Water	13 March 2020	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Suffolk County Council Flooding Authority	2 April 2020	9 April 2020
Summary of comments: Holding objection as further information of the drainage strategy is required.		

Consultee	Date consulted	Date reply received
Suffolk County Council Section 106 Officer	15 April 2020	20 April 2020
Summary of comments: Suffolk County Council is content to accept the proposed location of the primary school.		

Consultee	Date consulted	Date reply received
Police Design out Crime Officer	17 April 2020	20 April 2020
Summary of comments: Comments in respect of Secure by Design (SBD).		

Consultee	Date consulted	Date reply received
Suffolk Fire and Rescue Service	26 October 2020	19 August 2020
Summary of comments: Fire hydrants requested.		

#### Reconsultation consultees

Consultee	Date consulted	Date reply received
Head of Environmental Services	24 April 2020	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Anglian Water	26 October 2020	No response
Summary of comments: No response		

Consultee	Date consulted	Date reply received
Environment Agency	26 October 2020	17 November 2020
Summary of comments: No comment		

Consultee	Date consulted	Date reply received
Head of Economic Development	26 October 2020	No response
Summary of comments: No response		

Consultee	Date consulted	Date reply received
Natural England	26 October 2020	3 November 2020
Summary of comments: No objection.		

Consultee	Date consulted	Date reply received
Head of Environmental Services	26 October 2020	No response
Summary of comments: No response received		

Consultee	Date consulted	Date reply received
Felixstowe Town Council	26 October 2020	18 November 2020

“We strongly recommend REFUSAL of this application for the reasons outlined below.

Crucially, the developer asserts that many of these issues are to be considered following planning approval. We believe that this is unrealistic and for the avoidance of doubt should be resolved as part of the planning process, prior to determination of the application.

#### 1. Boundary Treatment

Boundary plans should seek to retain existing hedgerows and vegetation wherever possible. We understand that the existing hedgerow to the allotments is to be retained, with some facing up work to the development side, and ask that the preservation of existing vegetation be appropriately conditioned prior to determination of this application.

We also seek an improved buffer between the development site and the Grove woodland.

#### 2. Drainage and Sewerage

It is critical that the drainage arrangements are robust enough to mitigate the impact of water being displaced from this development. The site is known to have several watercourses, which are regularly overloaded, as has been borne out by recent local experience. It is therefore imperative that the development can manage its own water runoff.

We were greatly concerned that the landscape drawings show the complete elimination of the existing watercourse to the west which are to be covered over and seeded. We believe this is unacceptable both from a drainage perspective, as referred to above, and in terms of the loss of the public amenity and ecological assets which they currently represent, and which should be enhanced as part of the wider Green Spaces concept.

It is critical that the Planning Authority ensure that established watercourses should be recognised, not grassed over and retained as an important amenity. It is essential that condition 19 (iv) (v) and (viii) of the planning appeal decision is adhered to in this regard. Additionally, a full hydrological analysis does not appear to have been undertaken as per condition 19 (xi).

We are greatly concerned by the proposal for foul water disposal. This is particularly the case in light of recent flooding events at Walton, in particular at the corner of Gulpher Road, Church Lane and Treetops. In that context we note that the proposed connection point for the pumped rising main is at a manhole between that junction and the bridge. Given that the Anglian Water report recognises capacity issues at this area. We therefore request that the Planning Authority review the scheme to ensure that it is capable of serving the site adequately whilst not exacerbating serious known problems. The District Council should take further advice to ensure that the draft proposals take all local issues in to account.

In accordance with The Town Council's environmental aspirations, the developer should explore the potential for surface water runoff to be collected and made available to the adjacent allotments which would help reduce the use of fresh water.

### 3. Renewable Energy

Felixstowe Town Council has declared a Climate Emergency; as East Suffolk Council and many other authorities have also done. It is therefore important to consider all development proposals in this context.

The applicant's Design and Access Statement appropriately refers to Policy DM21(f), now superseded by SCLP 9.2 (Sustainable Construction), which states that 'The District Council will support and strongly encourage the conservation of energy and the use of alternative and renewable sources of energy in the design and layout of proposals for new buildings and conversion of existing buildings, provided it would not seriously detract from the character of the area.'

We understand that condition 13 of the outline permission requires a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and occupational phases of the development to be submitted to and agreed, in writing, with the Local Planning Authority.

It is therefore inappropriate that the application is silent on the opportunity to build in well-established technologies for alternative and environmentally friendly energy sources, notably ground source heat pumps. The Town Council notes that, locally, other organisations such as Flagship Housing have introduced such provision in their own estates, even retrofitting where not originally installed, with a claimed 66% reduction in household energy bills and hence energy usage.

#### 4. Highways Issues

We believe that the proposed vehicular entrance to the school site should be moved southwards, just to the north of the pond, with provision considered within the school site for parent parking/drop off, to avoid congestion to the northern part of the site and deter people from using Gulpher Road as a school drop of point.

We are pleased to note that Footpath 24 is proposed to be upgraded to a surfaced 3m cycleway providing future connectivity to the east. Interconnectivity for walkers and cyclists should be appropriately provided to establish links to the wider 'Felixstowe Garden Neighbourhood' concept and beyond. However, local stakeholders should be consulted on the opportunity to ensure that the Grove and Abbey Grove woodlands are not detrimentally impacted by intensive use and the opportunity to mitigate this through enhancing sustainable access routes should be explored.

The previously proposed parking spaces for the allotments to replace those lost with the proposed closure of the layby appear to have now been removed. These should be replaced or relocated.

We ask that the developer provides an appropriate and secure access point into allotment site, which the Town Council owns and would be pleased to work with them to achieve.

#### 5. Public Open Space

Indicative plans appear to show a provision of just six items of play equipment on one of the two areas of public open space, which is wholly inadequate. The S106 agreement should allow for significant opportunities for play in both areas of open space.

#### 6. Affordable Housing

We commended the developer's exemplary arrangements in terms of the level of provision and integration of affordable housing, balanced throughout the site which we understood will be 'tenure-blind'. However, having recognised these efforts we are therefore disappointed to note that this most recent application proposes the loss of two shared-ownership dwellings, reducing the total number of affordable homes from 86 to 84. To reduce the number of affordable homes on this site is unacceptable and any reduction in the number of dwelling proposed should not be at the cost of affordable homes.

#### 7. House Design

Committee remains disappointed by the uniformity of design which is not in keeping with the local area. The Planning Authority should work with the developer to ensure a more appropriate, less generic, higher quality design reflecting the local vernacular in accordance with planning policy.

Finally, if approved, we would ask that a condition be made that Phase 1 of the development is completed before Phase 2 begins.

The Council therefore recommends REFUSAL of the application unless the issues above can be satisfactorily resolved.

Committee is requested to approve the response to the application as prepared under delegated authority at the previous meeting."

Consultee	Date consulted	Date reply received
Suffolk Fire and Rescue Service	26 October 2020	No response
Summary of comments:		

Consultee	Date consulted	Date reply received
Head of Housing	26 October 2020	No response
Summary of comments:		

Consultee	Date consulted	Date reply received
Police – Design out Crime Officer	26 October 2020	No response
Summary of comments:		

Consultee	Date consulted	Date reply received
Suffolk County Council Section 106 Officer	26 October 2020	27 October 2020
Summary of comments: Previous comments apply.		

Consultee	Date consulted	Date reply received
Suffolk County Council Archaeological Unit	26 October 2020	29 October 2020
Summary of comments: No objection		

Consultee	Date consulted	Date reply received
Suffolk County Council Flooding Authority	26 October 2020	6 November 2020
Summary of comments: Recommend a holding objection/refusal to discharge conditions.		

Consultee	Date consulted	Date reply received
Suffolk County Council - Highways Department	26 October 2020	4 November 2020

Summary of comments:

The latest plans are acceptable to the Highway Authority.

The highway related planning conditions on the outline planning permission, cover the necessary highway related matters. Therefore, no further planning conditions are requested.

Consultee	Date consulted	Date reply received
Suffolk County Council – Public Rights Of Way	26 October 2020	No response

Summary of comments:

Consultee	Date consulted	Date reply received
Suffolk Preservation Society	26 October 2020	No response

Summary of comments:

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	26 October 2020	20 November 2020

Summary of comments:

The Preliminary Ecological Appraisal should be updated and the stream protected from damage during development. A Landscape and Ecological Management Plan should 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
The Felixstowe Society	26 October 2020	No response

Summary of comments:

Consultee	Date consulted	Date reply received
The Ramblers Association (SCDC)	26 October 2020	No response

No response received

Consultee	Date consulted	Date reply received
Anglian Water	19 August 2020	21 August 2020
Summary of comments: No comment		

Consultee	Date consulted	Date reply received
Environment Agency	19 August 2020	19 August 2020
Summary of comments: No comment.		

Consultee	Date consulted	Date reply received
Head of Economic Development	19 August 2020	No response
Summary of comments: No response		

Consultee	Date consulted	Date reply received
Natural England	19 August 2020	24 August 2020
Summary of comments: No objection.		

Consultee	Date consulted	Date reply received
Head of Environmental Services	19 August 2020	11 November 2020
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Felixstowe Town Council	19 August 2020	10 September 2020
<p>“The Town Council submits the following comments in relation to this latest application:</p> <p>1. Boundary treatment</p>		

Boundary plans should seek to retain existing hedgerows and vegetation wherever possible, and clarification is sought as to the proposed boundary treatment to allotment site. See also comments under Public Open Space below.

## 2. Drainage and Sewerage

It is critical that the drainage arrangements are robust enough to mitigate the impact of water being displaced from this development. The site is known to have several watercourses, which are regularly overloaded, as has been borne out by recent local experience. It is therefore imperative that the development can manage its own water runoff. Further assessment does not appear to have been undertaken and moreover it is not an appropriate approach as this is required to be detailed and understood prior to approval of the application.

We note that it is proposed to discharge partly into existing watercourses. However, the landscaping drawings show that the watercourses are to be covered over and seeded with wildflower. This documented contradiction between the drainage strategy and landscaping drawing is unacceptable.

The watercourses are an essential element of the local water management system and should be retained, enhanced and properly maintained.

Further assessment does not appear to have been undertaken and moreover it is not an appropriate approach as this is required to be detailed and understood prior to approval of the application.

We note that it is proposed to discharge partly into existing watercourses.

The foul-drainage capacity for this area of Felixstowe has been shown, over many years, to be wholly inadequate. This development, together with others, will feed back into the existing system. Therefore, wider discussions should take place with relevant stakeholders to ensure that a fully integrated and strategic approach to provision of sufficient capacity in the long term can be achieved.

In accordance with The Town Council's environmental aspirations, the developer should explore the potential for surface water runoff to be collected and made available to the adjacent allotments which would help reduce the use of fresh water.

## 3. Renewable Energy

Felixstowe Town Council have declared a Climate Emergency; as East Suffolk Council and many other authorities have also done. It is therefore important to consider all development proposals in this context.

The applicant's Design and Access Statement appropriately refers to Policy DM21 (f) which states that 'The District Council will support and strongly encourage the conservation of energy and the use of alternative and renewable sources of energy in the design and layout of proposals for new buildings and conversion of existing buildings, provided it would not seriously detract from the character of the area.'

It is therefore inappropriate that the application is silent on the opportunity to build in well-established technologies for alternative and environmentally friendly energy sources, notably

ground source heat pumps. The Town Council notes that locally, organisations such as Flagship Housing have introduced such provision in their own estates, even retrofitting where not originally installed, with a claimed 66% reduction in household energy bills and hence energy usage.

#### 4. Highways Issues

However, we do not find ourselves in agreement with the following comments in their consultation response:

We believe that the proposed vehicular entrance to the school site should be moved southwards, just to the north of the pond, with provision considered within the school site for parent parking/drop off, to avoid congestion to the northern part of the site and deter people from using Gulpher Road as a school drop off point.

We agree that footpath 24 should be upgraded to provide a metalled surface suitable for pedestrians, linking to the central part of The Grove. However the desired interconnectivity for cyclists should be appropriately routed with a view to establishing links to the wider 'Felixstowe Garden Neighbourhood' concept to the north of the Grove so as to avoid encouraging intensive use of the Grove Woodland by cycles and horses, for which it is not an appropriate location .

We believe that the developer's proposals are similar to that of other similar developments over recent decades, notably Faulkner's Way Trimley and we do not believe the issues raised by Highways are evident on those sites.

We ask that the developer explore the possibility of an access point into allotment site, which the Council owns and would be pleased to work with them to achieve.

#### 5. Public Open Space

We have great concern that the landscape drawings show the complete elimination of the existing watercourse to the north west and north of the site, which are to be covered over and seeded. We believe this is unacceptable both from a drainage perspective, as referred to above, and in terms of the loss of the public amenity and ecological assets which they currently represent, and which should be enhanced as part of the wider Green Spaces concept.

We note that equipped play areas are not provided in accordance with the s106 agreement. However, none are proposed in this application, as stated e.g. at para. 3.3: " Public Open Space ... comprising of ..... 0 Acres of play areas". Accordingly, equipped play areas should be provided.

#### 6. Affordable Housing

We commend the exemplary arrangements in terms of the level of provision and integration of affordable housing, balanced throughout the site which we understand will be 'tenure-blind'.

#### 7. House Design

Committee was disappointed by the uniformity of design which is not in keeping with the local area. The developer should be encouraged to propose a more sympathetic design portfolio, reflecting the local vernacular in accordance with DM21 (a) which states that proposals should

relate well to the scale and character of their surroundings particularly in terms of their siting, height, massing and form.

Finally, we would ask that a condition be made that Phase 1 of the development is completed before Phase 2 begins.

The Council therefore recommends REFUSAL of the application unless the issues above can be satisfactorily resolved”

Consultee	Date consulted	Date reply received
Suffolk Fire and Rescue Service	19 August 2020	19 August 2020
Summary of comments: Fire hydrants requested.		

Consultee	Date consulted	Date reply received
Head of Housing	19 August 2020	24 August 2020
Summary of comments: No objection.		

Consultee	Date consulted	Date reply received
Police - Design out Crime Officer	19 August 2020	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Suffolk County Council Section 106 Officer	19 August 2020	No response
Summary of comments: No response		

Consultee	Date consulted	Date reply received
Suffolk County Council Archaeological Unit	19 August 2020	21 August 2020
Summary of comments: There is outstanding archaeological work.		

Consultee	Date consulted	Date reply received
Suffolk County Council Flooding Authority	19 August 2020	19 August 2020
Summary of comments: Holding objection maintained.		

Consultee	Date consulted	Date reply received
Suffolk County Council - Highways Department	19 August 2020	4 September 2020
Summary of comments: The revised layout has addressed the main concerns of the Highway Authority regarding access from Gulpher Road, however there are still several outstanding matters from our previous response dated 01/04/20 that need to be addressed or agreed.		

Consultee	Date consulted	Date reply received
Suffolk County Council – Public Rights Of Way	19 August 2020	25 August 2020
Summary of comments: No objection.		

Consultee	Date consulted	Date reply received
Suffolk Preservation Society	19 August 2020	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	19 August 2020	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
The Felixstowe Society	19 August 2020	No response
Summary of comments: No response.		

Consultee	Date consulted	Date reply received
The Ramblers Association (SCDC)	19 August 2020	No response
Summary of comments: No response.		

## 6. Publicity

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

Category	Published	Expiry	Publication
Major Application	19 March 2020	9 April 2020	East Anglian Daily Times

## Site notices

General Site Notice

Reason for site notice: Major Application  
May Affect Archaeological Site  
Date posted: 17 March 2020  
Expiry date: 7 April 2020

## 7. Planning policy

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that where in making any determination under the planning Acts, if regard is to be had to the development plan, then determination shall be made in accordance with the plan unless material considerations indicate otherwise.

7.2 National Planning Policy Framework (2019) NPPF

7.3 National Planning Practice Guidance NPPG

7.4 The East Suffolk Council – Suffolk Coastal Local Plan was adopted on 23 September 2020 and the following policies are considered relevant:

- SCLP3.1 - Strategy for Growth
- SCLP5.8 - Housing Mix
- SCLP5.10 - Affordable Housing on Residential Developments
- SCLP7.1 - Sustainable Transport
- SCLP7.2 - Parking Proposals and Standards
- SCLP8.2 - Open Space
- SCLP9.5 - Flood Risk
- SCLP9.6 - Sustainable Drainage Systems
- SCLP9.7 - Holistic Water Management
- SCLP10.1 - Biodiversity and Geodiversity

- SCLP10.4 - Landscape Character
- SCLP11.1 - Design Quality
- SCLP11.2 - Residential Amenity
- SCLP11.3 - Historic Environment
- SCLP11.7 - Archaeology
- SCLP12.3 - North Felixstowe Garden Neighbourhood

## 8. Planning considerations

### Planning History

- 8.1 Outline planning permission was granted by the Secretary of State for Communities and Local Government on 31 August 2017 (Ref. PP/J3530/W/15/3138710 - DC/15/1128/OUT) for the development of:

*"Application for Outline Planning Permission for up to 560 dwellings, including a Local Community Centre, a 60 Bedroom extra Care Home and 50 assisted Living Units, two small Business Units and open space provision with associated Infrastructure".*

- 8.2 Condition 3 of the outline planning permission states that the development shall be carried out generally in accordance with the Indicative Masterplan (Drawing No YOR.2258\_010M) unless otherwise agreed in writing by the Local Planning Authority.
- 8.3 Subsequent to the grant of outline planning permission the site has been included in the allocation for the North Felixstowe Garden Neighbourhood covered by Policy SCLP12.3 of the East Suffolk Council Suffolk Coastal Local Plan adopted on 23 September 2020.
- 8.4 Policy SCLP12.3 allocates approximately 143ha of land for a comprehensive leisure led development comprising leisure, green infrastructure, community facilities and employment land alongside residential development for up to 2000 dwellings (including the 560 with outline planning permission) and retirement dwellings comprising care home extra care/sheltered dwellings.

### Principle of Development

- 8.5 The principle of development of this site was established by the outline consent allowed on appeal and since that through the allocation of the site under Policy SCLP12.3 as a part of the North Felixstowe Garden Neighbourhood. Although Policy SCLP12.3 was adopted after the grant of outline consent, the approved Indicative Masterplan contains many of the principles for the North Felixstowe Garden Neighbourhood found within the Policy.

### Access and Highway Considerations

- 8.6 The main access into the site will be from Candlet Road and was approved as part of the outline application (including pedestrian crossing of Candlet Road). As the main vehicular access has been approved, the access aspect of this application relates to the provision of infrastructure to encourage people to travel using non-car modes, as required by Policy SCLP7.1 - "Sustainable Transport" and the NPPF objectives, and the suitability of the road layout to serve the development.

- 8.7 The Highway Authority initially raised a holding objection on the grounds that a new footpath is required along Gulpher Road and amendments were required to the design of the access roads and visibility splays. All of the issues raised by the Highway Authority have been addressed to their satisfaction in the amended layout plans and no objection to the application is raised.
- 8.8 As will be noted above Felixstowe Town Council has raised a number of highway related issues. In response are the following comments:
- the school site entrance has been positioned towards the north to distract people from using Gulpher Road.
  - Footpath 24 is proposed to be upgraded to surfaced 3m cycleway providing future connectivity to the east.
  - The applicant has confirmed that Pedestrian Access from the development could be made to the Allotment site.
  - Persimmon has worked closely with the LPA to secure improved cycle and pedestrian access and connectivity through the site which has been acknowledged.
  - The laybys near the allotments have been reinstated in the amended layout plan.

#### Pedestrian /cycle access

- 8.9 Officers have had detailed discussions with the applicant and secured a number of improvements to the layout to ensure that the development will achieve a legible and well-designed pedestrian and cycle route across the site including the upgrading of Footpath 24 to Grove Wood. Full details of the pedestrian and cycle route will need to be secured by condition and provided as part of this phase of development. Provision of this route will ensure good east-west pedestrian and cycle connectivity as a central part of the Felixstowe Garden Neighbourhood when these come forward in accordance Policy SCLP12.3. The site will play an important role in cohesion between all elements of the Garden Neighbourhood and serves an essential role for pedestrian and cycle connectivity for all extensive services and facilities which should be provided in parcels to the east and west of this site, including the new Leisure Centre. The outline consent also secured Public Right of Way improvement contribution of £64,000 to deliver footpath and bridleway improvements within The Grove and to the north east.
- 8.10 The outline application secures the provision of a footway link adjacent to Gulpher Road into the south western corner of the site. In accordance with the approved Indicative Masterplan, this footway is extended into the site within the proposed layout. The outline consent requires the footway along Gulpher Road to be completed prior to the occupation of 99 dwellings, in accordance with details that have been agreed. It is considered that a similarly worded condition would secure the completion of the footway within the site in a timely manner.
- 8.11 It is considered that the pedestrian and cycle routes within the revised layout are generally in accordance with those shown on the approved outline Indicative Masterplan of the outline consent. It is unfortunate that this proposal cannot be informed by a comprehensive masterplanning process for the whole North Felixstowe Garden Neighbourhood, as a result of the extant consent. However the proposed layout and its

connectivity are compatible with the wider masterplanning which has previously taken place and which will progress further in the near future.

### Housing Mix and Affordable Housing

- 8.12 The layout would provide a mixture of single and mainly two storey properties varying in size from one and two bedroom houses and apartments to five bedroom detached houses. Across all sectors the proposed dwellings are considered to be broadly consistent with the percentages set out in Table 5.1 of the Local Plan. Policy SCLP5.8 (Housing Mix) requires there to be a focus on one and two bedroom dwellings and the evidence in the supporting text shows the need for at least 40% one and two bedroom properties. As set out in Table 1 of paragraph 4.5 of this report, the proposed housing mix will be providing 40% one and two bedroom properties which is welcomed.
- 8.13 Table 5.1 relates to the housing need mix across the former Suffolk Coastal District. Within this site three bedroom family homes form the greatest percentage of houses within the site (35%) as the applicant has explained this is where the greatest demand lies. four plus bedroom properties make up the remaining 25% of the housing mix. It is noted that Table 5.1 sets out a lower number of three bedroom dwelling (25%) and a higher number of four plus bedroom dwellings (33%) but these differences are not considered significant and future phases of development may have a different mix.
- 8.14 With regards to affordable housing Policy SCLP5.10 (Affordable Housing on Residential Developments) requires one in three units are to be affordable. The revised layout makes provision for 85 affordable dwellings, totalling 33% of the whole provision, and is thus compliant with Policy SCLP5.10 . The affordable housing is not secluded to certain areas within the site but instead distributed relatively evenly across the development, which is supported by Paragraph 62a) of the NPPF in so far as it encourages social interaction. The Councils Head of Housing has confirmed that the affordable housing mix is acceptable. It is considered that the proposal will make a substantial contribution to affordable housing delivery and meeting identified needs which is a significant benefit of the scheme.
- 8.15 To contribute towards meeting the needs for housing for older people Policy SCLP5.8 requires 50% of the dwellings to meet the requirements for accessible and adaptable dwellings under Part M4(2) of the Building Regulations. As this policy was not in place at the time that outline planning permission was granted it is not considered reasonable to impose a condition requiring this at this stage. Notwithstanding this the applicant has confirmed that 30% of the dwellings within Phase 1 will meet the requirements of Part M4(2) and this level of provision is welcomed.

### Layout, Scale and Appearance

- 8.16 Design quality is given significant weight within the planning process which is one of the main matters for consideration in the determination of this application. Section 12 of the NPPF states that:

*"the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable*

*development, creates better places in which to live and work and helps make development acceptable to communities".*

- 8.17 Policy SCLP11.1 - "Design Quality" of the local plan states that the Council will support locally distinctive and high-quality design and that permission will be granted where proposals support inclusive design environments. Building for life 12 and the National Design Guide provide additional guidance in order to achieve well designed places.
- 8.18 Since the submission of the application officers have worked closely with the applicant and discussed in detail matters of design and secured a number of improvements not only to aspects of the layout and the design of the houses, but also to the outlook from some of the units.
- 8.19 The outline Indicative Masterplan was showing one large central area of public open space. Within the proposed layout two separate areas of open space are proposed. This is considered to be a much better disposition of open space and an improvement on the approved Masterplan. It is much better to disperse open spaces throughout the layout to maximise their benefit to the layout and, more importantly, the number of residents who can live overlooking them or close by. On this basis, therefore, the submitted layout is considered an improvement on the Masterplan.
- 8.20 The areas of open space have been located so that they are integral to the development and provide good connectivity with footpaths and cycleways. They would be well overlooked from surrounding residential properties creating safe and attractive areas. They demonstrate a clear function supporting informal play areas accessible to people of all ages and abilities and are therefore considered to comply with the requirements of Policy SCLP8.2.
- 8.21 Felixstowe Town Council have commented on the open space provision and play equipment. The proposed layout includes two large areas of open space. The legal agreement requires an equipped play area to be provided within the site and for the open space to be laid out prior to the occupation of 30% of the dwellings. In accordance with Fields in Trust guidance it will be expected that play equipment within the site will cater for wide range of age groups from toddlers to teenagers. The Council's Active Communities Officer (Leisure) has advised that the open space next to the existing pond should be kept as an open space with benches/seating and the six items of equipment for each age group should be provided on the open space in the southern part of the site. The play equipment has yet to be agreed with Officers, but these details are not required to be submitted as part of this reserved matters application.
- 8.22 In addition to the play equipment the open spaces within the site and the footpath routes will ensure that there will be opportunities for both informal and formal recreation.
- 8.23 A particular concern with the original layout was the design of rear parking courts which included dwellings and the quality and outlook and space provided, which was judged to be poor. These courts have been revised to have a positively designed entrance (gate piers), shorter back garden depths in favour of increasing the area of the courtyard space,

parking spaces re-designed to avoid over-dominance within the space and green space to allow for tree/shrub planting which improves outlook.

- 8.24 The number of rear parking courtyards has decreased significantly in comparison with the originally submitted layout, which is welcomed. The inclusion of some rear parking courts is perfectly acceptable as part of a varied parking strategy which this layout provides.
- 8.25 As noted above the revised layout includes enhanced pedestrian and cycle connectivity, including provision for an adoptable footpath link along the northern edge of the community area within the site (although not part of this application) that joins it to the loop road footpath and the internal network of footpaths within the residential layout. This improvement is welcomed.
- 8.26 Within the revised layout the two areas of open space are now spatially connected along the same route that can be used by vehicles and pedestrians which is a welcome improvement. This provides for a more coherent and conventional streetscene with a corner-turning apartment block to one side and an angled terrace opposite to draw the eye along and 'deliver' it around the corner. The further inclusion of boundary walling and gate piers in this area also helps with street enclosure, provides spatial definition and demarcates clearly between public and private space.
- 8.27 A wide variety of house types, sizes and designs are proposed throughout the site which should provide for a varied and interesting street scene. A number of design revisions have been made to include more brick detailing and chimneys added to the more traditional looking house type designs and this is welcome.
- 8.28 A variety of materials are proposed comprising red brick, buff brick, cladding and render. Roofing materials comprise a mix of red and grey flat tiles and pan tiles. These are all materials that can be within Felixstowe and are considered appropriate. However, the materials have not yet been specified although these details can be conditioned. Some properties also have pitched roof dormers and others flat roof dormers that add variety. Appropriate materials are proposed for means of enclosure such as metal railings and brick walls to prominent locations with wooden knee rails to open spaces and timber fences to divide garden areas.
- 8.29 It is considered that the revised layout and appearance of the development is acceptable in accordance with Policy SCLP11.1, and the properties are of an appropriate scale for the location.
- 8.30 In response to the comments made by the Town Council regarding the design of the houses, the applicant has been involved in lengthy discussions with Officers on the design of the layout and houses to ensure that the correct design approach is adopted. The layout proposes a mix of contemporary dwellings as well as the majority of house types which follow the more traditional built form and characteristics of the local vernacular, including pitched roofs, brick and render. By providing the contrasting contemporary and traditional design approach the applicant is of the view that there will be something that appeals to all homebuyers. Following Officer comments significant amendments have been made to the layout (particularly around the Mews courtyards and the design detailing). The applicant has advised that it was highlighted at the pre-application

meeting that members were supportive of the contemporary approach which informed the design.

- 8.31 Also in response to the Town Council, the applicant has confirmed that the intention would be to largely finish Phase 1 before moving onto Phase 2. It is considered that a condition to this effect is not necessary.

### Ecology

- 8.32 The Ecological Appraisal of the site undertaken at the outline planning stage confirmed that the site itself is of generally modest wildlife value, due to it mostly consisting of improved and amenity grassland. Whilst the proposed development area excludes most of the habitats of potential biodiversity interest, it does include a small watercourse which runs along the western and then northern boundaries of the site. This feature is shown on the revised layout drawings and will be retained as part of the development.
- 8.33 There were some areas at the site edges, which were considered to be of higher ecological value for bats including the boundary hedgerows, the small block and belt of woodland, the stream and ponds and woodland edge where the site borders a Grove Wood at its eastern edge.
- 8.34 The proposal retains boundary hedgerows, trees and feature where possible. In addition, the development offers the opportunity to incorporate a number of ecological enhancements within the fabric of the built development, such as the inclusion of integrated swift nesting bricks into some of the new dwellings and the use of hedgehog friendly fencing. Ecological enhancements can be secured by condition.
- 8.35 In addition, the long-term management of the existing habitats and newly created green spaces needs to be secured. Management must maximise the biodiversity value of the site and ensure that attractive open spaces for people to use are maintained. The requirement for such a plan detailing such management is secured by condition 16 of the Outline consent.
- 8.36 The Council's Ecologist has confirmed that a management plan for the site, as required by condition 16 of the outline consent, plus a condition securing ecological enhancements, is sufficient to address the comments made by Suffolk Wildlife Trust and Felixstowe Town Council.

### Habitats Regulations Assessment (HRA) and the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS).

- 8.37 Natural England have been consulted on the application and have raised no objections and they also raised no objection to the original outline application.
- 8.38 The application site is within 13km of statutory designated sites (Special Protection Areas and Special Areas of Conservation). In order to mitigate the impact of the development on these sites the applicant has indicated that a financial contribution to the RAMS Strategy will be made. This will have to be secured prior to the determination of this application which is understood will be made through an upfront payment.

- 8.39 A Habitats Regulations Assessment (HRA) of the proposal has also been undertaken. The site incorporates a number of onsite mitigation measures including onsite public open space split across two main areas in the centre of the site. Both include proposed tree planting, and the central space includes an existing pond. The site also includes a green boundary on the northern and eastern sides which will be publicly accessible and will include footpath provision. A hoggin path will be constructed through the landscaped northern and eastern boundary areas which will connect up with other onsite footways and the public open space areas to create an onsite circular walking route of approximately 1.6km. Public footpath 24 also runs through the centre of the site and provides a connection to the public rights of way network (PRoW) to the east via The Grove woodland and public footpath 19, a connection to public footpath 18 will be provided in the north-eastern corner of the site and a connection to bridleway 27 to the north western corner of the site will also be provided. These connections provide access to a variety of different length circular walking routes away from the statutory designated sites and their improvement is secured by s106 funding under the outline consent (this contribution can be accounted for as part of the HRA mitigation)
- 8.40 Having considered these proposed avoidance and mitigation measures it can be concluded that with mitigation already secured and proposed to be secured, then the proposal will not have an adverse effect on the integrity of the European sites included within the Suffolk Coast RAMS. Natural England were consulted on the HRA and confirmed that they agreed with its conclusions.

#### Landscaping

- 8.41 A detailed landscaping strategy that reflects the landscaping shown on the approved masterplan has been submitted which covers the non-plot planting and therefore include all the peripheral structure planting and internal open spaces. The planting proposals include a good and diverse range of trees and shrubs, most of them native and well suited to the local landscape, but also including others that will diversify the mix and hopefully offer some resilience against future tree disease issues. Overall, the landscaping proposals are considered to provide a robust and diverse mix of planting. Details of landscape management arrangements are secured by condition 16 of the outline consent.
- 8.42 The landscaping scheme includes a substantial tree landscape buffer along the northern boundary of the site and to the Area of Outstanding Natural Beauty (AONB) beyond. To provide an effective landscaped buffer it will be important for the landscaping scheme to be established as part of this phase of the development. This can be secured by condition.
- 8.43 In response to comments made by Felixstowe Town Council, the applicant has confirmed that existing hedgerows will be retained wherever possible. The existing boundary to the allotments is to be retained, it may require some 'facing up' works to the development side. For the avoidance of doubt a condition could require the retention of existing hedges.

## Sustainable Construction

- 8.44 Condition 13 of the outline consent requires a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and occupational phases to be submitted prior to development commencing. Similarly condition 14 requires the submission of a scheme for the provision and implementation of rainwater harvesting.
- 8.45 There is consideration of some of these matters within the Design and Access Statement, including increased insulation levels, low energy lights, reduced water consumption through low flush toilets, flow restrictors on taps, low flow showers, low water use baths and water butts. Full details will have to be submitted to discharge conditions 13 and 14 and will ensure that sustainable construction is achieved in accordance with Policy SCLP9.2

## Surface Water Drainage

- 8.46 Policy SCLP9.6 "Sustainable Drainage Systems" requires developments to use sustainable drainage systems to drain surface water. Developments of 10 dwellings or more will be required to utilise sustainable drainage systems which should:
- a) Be integrated into the landscaping scheme and green infrastructure provision of the development;
  - b) Contribute to the design quality of the scheme; and
  - c) Deliver sufficient and appropriate water quality and aquatic biodiversity improvements, wherever possible.
- 8.47 Suffolk County Council as the Lead Local Flood Authority (LLFA) initially lodged a holding objection on the grounds that more information was needed regarding the surface water drainage strategy and more space needed to be provided for on-site sustainable urban drainage (S|UDS).
- 8.48 The applicant has since worked closely with officers and the LLFA to address the concerns of the LLFA and the amended layout and drainage strategy now includes two additional SUDS basins within the site resulting in the loss of 5 dwellings in the south west parcel of the site. Subject to a final review the LLFA are anticipating that the amended drainage strategy will be acceptable enabling them to recommend the strategy subject to conditions. On this basis Officers are content that the drainage strategy will be acceptable and will further provide additional amenity and biodiversity benefits within the site as required by Policy SCLP9.6. An update on the outcome of the LLFA's final review will be provided in the Update Sheet.
- 8.49 The revised drainage strategy will require the submitted landscaping scheme to be amended around the two additional basins. Whilst these details have not yet been submitted, they can be secured by condition.
- 8.50 In response to the comments made by Felixstowe Town Council regarding existing watercourses there are no proposals to alter any existing watercourses apart from a culvert near to Plot 52 so that the proposed carriageway can cross. The existing watercourses are not being planted upon; the proposed wildflower seeding is within the site itself. All existing watercourses are being retained.

- 8.51 Furthermore, modelling of the existing watercourse running through the site has been completed as per the requirement under Condition 19 of the Outline Planning Permission, the proposed discharge rate has subsequently been approved by the East Suffolk IDB. The surface water drainage strategy has been scrutinised in detail by the Lead Local Flood Authority and has confirmed that the strategy, as amended, is acceptable. Officers are satisfied that the site can be adequately drained, and that the drainage strategy is robust.
- 8.52 Additional information – as a result of detailed discussion with the LLFA, the Suds scheme has been significantly amended with the inclusion of two additional Suds ponds. This has resulted in a loss of 5 dwellings in the south west parcel. Confirmation from the LLFA that the drainage strategy is approved, and that the holding objection can be removed is awaited. Discussions have also taken place with Anglian Water in the hope that they will adopt the Suds.

#### Foul Water Drainage

- 8.53 In response to the Town Councils comments regarding foul drainage Anglian Water have confirmed that they have no objection to the application. The foul drainage discharge point has been identified by Anglian Water, any upgrade works as a result of this connection point will be undertaken by them. It was determined at the outline application stage that a strategy would be required to accommodate flows from the site. The strategy comprised a new manhole in Gulpher Road, off site storage and the upsizing of an existing manhole in Queen Street. Furthermore Condition 10 of the outline consent requires a foul water strategy to be submitted and agreed prior to the commencement of development. Anglian Water will be consulted on any forthcoming application to discharge Condition 10. It is not therefore necessary for these details to be submitted with these reserved matters application.

#### Renewable Energy

- 8.54 In response to the comments made by Felixstowe Town Council renewables do not form part of this reserved matters application. Condition 13 of the outline planning permission requires, prior to the commencement of development, a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and occupational phases of the development to be submitted to and agreed, in writing, with the Local Planning Authority. The development will have to be carried out in accordance with the approved details.
- 8.55 In addition, condition 14 also requires a scheme for the provision and implementation of rainwater harvesting shall be submitted and agreed, in writing, with the Local Planning Authority prior to the commencement of development. Whilst this condition will have to be discharged at a later date the applicant has confirmed that one of the measures will be for each house to be provided with water butts.

#### Economic Benefits

- 8.56 In the short to medium term there will be economic benefits arising through the creation of jobs in the construction industry and supply chains. In the longer term there will be

benefits to the local economy through increased spend from the new residents supporting facilities and services in Walton and Felixstowe.

- 8.57 The proposed housing will be liable for Community Infrastructure Levy for the whole of the permitted Gross Internal Area, although the affordable housing will be subject to potential relief. The site lies within the low CIL charging zone. 15% of the CIL collected for this development would go direct to Felixstowe Town Council for spending on infrastructure or anything else that supports development, which is a benefit arising from the proposal.
- 8.58 The outline planning application S106 agreement secured contributions towards improvements to public rights of way in the vicinity of the site, education provision and bus stop infrastructure.

## **9. Conclusion**

- 9.1 Since the application was submitted officers have worked closely with the applicant to secure a number of improvements which have addressed initial concerns that were raised in respect of some aspects of the layout of the development and design and appearance of the dwellings.
- 9.2 The applicant has also worked closely with Suffolk County Highways and Floods Authority to satisfactorily address initial holding objections.
- 9.3 Officers consider that the design of the proposal is acceptable in accordance with the NPPF and policy SCLP11.1. The proposal provides a legible layout around key open spaces that are functional and well overlooked. The proposal will offer good pedestrian and cycle connectivity within the site to the wider North Felixstowe Garden Neighbourhood when this comes forward and to the existing public rights of way network.
- 9.4 A detailed drainage strategy has been provided which addresses the concerns that the lead local flood authority had and which complies with the NPPF and Local Plan in terms of providing biodiversity and amenity benefits to the development.
- 9.5 It is considered that the road layout, parking provision and footway/cycleways are designed to an acceptable standard that will enable adoption of the scheme as confirmed by Suffolk County Council as Highways Authority.
- 9.6 Whilst the issues and concerns raised by the Town Council in their response dated 18 November 2020 above are acknowledged it is considered that the revised layout and conditions, either those below or those outstanding on the outline consent, can adequately address these concerns. The site is allocated for residential development in the Local Plan and outline planning permission has been granted on the site. This application represents the first phase of that development that will deliver 85 affordable houses which is a significant benefit of the scheme, together with securing good pedestrian connectivity across the site and to the wider North Felixstowe Garden Neighbourhood.

- 9.7 With the conditions suggested within this report and those outstanding on the outline approval, the proposal is considered to represent a sustainable form of development in accordance with the Local Plan, and an acceptable detailed scheme pursuant to the outline permission. Officers recommend that approval of the reserved matters application be granted

## 10. Recommendation

- 10.1 That subject to the Suffolk RAMS contribution the reserved matters application be approved subject to the following conditions:

If the Suffolk RAMS contribution is not received or secured within two months then authority to refuse the application on the grounds that the proposal does not adequately mitigate the impact of the development on designated sites.

### Conditions:

1. The development hereby permitted shall be completed in all respects strictly in accordance with the listed plans and documents, 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:

Received 11 December 2020:-

956-P-180 Rev E - Site location plan  
E3893-Felixstowe- Phase 1A Drainage Strategy-Rev 4 dated November 2019  
956-P-100 Rev G - Planning Layout Sheet 1  
956-P-101 Rev F - Planning Layout Sheet 2  
956-P-102 Rev F - Planning layout Sheet 3  
956-P-103 Rev F - Planning Layout Overview  
956-P-104 Rev F - Movement and connectivity plan  
956-P-110 Rev F and 111 Rev E - Character Areas  
956-P-152 Rev E - Materials Schedule  
956-P-116 - Mews Court Entrance  
956-P-120 Rev F and 121 Rev E - Storey height layout  
956-P-130 Rev F and 956-P-131 Rev E - Refuse strategy  
956-P-140 Rev G and 956-P-141 Rev G - Parking Allocation  
956-P-160 Rev F and 161 Rev E - Affordable housing layout  
956-P-190 Rev D, 191 Rev D and 192 Rev D - Boundary treatment

956-P-019 Rev B and 020 Rev C - Cromer: Character Areas 1 and 4  
956-P-021 Rev B, 022 Rev C and 023 Rev B - Hadleigh: Character Areas 2, 3 and 4  
956-P-030 Rev B, 031 Rev C and 032 Rev C - Hopton: Character Areas 1, 2 and 4  
956-P-033 Rev B and 034 Rev C - Longthorne: Character Areas 3 and 4  
956-P-037 Rev B and 039 Rev C - Morden: Character Areas 1 and 4  
956-P-041 Rev B and 042 Rev C - Newton: Character Areas 2 and 3  
956-P-043 Rev E - (Newton floor plans: Character Area 4)

956-P-043.1 Rev E - (Newton elevations: Character Area 4)  
956-P-044 Rev C and 046 Rev A - Oulton: Character Areas 1 and 4  
956-P-047 Rev B - Ripley: Character Area 1  
956-P-048 Rev B, 049 Rev B and 050 Rev B- Rufford: Character Areas 1, 2 and 4  
956-P-053 Rev C and 054 Rev C - Souter: Character Areas 3 and 4  
956-P-055 Rev C and 060 Rev B- Sutton: Character Areas 3 and 2  
956-P-062 Rev A and 063 Rev B - Alnmouth: Character Areas 2 and 4  
956-P-064 Rev A - Charnwood Corner: Character Area 2  
956-P-065 Rev B and 066 Rev A- Charnwood Corner: Character Areas 3 and 4  
956-P-065.1 Charnwood - Character Area 3  
956-P-067 and 068 - Charnwood Danbury Corner: Character Area 2  
956-P-069 - Charnwood Danbury Corner: Character Area 4  
956-P-070 - Cromer: Character Area 2  
956-P-071 and 073 - Danbury: Character Areas 1 and 4  
956-P-074 Rev B, 075 Rev A and 076 Rev B - Greenwood: Character Areas 2, 3 and 4  
956-P-077 Rev A and 078 Rev B - Kielder: Character areas 3 and 4  
956-P-079 Rev A - Morden: Character area 2  
956-P-080 Rev C, 081 Rev B and 082 Rev B - Piel: Character area 4, elevations and floor plans  
956-P-083 Rev B - Rufford: Character area 3  
956-P-084 Rev A - S103H: Character area 2  
956-P-085 Rev A, 086 Rev B and 087 Rev B - Sherwood: Character areas 2, 3 and 4  
956-P-088 Rev A - Souter: Character Area 2  
956-P-090 Rev B - Sutton: Character Area 4  
956-P-091 Rev A, 092 Rev A and 093 Rev B - Taunton: Character Areas 2, 3 and 4  
956-P-094 Rev A and 095 Rev B - Whiteleaf: Character Areas 2 and 3  
956-P-096 Rev A - Whiteleaf V3: Character Area 2  
956-P-097 Rev A, 098 Rev A and 099 Rev B - Whiteleaf V4: Character Areas 2, 3 and 4

Plans received 19 October 2020:

956-P-204 - Double carport  
956-P-061 - Substation  
956-P-061.1 - Bin and cycle store  
956-P-099.1 - Whiteleaf: Character Area 4

JBA 19/033-01 Rev J - Soft Landscaping  
JBA 19/033-02 Rev J - Soft Landscaping  
JBA 19/033-03 Rev J - Soft Landscaping  
JBA 19/033-04 Rev J - Soft Landscaping  
JBA 19/033-05 Rev J - Soft Landscaping  
JBA 19/033-06 Rev J - Soft Landscaping  
JBA 19/033-07 Rev J - Soft Landscaping  
JBA 19/033-08 Rev J - Soft Landscaping  
JBA 19/033-09 Rev J - Soft Landscaping  
JBA 19/033-10 Rev J - Soft Landscaping  
JBA 19/033-11 Rev J - Soft Landscaping  
JBA 19/033-12 Rev J - Soft Landscaping  
JBA 19/033-13 Rev J - Soft Landscaping  
JBA 19/033-14 Rev J - Soft Landscaping

956-P-153 Rev B and 154 Rev B - Fence specification

956-P-200 - Single garage

956-P-201 - Double garage

956-P-202 - Triple garage

956-P-203 - Quadruple garage

956-P-402 - Pump station detail received 7 August 2020:

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

2. No more than ninety-nine (99) dwellings shall be occupied until the footway from Gulpher Road, as shown on drwg.no. 956-P-100 Rev G, has been completed in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a properly planned development.

3. No more than ninety-nine (99) dwellings shall be occupied until the footpath/cycleway links and the hoggin path, as shown on drwg.nos. 956-P-100 Rev G, 956-P-101 Rev F, 956-P-102 Rev F and 956-P-104 Rev F, have both been completed in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a properly planned development.

4. Prior to any above ground works an Ecological Enhancement Strategy, addressing how ecological enhancements will be achieved on site, will be submitted to and approved in writing by the local planning authority. Ecological enhancement measures will be delivered and retained in accordance with the approved Strategy.

Reason: To ensure that the development delivers ecological enhancements.

5. Prior to any works above slab level details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

6. The landscaping scheme shall be fully implemented in accordance with the details shown on drwg. nos JBA 19/033-01 Rev J - JBA 19/033-14 Rev J prior to the occupation of any dwelling.

Notwithstanding the landscape drawings hereby approved, no above ground construction shall commence until a scheme of soft landscaping for the areas around the basins (to the east of the care home site and in the north west corner of the site) has been submitted to and approved by the Local Planning Authority. That scheme of soft landscaping shall be to a scale of not less than 1:200 and include a programme for its delivery.

The approved scheme of soft landscaping works shown on the drawings listed above and on those agreed for the areas around the basins, shall thereafter be implemented in

accordance with the agreed programme. Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

Reason: To ensure the provision of amenity afforded by appropriate landscape design.

7. All hedges or hedgerows within the site, unless indicated as being removed on the approved drawings, shall be retained for at least five years following practical completion of the approved development, unless otherwise agreed by the Local Planning Authority; and these hedges shall be protected by the erection of secure fencing, to the satisfaction of the Local Planning Authority in accordance with the relevant British Standards (BS5837:2012 Trees in relation to design, demolition and construction - Recommendations) for the duration of works on site.

Within the aforementioned five-year period any parts of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the Authority's opinion, seriously damaged or otherwise defective shall be replaced and/or shall receive remedial action as required by the Authority. Such works shall be implemented by not later than the end of the following planting season, with plants of such size and species and in such number and positions as may be agreed with the Authority. The hedge(s) shall be reinforced with further planting where necessary to the satisfaction of the Local Planning Authority.

Reason: To ensure the continuity of amenity afforded by existing hedges or hedgerow.

8. No development shall take place until a scheme for the installation of fire hydrants throughout the site has been submitted to and approved in writing by the Local Planning Authority in conjunction with the Fire and Rescue Service. The fire hydrants shall be installed prior to occupation of dwellings.

Reason: In the interests of fire safety.

### **Informatives:**

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

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

If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of

any size or convenience retail, your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to [CIL@eastsoffolk.gov.uk](mailto:CIL@eastsoffolk.gov.uk)

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

CIL forms can be downloaded direct from the planning portal:

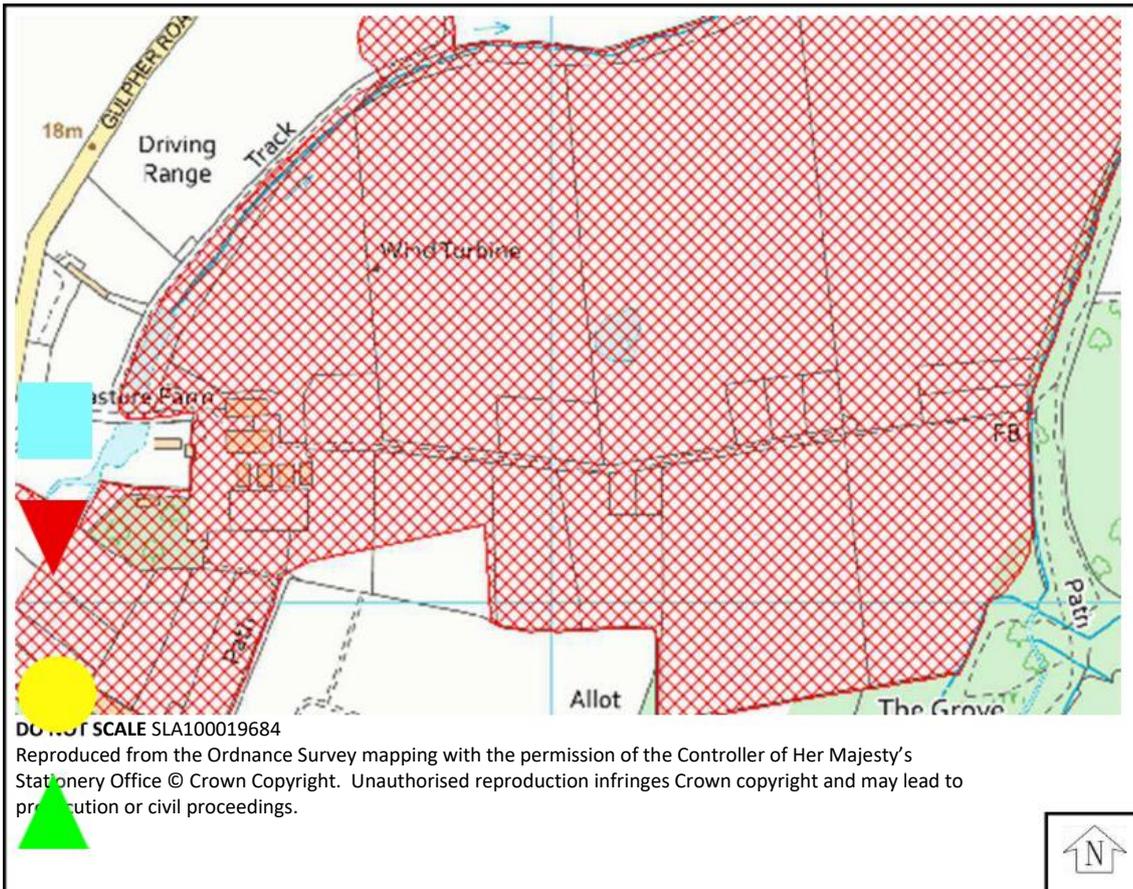
[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

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

### **Background information**

See application reference DC/20/1002/ARM on [Public Access](#)

# Map



## Appendix A

Richard Brown Richard Brown Planning Limited 18 Redwood Burnham Buckinghamshire SL1 8JN	Our ref: APP/J3530/W/15/3138710  31 August 2017
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Dear Sir,

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78  
APPEAL MADE BY CHRISTCHURCH LAND & ESTATES (FELIXSTOWE) LTD**

LAND AT CANDLET ROAD, FELIXSTOWE, SUFFOLK APPLICATION REF:  
DC/15/1128/OUT

1. I am directed by the Secretary of State to say that consideration has been given to the report of Clive Hughes BA(Hons) MA DMS MRTPI, who held a public local inquiry on 2730 September 2016 into your client's appeal against the decision of Suffolk Coastal District Council to refuse your client's application for planning permission for the erection of 560 dwellings including a local community centre, a 60 bedroom extra care home and 50 assisted living units, 2 small business units and open space provision with associated infrastructure, in accordance with application ref: DC/15/1128/OUT, dated 13 March 2015.
2. On 13 April 2016, this appeal was recovered for the Secretary of State's determination, in pursuance of section 79 of, and paragraph 3 of Schedule 6 to, the Town and Country Planning Act 1990.

Inspector's recommendation and summary of the decision

1. The Inspector recommended that the appeal be allowed and planning permission be granted subject to conditions.
2. For the reasons given below, the Secretary of State agrees with the Inspector's conclusions, except where stated, and agrees with his recommendation. He has decided to allow the appeal and grant outline planning permission, subject to

conditions. A copy of the Inspector's report (IR) is enclosed. All references to paragraph numbers, unless otherwise stated, are to that report.

Department for Communities and Local Government Tel: 0303 444 1624  
Maria Stasiak, Decision Officer Email: [PCC@communities.gsi.gov.uk](mailto:PCC@communities.gsi.gov.uk)  
Planning Casework  
3rd Floor Fry Building  
2 Marsham Street  
London SW1P 4DF

#### Procedural matters

5. The Secretary of State agrees with the Inspector at IR3-4 that no interests would be prejudiced by determining the appeal on the basis of the amended plan, and he has proceeded on that basis.

#### Matters arising since the close of the inquiry

1. On 16 February 2017, the Secretary of State wrote to the main parties to afford them an opportunity to comment on the implications, if any, of the Inspector's Report on the Felixstowe Peninsula Area Action Plan (FPAAP) and the Site Allocations and Area Specific Policies Development Plan Document (DPD).
2. On 18 May 2017, the Secretary of State wrote further to the main parties to afford them an opportunity to make representations on the Supreme Court judgment on the cases of Cheshire East BC v SSCLG and Suffolk Coastal DC v SSCLG, which was handed down on Wednesday 10 May 2017.
3. On 27 June 2017, the Secretary of State wrote further to the main parties to afford them an opportunity to make representations on the Suffolk Coastal District Council Housing Land Supply Assessment (1 April 2017 – 31 March 2022) published in June 2017.
4. A list of representations received is set out at Annex A. Copies of these letters may be obtained on written request to the address at the foot of the first page of this letter.
5. Two applications for partial award of costs have been made; one by Suffolk County Council against Christchurch Land & Estates (Felixstowe) Ltd and, and one by

Christchurch Land & Estates (Felixstowe) Ltd against Suffolk Coastal District Council.

These applications are the subject of separate decision letters. **Policy and statutory**

#### **considerations**

6. In reaching his decision, the Secretary of State has had regard to section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise.
7. In this case the development plan consists of the Suffolk Coastal Local Plan Core Strategy and Development Management Policies (CS) adopted in July 2013; the saved policies of the Suffolk Coastal District-wide Local Plan (incorporating First and Second Alterations) (2006); the Felixstowe Peninsula Area Action Plan (FPAAP) and the Site Allocations and Area Specific Policies Development Plan Document (DPD), both adopted on 26 January 2017. The Secretary of State considers that the development plan policies of most relevance to this case are those set out at IR15, along with those set out at IR21, which now form part of the development plan. He notes that policies AP170 and AP208, referred to at IR20, have been superseded by the FPAAP and no longer form part of the development plan.

8. Other material considerations which the Secretary of State has taken into account include the National Planning Policy Framework ('the Framework') and associated planning guidance ('the Guidance').

### *Emerging plan*

9. A Local Plan Review is being carried out. This is at a very early stage, with an Issues and Options consultation being carried out between 18 August and 30 October 2017. Given the early stage of preparation and the lack of firm proposals at this stage, the Secretary of State considers that the emerging plan carries limited weight.

### Main issues

1. The Secretary of State considers that the main issues are housing land supply; the weight attaching to development plan policies; landscape character; the benefits and impacts of the proposal; and provision of community and other services and facilities. *Housing land supply*
2. The Secretary of State has taken into account the Inspector's analysis at IR117-129. For the reasons given in IR117-124, he agrees with the Inspector at IR123-4 that due to the terms of Policy SP2, and the Council's failure to meet the cited timescale, the CS requirement figure of 7,900 (which gives an annual figure of 465) is out of date and cannot reasonably remain in place. He has gone on to consider what the appropriate requirement figure would be. For the reasons given at IR125-126, he agrees with the Inspector that a requirement figure in excess of 11,000 seems more realistic. He has taken into account the fact that the Inspector for the CS Examination concluded in 2012 that the best available estimate of the OAN for 2010-2027 would be 11,000 new dwellings (IR121), but that figures in excess of 11,000 were not subjected to an examination in public (IR125). He therefore concludes that on the basis of the material which was before the inquiry, a requirement figure of 11,000 is appropriate.
3. Since the inquiry was held, relevant documents have been published. The Suffolk Coastal District Council Housing Land Supply Assessment 1st April 2017 – 31st March

2022 (HLSA) was published in June 2017. It draws on the conclusions of the Ipswich Policy Area Strategic Housing Market Assessment (SHMA), which was published in May 2017. An appeal decision relating to Woodbridge Road, Bredfield (APP/J3530/W/16/3165412) was issued on 14 June 2017. The Council has further provided material relating to discussion of the SHMA at the Bell Lane inquiry (APP/J3530/W/16/3160194).

4. The Secretary of State has considered whether the figure of 11,000 should be amended in the light of this new information. The SHMA identifies an OAN figure of 460dpa, roughly in line with the CS figure. He has taken into account that the HLSA acknowledges that this figure has not been tested, and that this will happen as the Local Plan Reviews progress (paragraph 8 of the HLSA). The Secretary of State considers that testing of the SHMA figure is particularly important in this case. He notes that the SHMA highlights several uncertainties: e.g. the causes of UPC cannot be satisfactorily explained, and hence excluding it from future projections could either underestimate or overestimate trend-driven demographic change; migration and household formation are difficult to measure for the past and even more difficult to predict for the future; and there are difficulties in identifying the appropriate housing market uplift. In the light of these uncertainties, the Secretary

of State considers it is important that the SHMA is subject to consultation, scrutiny and independent objective testing. He further considers that it is not appropriate or necessary for him to attempt to resolve these uncertainties within this appeal process.

5. He agrees with the Bredfield Inspector's reasoning in paragraph 11 of his decision letter that the fact that the recently adopted DPD was found sound based on a housing requirement of 7,900 homes does not alter the fact that the OAN is identified in the CS as 11,000 homes, and that the Framework states that the housing requirements of an area should be based upon this.
6. For these reasons, he considers that the OAN set out in the SHMA carries limited weight, and considers that a figure of 11,000 for the OAN is appropriate in the current case. That gives an annual figure of 647, and a CS target figure between 2010-11 and 2015-16 of 3882.
7. The Secretary of State agrees with parties that the under delivery should be made up in the next 5 years (the Sedgefield method). Set against an annual figure of 647, the housing delivery figures set out in Appendix C of the HLSA indicate a cumulative shortfall of 1866 (3882 – 2016), and an annual shortfall figure under the Sedgefield method of 373.
8. The Secretary of State agrees with the Inspector's reasoning in IR127-129, and concludes that a 20% buffer should be applied. Applying this buffer to the figures above gives an annual requirement of 1,224 ((647 + 373) x 1.2 = 1,224).
9. The Secretary of State has gone on to consider housing supply. The Inspector's consideration at IR130-135 is superseded by the consideration of this issue at the Bredfield hearing on 6 June 2017, where the Council put forward a supply figure of 3,757 (paragraph 15 of the Bredfield decision). Given this is a more up-to-date assessment by the Council, the Secretary of State prefers this figure. He notes that the figure for 2016-17 completions in the HLSA is higher than the figure put forward at the Bredfield hearing, and that the number of dwellings which have planning permission has also increased since the Bredfield hearing. He considers, in line with the Bredfield Inspector, that the recent increase in completions could have reduced the overall extent of the under provision, albeit that annual completions remain below the annual target of 647.
10. Overall the Secretary of State considers that that the supply of housing is 3-3.5 years.

*Weight attaching to development plan policies*

11. The Secretary of State agrees with the Inspector at IR180 that there would be conflict with CS Policies SP19, SP21, SP29, DM3 and FPP2, which deal with settlement policy and boundaries. These policies are consistent with some elements of the Framework, which seek to protect the countryside. However, the Secretary of State considers that overall they are out of date by virtue of inconsistency with the Framework, as there is no 5-year housing land supply as required by the Framework. Given that the housing land supply is only 3-3.5 years, he considers that these policies carry moderate weight. *Landscape character*
12. For the reasons given at IR138-151, the Secretary of State considers that overall there would be moderate harm to the setting of Felixstowe/Walton, and moderate harm to the character of the countryside. Although the site is large, and he agrees with the Inspector that there would be considerable visual harm to the immediate area (IR144) and significant harm to the character of FP057 (IR146), he further agrees that the harm would be limited and highly localised (IR151). He gives the harm moderate weight. For the reasons given at IR148, he agrees with the Inspector that the harm to the AONB would be

very limited; however, given the importance that the Framework attaches to conserving landscape and scenic beauty in AONBs, he gives this harm moderate weight. He further agrees with the Inspector at IR151 that there is conflict with CS Policies SP15, SP19, SP21 and SP29.

#### *Benefits and impacts*

13. For the reasons given in IR153-155, the Secretary of State considers that the economic benefits of the proposal carry moderate weight. For the reasons given in IR156 he considers that the benefits of the provision of market and affordable housing carry significant weight. However, as there is no mechanism to secure the proposed business units, the community facility or the care home/assisted living spaces, he considers that these carry limited weight in the planning balance.

14. The Secretary of State considers that the loss of BMV agricultural land carries moderate weight against the proposal.

#### *Provision of community and other services and facilities*

15. For the reasons given in IR159-166, the Secretary of State agrees with the Inspector that subject to the imposition of conditions and the submitted unilateral undertaking, the proposals make adequate provision for community and other services and facilities, in line with local and national policy (IR166).

#### Planning conditions

30. The Secretary of State has given consideration to the Inspector's analysis at IR167-170, the recommended conditions set out at the end of the IR (Annex pages 37-42) and the reasons for them, and to national policy in paragraph 206 of the Framework and the relevant Guidance. He is satisfied that the conditions recommended by the Inspector comply with the policy test set out at paragraph 206 of the Framework and that the conditions set out at Annex B should form part of his decision.

#### Planning obligations

31. Having had regard to the Inspector's analysis at IR171-2, the signed and dated unilateral undertaking, paragraphs 203-205 of the Framework, the Guidance and the Community Infrastructure Levy Regulations 2010, as amended, the Secretary of State agrees with the Inspector's conclusion for the reasons given in IR172 that the obligation complies with Regulation 122 of the CIL Regulations and the tests at paragraph 204 of the Framework and is necessary to make the development acceptable in planning terms, is directly related to the development, and is fairly and reasonably related in scale and kind to the development.

#### Planning balance and overall conclusion

1. The appeal proposal conflicts with a number of development plan policies as set out above, and the Secretary of State considers that it is not in accordance with the development plan overall. He has gone on to consider whether there are material considerations which indicate that the proposal should be determined other than in accordance with the development plan.
2. In the absence of a 5-year housing land supply, paragraph 14 of the Framework applies. It states that planning permission should be granted unless (a) any adverse impacts of doing so significantly and demonstrably outweigh the benefits, when assessed against policies in the Framework as a whole or (b) specific policies in the Framework indicate development should be restricted.
3. The Secretary of State considers that the harm to the setting of Felixstowe/Walton and to landscape character carries moderate weight, and that the very limited harm to the AONB also carries moderate weight. He further considers that the loss of BMV agricultural land carries moderate weight against the proposal.

4. He considers that the provision of the housing, including the affordable housing, carries significant weight in favour of the development, and that the economic benefits carry moderate weight. He further considers that the proposed business units, the community facility and the care home/assisted living spaces carry limited weight in favour of the development.
5. The Secretary of State considers that there are no specific policies in the Framework which indicate that this development should be restricted. He further considers that the adverse impacts of the proposal do not significantly and demonstrably outweigh the benefits. Overall he concludes that there are material considerations which indicate that the proposal should be determined other than in accordance with the development plan.
6. The Secretary of State therefore concludes that the appeal should be allowed, and planning permission granted, subject to conditions.

#### Formal decision

1. Accordingly, for the reasons given above, the Secretary of State agrees with the Inspector's recommendation. He hereby allows your client's appeal and grants outline planning permission, subject to the conditions set out in Annex B of this decision letter, for the erection of 560 dwellings including a local community centre, a 60 bedroom extra care home and 50 assisted living units, 2 small business units and open space provision with associated infrastructure, in accordance with application ref: DC/15/1128/OUT, dated 13 March 2015, as amended by the substitution of a revised plan as set out in paragraph 5 of this decision letter.
2. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.

#### Right to challenge the decision

1. A separate note is attached setting out the circumstances in which the validity of the Secretary of State's decision may be challenged. This must be done by making an application to the High Court within 6 weeks from the day after the date of this letter for leave to bring a statutory review under section 288 of the Town and Country Planning Act 1990.
2. An applicant for any consent, agreement or approval required by a condition of this permission for agreement of reserved matters has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused or granted conditionally or

if the Local Planning Authority fail to give notice of their decision within the prescribed period.

3. A copy of this letter has been sent to Suffolk Coastal District Council and all other parties who asked to be informed of the decision. Yours faithfully,

*Maria Stasiak*

Authorised by Secretary of State to sign in that behalf

**Annex A – Summary of representations Representations received in response to the**

Secretary of State's reference back letter of 16 February 2017

<b>Party</b>	<b>Date</b>
Suffolk Coastal District Council	1 March 2017
Suffolk County Council	2 March 2017
Richard Brown Planning Limited	2 March 2017
Pegasus Planning	2 March 2017
Felixstowe Society of Allotment and Leisure Gardeners	1 and 3 March 2017
Felixstowe Town Council	2 March 2017

**Representations received in response to the**

Secretary of State's reference back letter of 18 May 2017

<b>Party</b>	<b>Date</b>
Suffolk Coastal District Council and Cornerstone Barristers	24 May and 1 June 2017
Richard Brown Planning Limited	31 May 2017
Felixstowe Society of Allotment and Leisure Gardeners	29 May 2017
Felixstowe Town Council	31 May 2017

**Representations received in response to the Secretary of**

State's reference back letter of 27 June 2017

<b>Party</b>	<b>Date</b>
Suffolk Coastal District Council	7 July 2017
Richard Brown Planning Limited	6 July 2017
Felixstowe Society of Allotment and Leisure Gardeners	6 July 2017
River Debden Association	8 July 2017
Felixstowe Town Council	11 July 2017
Suffolk Coastal District Council	19 July 2017

General representations

Therese Coffey MP	11 October 2016
Suffolk Coastal District Council	28 July 2017
Suffolk Coastal District Council	15 August 2017
Suffolk Coastal District Council	18 August 2017
Suffolk Coastal District Council	29 August 2017

Annex B – Conditions

1. Plans and particulars showing the detailed proposals for all the following aspects of the development (“the reserved matters”), or within a phase, shall be submitted to the local planning authority and the development shall not be commenced before these details have been approved:

- a. The siting of all buildings and the means of access thereto from an existing or proposed highway;
  - b. The design of all buildings, including the colour and texture of facing and roofing materials; iii. Landscaping;
  - a. 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;
  - b. The layout of foul sewers and surface water drains; and
  - c. The alignment, height and materials of all walls and fences and other means of enclosure.
2. a) Application for approval of any reserved matters must be made within five years of the date of this outline permission and then
- b) The development hereby permitted must be begun within either three years from the date of this outline permission or within two years from the final approval of the reserved matters, whichever is the later date.
3. The development hereby permitted shall be carried out in full accordance with Drawing No. YOR.2258\_036.A and generally in accordance with the Indicative Masterplan (Drawing No YOR.2258\_010M) unless otherwise agreed in writing by the Local Planning Authority.
4. Prior to development commencing a phasing plan for the development of the whole of the site shall be submitted to and approved in writing by the Local Planning Authority. The development of the site shall be undertaken in accordance with the approved plan or as otherwise agreed in writing by the Authority from time to time.
5. Before the development is commenced, or any phase of development commenced, details of the areas to be provided for storage of refuse/ recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in accordance with the approved details and shall be retained thereafter for no other purpose.
6. Prior to the commencement of development, a Construction Management Plan shall be submitted to the local planning authority for approval. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:
- a. The parking of vehicles of site operatives; ii. Loading and unloading of plant and materials;
  - iii. Storage of plant and materials used in the construction of development; iv. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate; v. Measures to control the emission of dirt; and vi. A scheme for recycling/disposing of waste resulting from demolition.
7. No development shall take place until a Dust Management Plan has been submitted to and approved in writing by the Local Planning Authority and the recommendations of which must be implemented during the construction phase of the development unless otherwise agreed in writing.
8. Prior to any development commencing on any phase within the site a scheme for protecting noise sensitive properties within the site from road traffic noise shall be submitted to and approved by the Local Planning Authority. All works which form

part of this scheme shall be so far as they relate to any specific property before such property is occupied.

9. Although site investigation has not previously identified any contamination associated with this site, if any contamination is encountered anywhere on the site during the development, it must be reported to the Local Planning Authority. Where remediation is necessary a scheme shall be prepared and agreed in writing with the Local Planning Authority prior to any works which may disseminate or bury the contaminant or put any site operative at risk and thereafter implemented in accordance with the measures specified in the agreed scheme.
10. No development shall commence commencing on any phase within the site until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.
11. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.
12. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
13. Prior to the commencement of development a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and occupational phases of the development shall be submitted to and agreed, in writing, with the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The scheme shall be constructed and the measures provided and made available for use in accordance with such timetables as may be agreed.
14. Prior to the commencement of development, a scheme for the provision and implementation of rainwater harvesting shall be submitted and agreed, in writing, with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification in conjunction with the development to which it relates.
15. Any planting, seeding or turfing comprised in the approved details of landscaping in respect of any phase shall be carried out in accordance with the phasing arrangements for such planting and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced on the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

16. A landscape management plan, including the long term design objectives, management responsibilities and maintenance schedules for all landscape areas, SUDS and play areas, other than privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development or any phase of the development. The landscape management plan shall be carried out as approved.
17. Details of any external lighting shall be submitted to and approved in writing by the local planning authority before the dwellings are occupied. Development shall be carried out in accordance with the approved details.
18. Concurrent with the first reserved matters application, an amended flood risk assessment (FRA) including surface water storage on site to be provided and sized to contain the 1 in 100 year + 40% climate change event has been submitted to and approved in writing by the Local Planning Authority.
19. No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
  - a. Limiting the surface water run-off generated in all events up to the 1 in 100 year critical storm to no more than 43l/s (1.37 l/s/ha or QBAR), so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site; ii. Provision of attenuation storage to manage the volume of surface water generated in all rainfall events up to and including the 1 in 100 year return period event including allowances for climate change (40%);
  - a. The pipe diameters of the surface water drainage network shall be determined during the detailed design stage and calculations shall be submitted which demonstrate they are sized to adequately convey the critical duration 1 in 100 year return period rainfall event, including allowances for climate change. A fully labelled network diagram showing all dimensions (pipe numbers, gradients, sizes, locations, manhole details etc.) of every element of the proposed drainage system should be submitted;
  - b. In the event of exceedance flows that surpass the critical duration rainfall event or a blockage/failure occurs within the drainage network/flow control device the attenuation features shall incorporate an emergency spillway and appropriate freeboard as part of their design;
  - c. Confirmation that the existing drainage ditches, downstream to watercourse, are free from obstruction and able to adequately drain to watercourse without causing nuisance or damage. It is proposed that all surface water runoff generated from the proposed development will be discharged to existing drainage ditches via attenuation and a controlled discharge rate (43 l/s);
  - d. All surface water management features must be designed in accordance with CIRIA (C753) The SuDS Manual so ecological, water quality and aesthetic benefits can be achieved in addition to the flood risk management benefits;
  - e. Plans and drawings showing the locations and dimensions of all aspects of the proposed surface water management scheme. The submitted plans

should demonstrate that the proposed drainage layout will perform as intended based on the topography of the site and the location of the proposed surface water management features. In addition, full design details, including cross sections of the proposed attenuation features will be required;

- f. Details of the future adoption and maintenance of all aspects of the surface water drainage strategy. The local planning authority should be satisfied that arrangements are in place for the long term maintenance and management of the surface water management scheme;
- g. Infiltration testing shall be carried out on the site in accordance with BRE 365, and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- h. Confirmation, in writing, of the East Suffolk Internal Drainage Board's acceptance of the proposed surface water runoff rates should be submitted;
- i. A full hydrological analysis of the ordinary watercourse which flows through the site, including information regarding the watercourse capacity and calculations to demonstrate that the proposed road crossing culverts/bridges will be suitably sized to convey the 1 in 100 year flood event, including allowances for climate change. The mitigation measures shall be fully implemented in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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

21. No more than three hundred (300) dwellings hereby permitted shall be occupied until the flood risk asset register template has been submitted, in the required form, to and approved in writing by the Local Planning Authority.

22. No development shall commence until details of a construction surface water management plan detailing how surface water and storm water will be managed on the site during construction is submitted to and agreed in writing by the Local Planning Authority. The construction surface water management plan shall be implemented and thereafter managed and maintained in accordance with the approved plan.

23. No development shall commence until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions, and:

- a. The programme and methodology of site investigation and recording; ii. The programme for post investigation assessment;

- iii. Provision to be made for analysis of the site investigation and recording; iv. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
- a. Provision to be made for archive deposition of the analysis and records of the site investigation;
  - b. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation; and
  - c. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.
24. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 23 and the provision made for analysis, publication and dissemination of results and archive deposition.
25. No development shall commence on each specific reserved matters phase until details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), related to that phase, have been submitted to and approved in writing by the Local Planning Authority.
26. 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.
27. The new estate road junction with Candlet Road, as shown on WYG drawing No. A085774\_007 Rev. B inclusive of cleared land within the sight splays to this junction must be formed prior to any other works commencing or delivery of any other materials. Full details of the junction shall be submitted to and approved by the Local Planning Authority prior to the commencement of development.
28. No development shall commence on each specific reserved matters phase until details of the areas to be provided for the manoeuvring and parking of vehicles including secure cycle storage, related to that phase, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be delivered in conjunction with the development they are intended to serve, and shall be retained thereafter and used for no other purpose.
29. No more than ninety nine (99) dwellings shall be occupied until the footway/ cycleway along the north east side of Candlet Road from the site access to the Grove Road Heath Centre, as shown on WYG Drawing A085774\_010 Rev. A, and the footway link adjacent to Gulpher Road, as shown on WYG Drawing No. A085774\_007 Rev. B, have both been completed in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority.
30. No dwelling shall be occupied until footpath 24 has been enhanced with a metalled surface and street lighting, from the site access to Ataka Road (as generally shown in WYG drawing A085774\_014), has been carried out in accordance with details

that shall previously have been submitted to and approved in writing by the Local Planning Authority.

31. No dwelling shall be occupied until a Zebra Crossing on the High Street, as shown on the WYG Drawing A 085774\_011 Rev. A, has been completed in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority.

# **Report to the Secretary of State for Communities and Local Government**

**by Clive Hughes BA(Hons) MA DMS MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Date: 11 January 2017**

**TOWN AND COUNTRY PLANNING ACT SUFFOLK COASTAL DISTRICT COUNCIL**

**APPEAL BY**

**CHRISTCHURCH LAND & ESTATES (FELIXSTOWE) LTD**

Inquiry opened on 27 September 2016

Land at Candlet Road, Felixstowe, Suffolk IP11 9RD

File Ref: APP/J3530/W/15/3138710

**File Ref: APP/J3530/W/15/3138710**  
**Land at Candlet Road, Felixstowe, Suffolk IP11 9RD**

1. The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
2. The appeal is made by Christchurch Land & Estates (Felixstowe) Ltd against the decision of Suffolk Coastal District Council.
3. The application Ref DC/15/1128/OUT, dated 13 March 2015, was refused by notice dated 12 June 2015.
4. The development proposed is up to 560 dwellings including a local community centre, a 60 bedroom extra care home and 50 assisted living units, 2 small business units and open space provision with associated infrastructure.
5. The inquiry sat for 4 days on 27 to 30 September 2016; an accompanied site visit took place on 4 October 2016.

Summary of Recommendation: That the appeal be allowed.

**Procedural Matters**

1. At the Inquiry applications for costs were made by Christchurch Land & Estates (Felixstowe) Ltd (the appellant) against Suffolk Coastal District Council (SCDC) and by Suffolk County Council (SCC) against the appellant. These applications are the subject of separate Reports.
2. On 13 April 2016 the Secretary of State (SoS) directed that he would determine the appeal. The reason for this direction was that the appeal involves proposals for residential development of over 150 units or on a site of over 5 hectares, which would significantly impact on the Government's objective to secure a better balance between housing demand and supply and create high quality, sustainable, mixed and inclusive communities.
3. As part of the preparation of a section 106 Obligation, up to date title information was obtained by the appellant. The Land Registry-filed plans showed that the boundaries of the two titles differed slightly in three places from the boundary as shown on the site location plan submitted with the planning application. An amended site location plan (Drawing No

YOR.2258\_036.A) was submitted with the supplemental proof of Richard Brown (Document CLE6: Plan 4) and at the Inquiry I was asked to substitute this plan for that originally submitted.

4. The three changes, which are indicated in blue on Drawing No YOR.2258.040.A (Document CLE6: Plan 3), are minor (amounting to less than 1% of the original site) and each involves a slight reduction in the site area. No additional land outside the original application site is to be included. As the site area is reduced I do not consider that any interests would be prejudiced by this appeal being determined on the basis of the amended plan. The Illustrative Masterplan has also been amended to accord with this reduction in the site area.

**Reasons for refusal**

5. At its meeting on 10 June 2015 the Council's Development Management Committee resolved to refuse planning permission for the following reasons:
  1. *The site lies in the open countryside outside the defined physical limits for Felixstowe where there is a presumption against new development in recognition of its intrinsic character and beauty. Policy SP21 limits new*

Page 1

*development to that which of necessity requires to be located there. The site would breach the strong physical "barrier" Candlet Road and would lead to development with countryside on three*

sides which does not promote sustainable development. Candlet Road is a heavily trafficked route with no footpaths. It is also the main vehicular route to the town from the A14 for residents, visitors and tourists. As such it forms a strong physical "barrier" that denotes the extent of the existing built up settlement. The proposed development would be isolated and not well related to the established built up area of Felixstowe and the villages and has poor access to services and facilities required by future residents and is therefore not an appropriate housing site nor is it in a sustainable location. The inclusion of a footpath on Gulpher Road and crossing over Candlet Road does not overcome the concerns identified. Future residential development in the Felixstowe peninsula area should be brought forward in the Action Area Plan. The proposal is not considered to be sustainably located and as such is contrary to the provisions of the National Planning Policy Framework and Policies SP1, SP1A, SP19, SP21 and SP29 and DM22 of Suffolk District Local Plan Core Strategy and Development Management Policies Development Plan Document July 2013.

2. The proposal fails to make adequate provision/ contributions (and/ or agreement to provide) for community and other facilities/ services for the occupants of the dwellings. The applicant have not entered into the necessary legal agreement, which is required to ensure the following infrastructure requirements/ facilities are provided:

1. The provision of a third of the dwellings as Affordable Housing,
2. Financial contributions towards Secondary School Places, Pre-school Places and Libraries, Financial contributions towards Highway Improvements and a Traffic Regulation Order in order to address the highway and pedestrian safety concerns,
3. The provision of Play Space and Sports Space,
4. A Management plan to deal with the provision, maintenance and transfer of open space and play space equipment.

The proposal is therefore contrary to the National Planning Policy Framework and Policies SP1, SP11, SP16, SP17, SP18, SP26, DM2 and DM32 of the Suffolk District Local Plan Core Strategy and Development Management Policies Development Plan Document July 2013.

1. The application does not provide sufficient information to enable the archaeological potential of the site to be suitably assessed and this is a requirement prior to the determination of any application.
2. A development of this scale normally requires a minimum of two points of vehicular access for highway safety and accessibility in an emergency. As currently proposed the single access is not acceptable and gives rise to road safety concerns. The application is therefore contrary to Policies DM21 and DM22 of the Suffolk District Local Plan Core Strategy and Development Management Policies Development Plan Document July 2013.

3. The proposed development does not provide a continuous surfaced and lighted link for walkers and cyclists from the site to the local roads leading to Walton High Street, the nearest service centre. Footpath 24 which runs from the south side of Candlet Road to recreation Way and Ataka Road is an unsurfaced route with no lighting, and cannot be considered suitable for an intensification of use. Such a lack of connectivity will be likely to result in an increase in vehicle trips from development here which is not sustainable in transport terms. The proposal is therefore contrary to Policies SP1, SP1A, DM21 and DM23 of the Suffolk District Local Plan Core Strategy and

Development Management Policies Development Plan Document July 2013.

4. The Transport Assessment for this application is not complete, as it does not include the committed development C12/2395, which is for retail use on the Felixstowe rail station site. Should that permission proceed, it will result in additional impact on the road network, and

*particularly on the signalcontrolled junction of High Road with Garrison Lane. This needs to be assessed before the application is determined.*

5. *The proposed development will extend the urban area and built form beyond the existing strong urban edge formed by Candlet Road to the south, into what is currently open and attractive countryside, albeit somewhat moderated by the presence of extensive horse grazing paddocks associated with the livery business which exists on site. The landscape becomes characterised by temporary paddock electric fence ribbons, and dominant weed infested grassland because horses are selective grazers. The proposed development would alter the character of the immediate site from what is currently horse grazed pasture to a landscape of mixed use but mainly residential housing. This is a significant but localised effect on landscape character. The development, with its illogical and unconstrained boundaries, will extend development closer to the Area of Outstanding Natural Beauty and protected landscapes which is considered to be potentially harmful to the short and long distant [sic] views from protected landscape areas. The proposed landscape management plan and advanced mitigation planting do not wholly overcome the concerns to landscape harm in this instance, although it is acknowledged that visible impact will moderate as the indicated mitigating planting grows and matures. The proposal is therefore considered to be contrary to Policies SP1, SP1A, SP15 and DM21 of the Suffolk District Local Plan Core Strategy and Development Management Policies Development Plan Document July 2013.*
1. There is an error in the second reason for refusal where, in the second bullet point, it incorrectly refers to secondary school places. This should read primary school places. The appellant was fully aware to this typographical error and was not prejudiced by it.
2. On 11 July 2016 the Council's Planning Committee agreed that reasons for refusal Nos 3, 4, 5 and 6 would not be defended at the Inquiry as it was anticipated that these matters would be agreed through a Statement of Common Ground (SoCG) (Document DC3.1). In the event, several separate SoCGs were submitted in respect of Housing Requirement & Five Year Housing Land Supply (Document ID1); Drainage (ID15); Archaeology (ID16); Transport (ID24 & GEN3); and Education and Early Years (ID25).
3. A Unilateral Undertaking (UU) was submitted by the appellant. SCDC and SCC agree this overcomes reason for refusal 2, although there is an outstanding issue concerning the way in which the issue of primary school provision has been dealt with in the UU. This is discussed later in this Report. A draft version of the UU (Document ID14) was presented and discussed at the Inquiry and a signed copy was submitted following the close of the Inquiry (Document PID1) in accordance with an agreed timetable.

### **The Site and Surroundings**

1. The appeal site, which following the reduction in area as set out in paragraphs 3 and 4 (above) has an area of 30.76ha, is located to the north of Candlet Road (A154) and to the east of Gulpher Road, a designated "Quiet Lane". There are two dwellings within the overall site boundary but which do not form part of the appeal site. These dwellings, Cowpasture Cottage and Cowpasture Farm, together with their gardens, form small islands excluded from the appeal site.
2. The site is of irregular shape and is slightly undulating with its highest point in the centre. It is mostly laid to grass used as grazing for horses. There is a sizeable stables complex at Abbey Farm close to Gulphur Road which includes two ménages and a small wind turbine in the centre of the site. Much of the site is divided into small fields by fences and electrified tapes. There are small industrial units close to the southern boundary, accessed from Gulphur Road, and a golf driving range along the western boundary. This was not in use at the time of my visit, its car park being used for caravan storage.
3. To the west, north and east is agricultural land, the land to the east being separated by Grove Wood to which there is public access. There are playing fields, with a pavilion and

substantial car park, next to Grove Wood, the car park is also used by visitors to the Wood. This Wood also extends to the south of the site and adjoins existing allotments that are situated between the site and Candlet Road. There are lay-bys either side of Candlet Road. To the south east of the site, and fronting Candlet Road, is the Grove Medical Centre and Pharmacy which has a substantial car park to the rear.

4. There is a public footpath (FP24) that runs from Candlet Road into the site adjacent to the western boundary of the allotments. The footpath then turns to the east and joins another footpath (FP19) in Grove Wood that runs north/ south close to the eastern boundary of the site. To the south, FP24 links with a path on the southern side of Candlet Road that runs through to High Road West/ High Street, Walton. Candlet Road (A154) is a busy main road that is one of the main routes into Felixstowe from the A14. It broadly forms the northern boundary of the settlement with housing and the commercial centre of Walton to the south.
5. The site does not benefit from any local or national landscape designation. The boundary of the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB) lies about 300m north of the site. The Deben Estuary Special Protection Area and Site of Special Scientific Interest is approximately 2.4km away.

### **Planning Policy**

1. The development plan for the area comprises the Suffolk Coastal Local Plan Core Strategy and Development Management Policies (adopted 5 July 2013) (the CS) and the saved policies in the Suffolk Coastal District-wide Local Plan (incorporating First and second Alterations) (the Local Plan) that were not superseded by the adoption of the CS in 2013. The relevant policies are set out in the Officers' Report to the Development Management Committee.
2. In respect of the matters at issue in this appeal, the key policies are listed in paragraphs 2.8 and 2.9 of the (unsigned) SoCG (Document GEN2) although this list omits CS Policies SP2 and SP29. The principal policies referred to at the Inquiry were CS Policies SP1, SP1A, SP2, SP15, SP19, SP21, SP29, DM21 and DM22 (Document CD E1).
3. CS Policy SP1 sets out the Council's strategy for the achievement of sustainable development. Policy SP1A says that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (the Framework). It reiterates parts of paragraph 14 of the Framework. Policy SP2 says that the CS will make provision for 7,900 new homes across the District in the period 2010 to 2027. Land for new homes will be distributed in accordance with Policy SP19. The policy says that "*An early review of the CS will be undertaken, commencing with the publication of an Issues and Options Report by 2015 at the latest*". It adds that this review will identify the full, objectively assessed housing needs (FOAHN) for the District and proposals to ensure that this is met.
4. CS Policy SP15 says that the policy of the Council will be to protect and enhance the various landscape character areas (LCAs) either through opportunities linked to development or through other strategies. It says that in addition to the protected landscape of the AONB the valley of the River Deben is one of the valleys considered to be particularly significant.
5. Policy SP19 sets out the settlement policy. It identifies that Felixstowe/ Walton and the Trimley villages will accommodate 22% of the total proposed housing growth. This objective is expanded upon in Policy SP21 which says that in this area additional housing will be created and that in the short to medium term this will represent organic and evolutionary growth in Felixstowe and the Trimleys while preserving the prime agricultural land for essential food production. The policy also seeks to expand the local employment base alongside that provided by an expanded port function. The policy refers to a

dispersed pattern of future development and says that it is the cumulative impact rather than individual development schemes that are likely to be critical and will drive the need for developer contributions.

6. Policy SP29 seeks to limit development outside defined settlements, such as Felixstowe, to that which of necessity requires to be located there and accords with other policies. Policy DM3 expands on Policy SP29 and sets out the types of new housing that will be allowed in the countryside. The current proposals do not fall into any of the cited categories. New housing will be directed to, and integrated within, settlements with defined physical boundaries. Policy DM21 says that proposals that comprise poor visual design or otherwise seriously detract from the character of their surroundings will not be permitted. Policy DM22 sets out various requirements for proposals for new development. Policy DM2 says that the Council, subject to various thresholds, will expect 1 in 3 new housing units to be affordable housing.
7. The cited saved policies of the Local Plan are Policies AP170 (Felixstowe: Restraint) and AP208 (Felixstowe: The urban fringe). These policies are dated and it is agreed that they carry only limited weight when compared with the CS and the Framework.
8. The emerging plans include the Felixstowe Peninsula Action Area Plan: Proposed Submission Document (April 2016) (FPAAP) and the Council's Site Allocations and Area Specific Policies: Proposed Submission Document (April 2016). The review of the CS referred to in Policy SP2 is expected to commence in Spring 2017. The Examination of the FPAAP commenced on 30 August 2016. The appeal site is not listed as a preferred site for development but is being promoted. Relevant policies include Policy FPP1 which identifies that 590 dwellings are proposed for Felixstowe. Policy FPP2 covers similar matters as CS Policies SP19 and SP29 in respect of settlement boundaries and development outside these boundaries. Policy FPP27 requires new residential development to provide accessible green spaces.

### **The Proposals**

1. The application is in outline form with all matters, apart from means of access to the site, reserved for future determination. The details of the site access, which would be from a signal controlled junction off Candlet Road, are shown on Drawing No A 085774\_007 in Appendix A of Document GEN3.
2. The proposals involve the demolition of all existing buildings within the site and include the construction of a maximum of 560 dwellings, a community centre, a 60 bedroom extra care home, 50 assisted living units, 2 small business units and open space with associated infrastructure.
3. There is no mechanism to ensure the delivery of the community centre or the small business units. The details of the development, as set out in several of the documents before the Inquiry, also refer to the provision of a small convenience store as part of the community centre. At the Inquiry it was confirmed that this store, which is not mentioned on the planning application form, does not form part of the proposals for which permission is sought.
4. The Illustrative Masterplan shows that the development would be largely set in from the site boundaries to allow for additional planting and that the centre of the site would remain open as public open space. The community centre would be to the east of this space while the business units would be sited close to the site entrance. New footpaths and cycle routes would be provided within the site. Off-site works would include a pedestrian crossing linking FP24 with the pedestrian route to the commercial uses in the centre of Walton. A new shared footway/ cycleway would be provided along the northern side of Candlet Road as far as the Grove Medical Centre and Pharmacy and a zebra crossing would be provided adjacent to the Gulpher Road/ Walton High Street junction.

## **Other Agreed Facts**

1. It is agreed that, subject to the imposition of conditions, there is no dispute between the parties concerning archaeological matters (Document ID16) or flood risk, surface water management or drainage matters (Document ID15). It is agreed that the proposals do not impact on any other designated or nondesignated heritage assets. It is further agreed that subject to the submission of a signed and dated UU there is no dispute between the parties concerning highway, transport and rights of way matters (Document ID24).
2. Concerning education and early years matters, there is no dispute between the appellant or SCC subject to the completion of an appropriate UU (Document ID25). There is a dispute between SCDC and the appellant concerning the provisions of the UU.
3. The site contains best and most versatile agricultural land, Grades 1 and 2.

## **The Case for Christchurch Land & Estates (Felixstowe) Ltd**

### ***Five year housing land supply***

#### *Full Objectively Assessed Housing Need*

1. The evidence of the Council's witness demonstrated that it has misunderstood the law and policy context in which this issue must be addressed. Citing Hickinbottom J in Stratford, which was later consolidated in Gallagher (Document CLE1: Appendix 3), it is clear that it is implicit in paragraph 47 of the Framework that the need is for a local planning authority to meet the FOAHN, for market and affordable housing, as far as consistent with the policies set out in the Framework even when considering development control decisions.
2. The PPG makes it clear that the development plan is the starting point but it is capable of being overtaken by subsequent evidence. In West Berkshire (Document CLE1: Appendix 20/21) the Court accepted that the Inspector was entitled to depart from the figure in the development plan for the reasons he gave in his Decision. He was entitled to conclude that the other material considerations he identified outweighed the annual housing requirement figure in the CS and that the housing requirement identified in the CS no longer provided an appropriate basis for the calculation of a five-year supply. In this appeal, therefore, the Council's position is misconceived.
3. The starting point is the housing land supply SoCG which reveals a dichotomy between two figures – 7,900 and 11,000. The Council is not advancing a figure between the two and so if the SoS rejects 7,900 then the Council does not have a five-year housing land supply in any circumstances. The issue, therefore, is whether the figure of 7,900 is now out of date.
4. It is agreed that the figure is based upon the Regional Spatial Strategy which was prepared before 2006 and that it does not reflect the FOAHN which is at least 11,000 and that a reassessment of the FOAHN is likely to produce a figure greater than 11,000. The contemporary reflection of housing needs is not 7,900. That figure only has traction because it has been adopted as the base figure in the CS. In the light of West Berkshire it is essential to consider whether it has been overtaken by events.
5. It was agreed by the Council that the CS Inspector had a dilemma; whether to require the withdrawal of the plan as not reflecting contemporary housing needs or whether to pass it subject to an early review. The Council persuaded the CS Inspector to adopt the latter approach on the assurance that the early review would commence in 2015. This plan was passed on this highly conditional basis. The Council has failed to commence the review at the time advertised to the CS Inspector. The Framlingham Inspector was told it would commence in autumn 2016; this Inquiry has been told it will commence in spring 2017. The condition on which the CS was passed has not been met; more slippage may occur.
6. In Framlingham (Document CLE1: Appendix 11) the Inspector already found that 7,900 is not up to date for precisely these reasons. A further year has now passed. This body of evidence robs the 7,900 figure of any legitimacy. It should now be regarded as being out

of date. While the Council offered various reasons for failing to meet the time limit for the review that is not the point. Objectively, there has been a failure to deliver and some further step must be taken to rectify the situation. This is reflected by the Framlingham Inspector.

7. The Council's suggestion that the policy requirement in CS Policy SP2 is optional is plainly wrong. The promise to carry out the review was clearly the central consideration that persuaded the CS Inspector to find the plan sound. Overall the principle in Dacorum (Document CD F6) applies in this case:

*"Mr Kingston conceded, rightly in my view, that if the Council failed to carry out the review within the timescale given in paragraph 29.9 of the CS, that is to say by 2018 at the latest, it would not be able to say that the policies for housing development in the CS were up to date".*

#### *The buffer*

8. The Framlingham Inspector was unequivocal on this matter; it should be 20%. The SoS needs to address this matter now. The Inspector assessed delivery by reference to the FOAHN figure and found the under performance to be very significant. Lewis J in Cotswold (Document CLE1: Appendix 22) confirmed this to be the correct approach. The position is clearly set out in Christopher May's proof which reveals a prolonged year on year failure to meet published targets. A 20% buffer is clearly appropriate.

#### *The "August update"*

9. The Council sought to inflate the supply side by adding sites which qualified for inclusion in the period April to August 2016. This is the wrong approach as identified by the Inspector in the Staunton Decision (Document CLE1: Appendix 27). This shows the Council's unreasonable behaviour as it has published a paper to the AAP Inspector in which it has explicitly eschewed the update as it does not provide a full housing land supply update.
10. The appellant invites the conclusion that the contemporary evidence reveals that the Council's five-year housing land supply falls substantially below the minimum five year threshold. In these circumstances it is agreed that paragraph 49 of the Framework is engaged and following Suffolk Coastal (Document CD F8), all the policies that restrict housing development are to be regarded as being out of date. This Decision should be made following the application of paragraph 49. In any event, following the principle in Dacorum, the CS should be regarded as being out of date regardless of any judgement on housing land supply.

#### ***Landscape character***

1. In this case the primary material is all agreed and the differences are limited to marginal judgements about the severity of effects. The Council praised the submitted LVIA and took no issue concerning the rigour of its approach nor its conformity with the process prescribed in the Guidelines for LVIA.
2. The Council's impact complaints were as set out in Document ID3 and Table 1 of Mr Flatman's proof. He agreed this was the worst case assessment of visual effects and that, on his evidence at its highest, the visual effects were *"highly localised as to both area and severity"*. This is an extraordinarily light impact and strongly suggests this is the right place in which to meet future housing needs. The main parties differed only as to a handful of scattered views in and around the boundary of the AONB. A six-foot gap in a fence at 1.2km distance should be regarded as insignificant.
3. The argument about character effects is equally constrained by the full agreements set out in Table 1 of Mr Flatman's proof. Four character areas are identified and the differences between the main parties are marginal. The impacts are conspicuously minor and contained, again suggesting that this is the right site. It is conceded that there is a minor adverse impact on views out from the AONB. Paragraph 115 of the Framework is relevant with appropriate weight applied.

4. The suitability of the site to accommodate development implied by the limited differences between the main parties is reinforced by the 2008 study; the 2009 Entec study; and the Officers' report to the Planning Committee. All confirm the ability of the site to accommodate residential development and the relative superiority of the site compared to others.
5. The appellant's conclusion is that the degree of landscape harm arising from the development of the appeal site is remarkably confined in both space and severity and, further, that this is the most appropriate location in which to meet housing needs when compared to other candidates around Felixstowe.

### ***Sustainable development***

1. The Framework well understands that the three limbs of sustainable development are irreconcilable as it is not possible to address economic and social needs without causing an impact on the environment. Paragraph 8 of the Framework implies that a balance must be struck between these policy objectives by insisting that they should be pursued simultaneously. In this case the environmental harm is minimised by the landscape impacts as set out above. No form of environmental harm, other than landscape impact, is advanced by the Council.
2. Concerning the social dimension, the appellant cites the provision of affordable housing in an accessible location close to local community facilities and the enhancement of non-car borne modes of transport to those facilities as well as the provision of public open space and possibly a community centre. The site has access to the town centre by bus, bicycle and on foot. In the light of the SoCG on Highways, the Council's witness did not support the Council's original suggestion that this would be an "isolated, gated community".
3. The economic dimension is advanced by the provision of housing. However, the Port of Felixstowe is a powerful driver of the sub-regional economy. The development plan is aligned with the New Anglia Local Enterprise Partnership (LEP) to promote the success of the Port as it brings substantial economic

benefits to Felixstowe and the wider economy. The LEP recognises the need for a comparable relationship between employment generation and housing provision; housing needs to keep pace or the success of the Port will be retarded. This was recognised in the Officers' report. The economic benefits of the housing at this local level are specific and profound. The proposals should be regarded as sustainable development.

### ***Community services/ facilities***

1. The issue is articulated in the second reason for refusal. SCC considered that an insufficient range of contributions had been provided to address the external costs of the development. These matters were discussed before and during the Inquiry by the parties such that the appellant and SCC are now in full agreement as to the scale and nature of the contributions properly required by the proposals. The UU provides for a full policy compliant affordable housing contribution whose quantity, character and deliverability are all agreed.
2. The physical highways contributions have been agreed for some time and are set out in the SoCG on Highways. The SoCG agrees that the development would provide residents with good facilities to travel by sustainable modes. The site is well connected to services, facilities and public transport interchanges. The measures will improve the site's accessibility. The initial dispute concerning contributions towards public rights of way and the implementation of the travel plan are now agreed and set out in the second SoCG on Highways matters.

### ***Education***

3. The appellant and SCC have reached a comprehensive agreement on this; the supporting evidence is in the SoCG. This agrees that there is not surplus capacity to accommodate the

35 pupils associated with Kingsfleet Primary School. The evidence, therefore, is that there is a need to expand primary school provision. At present SCC has not decided how to make that provision. There are two possibilities; on-site provision of a new school or financial contributions towards an off-site provision. SCC does not want to commit itself at this stage and so the appellant and SCC agreed that a sensible approach is to provide for both possibilities, in the alternative, in the UU.

4. SCDC has argued that the SoS is disentitled from entertaining this planning application as it has not assessed the consequences of building a school on the site. This fails to understand the reality of the position. SCDC has failed to recognise the difference between a private law legal instrument entered into between two contracting parties and the public law process of making an application to develop land. The UU does nothing more than reserve an area of land that might be the subject of a future planning application to replace public open space with a school. The UU does not pre-empt that process or predetermine it. It might only be material if the quantum of public open space was compromised by the subsequent provision of a school. However, the Council's witness accepted that the over-provision of public open space in the scheme is over 2ha. In policy terms the loss would have no consequences.
5. If the SoS has any concerns about the reservation of land in this way, or if he considers that it is not CIL compliant, he can acknowledge the accepted need for primary school places as set out in the SoCG and the agreed payments. The issue need go no further. The complaint by SCDC is misconceived.

### ***The planning balance***

1. If SCDC can demonstrate a five-year housing land supply the balance is struck in accordance with s38(6) of the Act. If not, paragraph 14 of the Framework applies. Paragraph 14 also applies if the principle set in Dacorum is applied.
2. It is obviously important to note from the outset that the Council's witness accepted that, in the context of paragraph 14, the harm does not significantly outweigh the benefits of permitting the development. The appellant agrees with that position. So all relevant expert witnesses agree that if the paragraph 14 approach is applied, permission should be granted. It is not suggested that this binds the SoS, but it is heavily persuasive on this most important question.
3. The benefits of the scheme are as stated above. The need for housing to keep pace with the expansion of employment opportunities at the Port of Felixstowe is a profound benefit. The proposals also provide specialist accommodation for the elderly which has the collateral benefit of freeing up other houses. Access across Candlet Road is improved and the scheme helps to secure the viability of the bus service. There are also wildlife and public open space benefits. The overall impact of these to the public interest is extremely significant.
4. The harm is relatively muted. The landscape harm mostly arises on the site and its immediate environ. It is acknowledged that there is some impact on the AONB related to views out from the AONB which are described as minor or minor/moderate. Beyond this, the absence of harm is a conspicuous feature of the proposal. It is necessary to attach any appropriate residual weight to the out of date policies for the supply of housing. This harm does not significantly outweigh the benefits of granting permission.
5. If the s38(6) presumption applies then the appellant contends that the accumulated benefits of bringing forward this scheme early represents material considerations sufficient to overturn the statutory presumption. The appellant invites the SoS to grant permission qualified by conditions and the UU.

## **The Case for Suffolk Coastal District Council**

### **Context**

1. The benefits of a plan-led planning system are well understood and were acknowledged by the appellant's planning expert witness. These development proposals are all in the countryside in the upper valley slopes of the River Deben. It is possible that part of the highest point in the site, shown as public open space, would be required for a primary school. The matter of a primary school is the subject of a separate Position Statement (Document ID30). This all runs directly counter to the development plan strategy for growth in Felixstowe in that they involve the development of a site separated from the built up area by the strong northern boundary of the town formed by the wooded corridor of Candlet Road and the allotments. This is far from being "immediately abutting existing built up areas" as sought in CS Policy SP21.
2. It would represent an illogical extension of the town, disconnected visually and spatially from the urban area involving the development of 31ha of the best and most versatile agricultural land. It would have adverse consequences for landscape character and sustainability. There would be direct conflict with the development plan. There has been no attempt to argue that the proposals

accord with that plan or that material considerations indicate that permission should be granted if the supply of housing land in the district exceeds 5 years. The appellant's case relies on there being no five-year housing land supply.

3. The CS, adopted in 2013 (and subject to a legal challenge resolved in 2015) provides a clear strategy to meet the housing need in advance of the early review. The only strategic allocation is at Adastral Park. The officers' recommended site in Felixstowe, which included the appeal site, was rejected in 2008 in favour of a dispersed strategy. It is accepted that Felixstowe and "the Trimleys" are delivering well against the adopted requirement. The FPAAP, due to be adopted this year, is consistent with the CS, is deliverable and well-timed bearing in mind paragraph 4.76 of the CS. If the SoS is satisfied that the Council can demonstrate a 5 year supply there is no evidential basis for allowing the appeal.

### **Housing land supply**

1. The agreed base date is 1 April 2016 and the best evidence of housing land supply is that the requirement figure is 7,900 which is an up to date development plan figure. The appropriate buffer is 5%. The annual requirement with a 5% buffer applied, and using the Sedgfield method to address historic undersupply is 651 giving a 5 year requirement of 3,254. The available supply, as of 1 April 2016, is 3,757 dwellings which is a 5.8 year supply. If all the disputed sites are removed it becomes a 5.3 year supply.
2. The supply is the result of a positive plan led commitment to boosting the supply since the CS was adopted. At that time the supply was 3.7 years. SCDC's approach to planning applications has improved supply considerably.

The biggest boost to supply is the allocations in the Allocations Plan and the FPAAP. These plans are being examined and are due for adoption shortly. The issues between the parties are (i) the requirement figure and whether the CS figure should be replaced; (ii) the buffer; (iii) whether it is legitimate to use the August 2016 update; and (iv) the available supply for which the difference between the parties is just 286 dwellings.

### **The requirement**

3. The starting point is the development plan. CS Policy SP2 sets out a requirement of 7,900 dwellings. The examination of this was informed by an assessment of the FOAHN figure for SCDC of 11,000. The 7,900 figure is not derived from an analysis based on paragraph 47 of the Framework and its adoption was only possible due to a commitment to an early review of the CS. That review was due to start by 2015 at the latest. However, failure to

meet that date does not make the figure out of date for the purposes of assessing land supply.

4. The appellant contends that the 7,900 figure should be replaced by an untested assessment of need on publication of the Options and Issues paper; an untenable contention. The figure of 7,900 was clearly the figure to be used until the review is adopted. The CS does not say what happens in the event that the 2015 deadline is not met. If the Council was to delay an early review then 7,900 would, arguably, be out of date. A number of steps are necessary to replace the 7,900 figure; an estimate of housing need based on projections for this District only could not meet the paragraph 47 requirement.
5. The first task for a decision maker, therefore, is to assess whether the Council is on track to adopt an early review. Objectively, the review is due to be adopted in late 2019. Since the review of the Plan is due 6 years after adoption and 7 years before the end of the 17 year plan period, this clearly meets the burden of the policy requirement to conduct an early review. The review is being carried out 2 years earlier than would normally be expected.
6. The Inspector in the Framlingham case did not have the benefit of the information now before this inquiry and so he failed to grapple with these arguments. The information concerning joint working with neighbouring authorities and the range of material considerations since that decision are set out in Document ID13.
7. Concerning the appellant's contention that 7,900 is out of date because the Council said, in policy, that it would do something and then did not, this pays no regard to the proper approach to the interpretation of the CS or its objectives. The Dacorum case, relied upon by the appellant, is not comparable to the present situation as that relates to a concession by an advocate to a hypothetical situation.
8. There is no authority to support the contention that the Inspector/ SoS is required to reach a judgement on the FOAHN in this appeal. While the SoS is entitled to adopt another figure as a requirement figure in this case, there are many reasons for not doing so. Unlike West Berkshire, this is a post-Framework plan adopted in order to provide a plan led approach to the delivery of growth. The technical complexity of the appellant's evidence should not blind anybody to their inherent weaknesses. They cannot replace the HMA assessment required for paragraph 47. They vary considerably and have not been the subject of consultation, independent examination or other form of independent testing. They do not include the starting point of the 2014 household projections which suggest needs of 8,900 dwellings – a lower level of growth. There is therefore no reason to replace the 7,900 figure.

#### *The buffer*

9. The appellant claims persistent under-delivery such that a 20% buffer should be applied. SCDC's case is that there is no basis for this finding and points to the recent and significant increase in delivery such that the undersupply is now in retreat. In the last year, completions exceeded the requirement by 99 dwellings and information from developers is that these higher rates are expected to continue.
10. SCDC points to the recent improvements in delivery and to recognise the reasons for the historic undersupply as recognised in paragraph 2.06 of the CS. The Council's estimate of supply against delivery is that there remains a 5 year supply even if the 20% buffer is applied, as set out in Document ID28 (Table 3).

#### *The "August update"*

11. The appellant's response to this and the September Position Statement is both wrong in principle and ironic. The reasons for the August update are set out in the inside cover and are further explained in paragraph 1 of the Position Statement to the Examining Inspector

dated September 2016. SCDC has not updated the base date and there is no intention to rely on sources of supply

which qualify for inclusion post 1 April 2016. The benefits alluded to in paragraph 51 of the Staunton Decision are realised in this way while the problems do not arise.

12. SCDC relies only on the August update insofar as it provides better evidence than was available in June as to the sources of supply that ought to be included in an assessment of supply as at 1 April 2016. The appellant puts no reliance on it at all, despite it increasing some figures while reducing others. The net effect raised the bottom line from 4.8 years to 5.3 years (5% buffer).
13. The appellant's position is ironic bearing in mind the process that the witnesses underwent in a collaborative fashion. As the August update provides better evidence of supply at 1 April 2016 there should be no objection to reliance upon that evidence. While the September Position Statement might have been phrased more fully/ clearly there is no inconsistency and nothing in the appellant's point.

#### *Sources of supply*

14. The issue is whether some of the sources of supply referred to by the Council are genuinely deliverable in the sums and at the time set out in the trajectory. SCDC has taken a conservative approach. The June assessment may have been too conservative, hence the August update which was prepared as a response to the Examining Inspector. The conservative approach is seen by the fact that the Framlingham and Leiston Neighbourhood Plans are at a relatively advanced stage and both provide further housing but are not relied upon for the land supply figures.
15. Overall, SCDC's assessment remains conservative but the best evidence is that whether the 5% or 20% buffer is applied, it can demonstrate a five-year housing land supply.

#### ***Landscape Character***

1. SCDC's witness judged the effect of the development on landscape character to be major adverse even at year 15. This is a permanent loss of landscape resource in the valley of the River Deben, recognised as being "particularly significant" in CS Policy SP15. This is not a policy for the supply of housing and so carries full weight. No enhancements are claimed for this site. It is accepted that the proposals would cause material harm to the landscape.
2. Candlet Road forms a strong and well wooded boundary to the settlement along the ridge line of the plateau, the land gently falling away to the north towards the River Deben. The edge of the AONB is just 300m to the north. The effect of the LCT is moderate adverse at year 15; the intrusion into the landscape is cautioned against in the SCC Guidelines. While the effect on the AONB is relatively minor, it carries significant weight due to the national importance of AONBs. That is agreed.
3. There are only limited differences in the assessments of the landscape witnesses. The LVIA is recognised to be a robust document subject to the corrections and comments by the Council. The degree of harm to landscape character and visual amenity as identified by the witnesses demonstrate the relatively narrow degree of difference on professional judgement and the fact that the impact on all receptors is adverse. There is no compensating landscape feature introduced by the scheme. The appellant has introduced a novel category of impact (major neutral) and describing the impact on the landscape resource of the site as temporary. The assessment of the impact on footpaths through the site should be kept distinct from the visual impact assessment.
4. The landscape impact involves Grade 1 and 2 soils and extensive stretches of rural footpaths. The appellant's case is based upon there being a need for 560 dwellings to be provided in the countryside so has adopted a less than neutral stance on the impact. The appellant emphasises that the impact is localised, but the scale of the development makes the localised area extensive in itself. The receptors around it are judged to have a high

sensitivity to change as evidenced by the Council and a local resident. This may explain the difference between the opinions of the witnesses as to the acceptability of the development in landscape terms.

5. In comparison to the status quo, the northern and western boundaries, as shown on the Illustrative Masterplan, would be weak. It would introduce a new built up area in the countryside, divorced from the existing settlement. The settlement is now hidden from Gulpher Lane, a Quiet Lane, and from the footpaths through Grove Wood and beyond. The harm is sufficient to conflict with CS Policy SP15 and weighs heavily against the proposals in the balance.
6. The appellant's reliance on a 2008 Officers' report as part of the early stage preparation for the CS is surprising given its age and context and so can be given very little weight. It was prepared on the basis that Felixstowe should make a strategic release of land rather than the dispersed strategy now adopted. This site is not exactly the same as that now under consideration; it says that the land to the east of Gulpher Road (where this appeal site lies) is more sensitive and shows a lower capacity to absorb development than the land to the west (which is outside the current site).

### ***Sustainable development***

1. The development is not sustainable. It represents an ad hoc release of land which is strategic in scale and significantly harmful in its effect on local landscape and the setting of Felixstowe. The appellant acknowledges that the proposals will inevitably cause some harm in landscape character and visual amenity terms and that there are no significant environmental benefits other than potential biodiversity enhancements within the site. It fails to accord with the development plan and does not meet the environmental dimension of sustainable development.
2. The offence it causes to the plan led system is further support for this conclusion as land in Felixstowe is coming forward to meet the requirements of the CS and promote the development plan strategy for growth. This involves a range of sites abutting the built up area in an organic and evolutionary way. Consultation on the LP Review will commence in spring 2017 in the context of an assessment of the FOAHN within the HMA to be published by December 2016. This is the sustainable way to plan for growth in Felixstowe.

### ***The planning balance***

1. It is not suggested by the appellant that if the development plan carries full weight in this decision permission should be granted. It is implicit that there are no material considerations which indicate otherwise in the event of a planned decision. The need for balance arises, therefore, if the SoS finds that there is no five-year housing land supply. This would require the tilted balance as set out in paragraph 14 of the Framework. It still remains necessary to weigh the benefits and the development plan policies.
2. The benefits consideration must include the question of delivery and the contribution the site can make to address the current shortfall. Applications by developers are often supported by evidence demonstrating delivery within 5 years. This is different in that the site is owned by individuals and that the appellant has a promotion agreement which involves seeking planning permission. This has also involved participation in the FPAAP process such that the site is an omission site. Letters from house builders, submitted during the Inquiry, indicate commercial interest in developing the site. There is very limited evidence of interest in delivering the other components including the assisted living units and the extra care facility.
3. The appellant's estimate of 200-300 dwellings in the five year period sounds optimistic bearing in mind the number and range of matters to be resolved including archaeology, the TRO and off-site highway works. The five year period would overlap with the period in which the CS Review is consulted upon and adopted.

4. Nevertheless the benefits of housing and affordable housing are recognised regardless of the delivery timescale. There are social and economic benefits that are also recognised and their weight should be in proportion to the undersupply and the extent of their ability to address undersupply. Only by doing that will the paragraph 47 objective of boosting the supply of housing be met. It is acknowledged that one of the Council's witnesses conceded that the balance of benefits and harm favoured the grant of permission but that needs to be seen in the light of later evidence concerning the timing of delivery which, in the Council's opinion, reduces the weight that can be given to the benefits.

#### **The Case for Suffolk County Council**

1. SCC concluded that provided all the proposed conditions as set out in the SoCGs are imposed on any outline planning permission, and that such permission is the subject of all planning obligations as agreed between SCC and the appellant being secured through a UU, then SCC is content that the appeal be allowed.
2. Consistently with the SoCGs formulated before and during the Inquiry, and subject to the imposition of the various conditions, SCC is content that its objections on drainage/ flood risk; archaeology; and highways/ transportation will be satisfactorily met. The evidence on drainage/ flood risk and archaeology has not been challenged either in advance of or at the Inquiry so the case for imposing the conditions is unimpeachable. Indeed the SCC's case has not changed an inch since proofs were exchanged save a short erratum on education matters.
3. The appellant withdrew all evidence on highways that had been relied on and left as an area of disagreement in the first SoCG (public rights of way contribution and travel plan implementation bond). It withdrew its evidence on education. Consequently there is no evidence before the SoS even inviting any departure from the imposition of all planning conditions and obligations.
4. Concerning education, the development would give rise to a demonstrable need for a contribution towards a new primary school, whether provided locally or onsite. The single concern of SCDC relates to the propriety/ competency of reserving the 2.06ha primary school site. In this the SCDC case is lacking in evidence and is, in any event, misconceived not least in misunderstanding what the reservation of land, as per the UU, would signify in planning terms. There is no mention in the SCDC note on Education (Document ID30) of the opportunity given at the Inquiry to challenge or undermine any part of the SCC case on education or, more generally, on CIL compliance.
5. The scheme, if approved, would not include the grant of planning permission for a school. It simply reserves land allowing a future planning application for, and delivery of, a school. Once reserved, and until required by SCC, the land would remain as accessible public open space. SCDC's view that the reservation of the land would transform its planning status is flawed. It would not. It follows that CIL is not engaged by reservation of the land. If SCDC had any queries in this regard the SCC witness could have been called to answer questions.
6. SCDC does not challenge the appropriateness of the reservation in planning terms. There is clear justification for the reservation of the land while giving SCC flexibility as to whether on-site provision is the most appropriate way forward. SCC cannot crystal-gaze as to the future. In the alternative, education infrastructure contributions are appropriately sought and these are CIL-compliant. SCC has justified them and this evidence was unchallenged. With regard to SCDC's belated attempt at expressing concern, it has presented no evidence. SCC is the education authority; it has not frozen SCDC out of the discussions. It does not prevent SCDC from adducing its own evidence but that Council has chosen not to do so.

## Oral Representations made at the Inquiry against the proposals

- 1. Guy Pearse** spoke on behalf of the 240 members of the **Felixstowe Society of Allotment & Leisure Gardeners**. Their concerns relate to the loss of tranquillity and loss of security in respect of the Candlet Road allotments which abut the appeal site on two sides. The site is not well connected to the town and there are concerns about the traffic implications of the new junction. The Walton Green development was not included in the modelling. While the re-provision of the lay-bys is welcome that on the west-bound side is close to the roundabout while there is not room for the one on the east-bound side. It would be more dangerous to use. The proposed footway/ cycleway touches the boundary of the allotments so there would be a need for a retaining wall which could have an unfortunate visual impact. There is a need for better security fencing and gates to protect the allotments.
- 2. Robin Whittle** spoke on behalf of the 700 members of the **River Deben Association**, of which he is the Chair, and whose aims are set out in Document ID12. The Deben Estuary Plan (Document ID19) is a material consideration and it includes land around this site. Objectives of the Plan include safeguarding the estuary from new development and conserving the landscape, natural environment and heritage. Opportunities to enhance them should be taken and the estuary landscape should be safeguarded from the visual intrusion of modern development. The importance of the tranquillity of the area is recognised as an important part of the character of the estuary as is the geodiversity.
- 3. Kimberley Williams** has been a Town Councillor for Walton for 6 years and lives in Gulpher Road, in a house overlooking the site. She had received dispensation from the Council to address the Inquiry. She stated that Gulpher Road is a popular Quiet Lane that is well used by locals. She was concerned that a five-year housing land supply is not relevant as this is a lengthy process. The vacuum arising from the review having started late, resulting in the Framework taking precedence, is partly due to central Government cut-backs. This should not lead to a loss of weight to the local plan as this has been drawn up by a democratically elected body. It is necessary to consider the economic climate in which the targets were missed.
4. Great weight should be given to the loss of tranquillity for the allotment holders and the impact on the Deben Estuary. The planning permissions for housing at Ferry Road and north Walton will result in traffic congestion and infrastructure issues. The benefits will not outweigh the harm. Much of the site will be developed; more if the school is provided. The harm is not localised and it will result in the loss of a vitally important site and cause a significant loss of amenity. The development would not be well related to the town.

## Written Representations against the proposals

- 1. Dr Therese Coffey MP** asks that the District Council's decision be upheld. The site forms an important part of the green fields around Felixstowe with Candlet Road as a physical barrier between the built environment and the open countryside. This development would infringe that barrier detracting from the beauty of the countryside and broadening the size of the town. There is no overriding need for housing in this location as other sites have been put forward in Felixstowe. This is not a sustainable location. This is in conflict with the Local Plan and the Framework.
- 2. Felixstowe Town Council** recommended that the appeal be dismissed. The proposals are contrary to the Local Plan and the underlying policies in the Framework. The Council's housing requirement can be met from sites already identified. These proposals are contrary to CS Policies SP1A, SP19, SP21 and SP29. The Council has demonstrated a full five-year housing land supply and since then further planning permissions have been granted. The emerging FPAAP has been subject to widespread consultation; the Town Council has been closely involved in that process and endorsed the final Preferred Options

draft. The FPAAP demonstrates that the housing numbers required can be delivered within the plan period.

3. The appellant seeks to put forward a requirement in excess of the CS. The Local Plan Inspector endorsed the CS requirement for 7,900 dwellings, not the 11,000 which is identified as being the longer term need. The Council has commenced its review as required. The Council's approach should not be preempted by a piecemeal approach conceived in isolation. The proposal extends development across a clearly defined boundary, Candlet Road.

4. Concerning specific policies, CS Policy SP1 is contravened as the site is in conflict with SP1 a, c, d, k and l. It does not represent a sustainable form of development. It fails to contribute to the balance between employment,

housing growth and environmental capacity; fails to contribute to appropriate infrastructure; fails to demonstrate that it maintains or enhances a sense of place; and fails to demonstrate that it would create or promote the inclusive urban community that Felixstowe possesses. Concerning Policies SP19, SP21 and SP29 it is not contested that the site lies outside the existing settlement boundary and in the countryside. Emerging policy provides the required housing elsewhere. It does not comprise the necessary organic and evolutionary growth immediately abutting the existing built up area while the CS seeks to resist new development in the countryside.

5. There would be further conflict with saved Policy AP 28 as the site makes a positive contribution to the setting of Felixstowe. In the absence of a demonstrable need for additional allocations at the present time it should be properly resisted. The FPAAP is in the final stages of preparation and it demonstrates that the required housing can be achieved without a major departure from policy. The proposals would be in conflict with proposals for a link road as it would result in a second interference with the free flow of traffic within a short distance on Candlet Road. There is now a five-year housing land supply and the proposals conflict with the CS. It is for future process of local plan evolution to consider any replacement of current policy.

6. **Cllr Mike Deacon**, Town and District Councillor whose ward includes the appeal site strongly opposed the application and endorsed the representations of Felixstowe Town Council.

7. **Mrs Carol Florey** says that her objections to the planning application still stand. There are further objections based on support for the FPAAP which is at the preferred options stage. A target of 1,760 houses has been set, all within the settlement boundary as defined by Candlet Road. This boundary allows the necessary housing while maintaining areas of outstanding beauty, the countryside and prime agricultural land where possible. This proposal significantly intrudes into and would impact upon these areas. The housing requirement can be met without this site.

8. **Julie Cornforth** says that the land is at risk from flooding from rivers and the sea. Press reports have identified that building houses in flood risk areas is a recipe for disaster. The agricultural land is Grade 1; the best. Gulpher Road is the last remaining country lane and accessible natural green space in Walton/ Felixstowe and is much loved and enjoyed by residents for recreational purposes. Once this Quiet Lane is gone there is no countryside left at all.

9. In respect of the original planning application there were **93 letters of objection** to the development **from third parties**. These objections covered a wide range of issues including:

1. More appropriate sites within the area of development and other areas are available
2. High quality landscape character
3. Existing infrastructure is unable to cope

4. Will decimate wildlife at the Grove
5. Will lose high quality agricultural land
6. Loss of livery
7. Will set a precedent
8. Increase in traffic
9. Loss of important area used by residents of Felixstowe
10. Brownfield sites are available
11. Will have a negative impact on the AONB
12. Loss of lay-by used by nearby allotment holders
13. No need for market housing of this kind in the town
14. There is a five-year land supply in Felixstowe and surrounding villages
15. Land being kept in its current form outweighs the benefits
16. Candlet Road is a natural barrier – a gateway to the countryside
17. Gulpher Road is a designated Quiet Lane

### **Conditions**

106. Several lists of suggested conditions were submitted during the Inquiry by the District Council (Document ID27), the County Council (Document ID23) and as appendices to various SoCGs. These were discussed at a round table session during the Inquiry. A composite list of conditions, as amended at the Inquiry and agreed by the principal parties, was submitted by the District Council following the close of the Inquiry (Document PID2).

### **Unilateral Undertaking**

1. During the Inquiry the appellant submitted a draft UU (Document ID26) which was discussed at a round table session during the Inquiry. The UU makes provision for financial contributions towards bus stops either side of Grove Road, Felixstowe, for upgrading various public footpaths, the making of a Traffic Regulation Order in respect of the speed limit in Candlet Road; affordable housing; on-site open space provision and maintenance; education provisions including a pre-school contribution, a pre-school site, a primary school contribution and either a primary school site or a primary school land contribution; travel plans including a travel plan implementation bond. The District Council expressed concern about the validity of the primary school site forming part of the UU as this did not form part of the planning application (Document ID30).
2. A signed and dated version of the UU (Document PID1) was submitted after the close of the Inquiry in accordance with an agreed timetable.

### **Inspector's Conclusions**

109. The following considerations are based upon the evidence given at the Inquiry, the written submissions and my inspections of the site and surrounding area. In this section the numbers in square brackets [] refer to paragraphs in the preceding sections of this Report.

### **Proposals and plans [3, 4, 22-25]**

1. The application is in outline form with all matters other than means of access to the site reserved for future consideration. The proposals include the construction of a maximum of 560 dwellings, a community centre, a 60 bedroom extra care home, 50 assisted living units, 2 small business units and open space with associated infrastructure. In accordance with CS Policy DM2, 33% of the housing would comprise affordable housing units.
2. An amended site location plan was submitted to the Inquiry (Drawing No YOR.2258\_036.A; produced in the supplemental proof of Richard Brown (Document CLE6: Plan 4)). This

reduces the size of the site and involves no additional land outside the original site boundary. No objections were raised to the amended plan being substituted for that submitted with the original application. I am satisfied that no interests would be prejudiced by this and have based my recommendations on this amended plan.

3. An Illustrative Masterplan has been submitted which is indicative only. Full details of the development would need to be the subject of conditions requiring that they be submitted to the Local Planning Authority for its approval at a later date. The proposals include a number of off-site highway works which are set out in detail in the SoCG on Highway and Transport Matters (Document GEN3) and the Addendum SoCG on Transport Matters (Document ID24). These have all been agreed by the County Council as Highway Authority.

#### **Planning Policy [14-21]**

1. The parties agree that the development plan comprises the Suffolk Coastal Local Plan Core Strategy and Development Management Policies (adopted 5 July 2013) (the CS) and the saved policies in the Suffolk Coastal District-wide Local Plan (incorporating First and Second Alterations) (Local Plan) that were not superseded by the adoption of the CS in 2013. The emerging plans include the Felixstowe Peninsula Action Area Plan: Proposed Submission Document (April 2016) (FPAAP) and the Site Allocations and Area Specific Policies: Proposed Submission Document (April 2016).

2. The policies in the Local Plan carry limited weight due to their age and the publication of the Framework. The policies in the emerging plans carry only limited weight at present as they are at a relatively early stage in the planmaking process. I have also had regard to the Framework and in particular to the paragraphs that relate to housing land supply, the countryside, landscape and sustainable development. Also relevant is Planning Practice Guidance (PPG).

#### **Main issues [5-7, 26, 27]**

1. SCDC did not defend reasons for refusal Nos. 3, 4, 5 and 6 as the main parties agreed that these matters could all be dealt with by agreement. Various SoCGs were submitted before and during the Inquiry. They also agreed that any outstanding requirements relating to these matters could be secured either through the use of planning conditions or by Agreement. The issue of how the education and early years matters could be resolved remained a live issue between the appellant and SCDC although agreement was reached between the appellant and SCC on this issue.

2. The main issues are :

1. Whether the Council is able to demonstrate a 5-year supply of housing against a FOAHN and the implications of this in terms of national and local policy;
2. The effect of the proposals on the landscape character of the area;
3. Whether the proposals comprise sustainable development as defined in the Framework;
4. Whether the proposals make adequate provision for community and other services and facilities including affordable housing, education, libraries, play and sports space and open space management; and
5. Whether the benefits of the development are sufficient to outweigh any identified harm (the Planning Balance).

#### **Whether the Council is able to demonstrate a 5-year supply of housing against a FOAHN and the implications of this in terms of national and local policy [29-38, 59, 60-74, 95-99, 101, 103, 105]**

1. Paragraph 47 of the Framework says that local planning authorities should identify and update annually a supply of deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5 or 20%

depending on past delivery. This must be applied having regard to the Government's view as to what constitutes sustainable development and to the context of this paragraph which is to boost significantly the supply of housing.

2. There is disagreement between the main parties concerning whether the Council can demonstrate a five-year housing land supply. In a joint Revised Position Statement submitted to the Inquiry (Document ID28) the Council's position was that it had a housing land supply of 5.8 years. The appellant considered it to be 1.3 to 2 years. In addition, there was further disagreement as to how CS Policy SP2 should be interpreted.
3. Concerning the requirement, I will consider CS Policy SP2 first and then consider the housing land supply as these are directly related. I shall also look at the necessary buffer; sources of supply that were in dispute; and then the August update and September Position Statement.

*The requirement [29-35, 62-67]*

4. The CS says, at Policy SP2, that the Council will make provision for at least 7,900 new homes across the District in the period 2010 to 2027. This figure is based on the revoked Regional Spatial Strategy (2008) and is not the up to date FOAHN for the District. Paragraph 3.27 of the CS explains that the forecast model commissioned from Oxford Economics identified a total housing need for the District for the period 2010 to 2027 of 11,000 new homes. It says that this is the FOAHN as required by paragraph 159 of the Framework.
5. There is a requirement in paragraph 47 of the Framework that local planning authorities should ensure that their local plan "...meets the full, objectively assessed needs for market and affordable housing in the housing market area...". The hearings for the CS Examination were held in late 2012. The Inspector, in his Report, concluded that 11,000 new dwellings should be taken as the FOAHN for the period 2010-2027 as being the "...best available estimate of need at this point..." (Document CD E5; paragraph 48). To avoid delay in having a plan in place the Council proceeded on the basis of the 7,900 figure, incorporating a proposal to review the housing requirements by 2015. The Inspector concluded that an "...early review would be preferable to the alternative of suspension and likely withdrawal of the plan..." (paragraph 53). The Council recognises that adoption of the CS was only possible due to a commitment to an early review of the plan.
6. SCDC promoted the CS on the basis of providing 7,900 new homes over that period. It was recognised that this figure is not based on an assessment of the FOAHN for the district; it is not derived from an analysis under paragraph 47 of the Framework. It is artificially low. Nonetheless, that is the figure that appears in CS Policy SP2. After setting out the requirement, the Policy goes on to say that an early review of the CS will be undertaken "commencing with the publication of an Issues and Options Report by 2015 at the latest". This was one of the main modifications to the Plan as set out by the Inspector in the Appendices to his Report. It was in the context of these modifications that he found the overall level of housing provision to be justified and appropriate.
7. That review has not yet commenced. The Inspector in the Framlingham Inquiry (Document CD F7) was advised in early 2016 that the Options and Issues Report for the review would be published in Autumn 2016; I was advised that Spring 2017 was more likely. The terms of Policy SP2, requiring publication by 2015, have not been met. The Council argued that unless the 7,900 requirement remains in place there would be a policy vacuum. Due to the terms of Policy SP2, and the Council's failure to meet the cited timescale, I do not see how that requirement figure can reasonably remain in place.
8. That was the conclusion of the Inspector in the Framlingham Inquiry. He concluded that not to accept that the requirement of 7,900 dwellings is out of date would be contrary to

the clear message of paragraph 47 of the Framework that local planning authorities should seek to boost significantly the supply of housing. It would also run counter to Dacorum in which it was conceded that if a review had not been carried out in accordance with a paragraph (not a policy) in the CS that Council would not be able to say that the policies for housing in the CS were up to date. That is similar to the case here and I have come to a similar conclusion. The Council has failed to comply with the timescale as set out in Policy SP2 and so the requirement figure in that policy is out of date.

9. Having concluded that the requirement figure in Policy SP2 is out of date, it is necessary to consider whether there are other figures that could reasonably be used to fill the policy vacuum, as it was described by the Council. The CS Examining Inspector was given the figure of 11,000 as being the best estimate of need but this was not achieved as a result of collaborative working with neighbouring authorities. The appellant came up with other estimates based upon the Chelmer Model and using the Sedgefield approach to past under supply. These calculations all produced figures well in excess of 11,000. I acknowledge that these calculations have not been subjected to the rigors of an examination in public but, in conjunction with the figure given to the Examining Inspector, they do indicate that the promised review is likely to result in a significant increase in the Policy SP2 requirement figure.
10. I have taken into account the various factual changes since the Framlingham Decision as listed in Document ID13. These show that progress is being made towards the publication of the Issues and Options consultation document and that other plans such as the FPAAP are emerging. The Council issued a call for sites in September/ October 2016. Housing allocations are being made in Neighbourhood Plans for Leiston and Framlingham but these have not yet been made and so still carry limited weight. However, while these are indications of future intent, the current position remains that no reliance can be placed on the requirement of 7,900 as it is in an out of date policy. A requirement figure in excess of 11,000 seems more realistic.

*The buffer [36, 68-69]*

11. The Framlingham Inspector noted that the CS Examining Inspector based his conclusion that a 5% buffer was appropriate on evidence that predated the Framlingham Inquiry by about 4 years. That evidence would now be almost 5 years old and so cannot carry much weight today. The Framlingham Inspector concluded that given the persistent under supply of housing against the CS requirement over the first 5 years of the plan period, and other factors, it was “entirely appropriate to apply a 20% buffer to the housing requirement”.
12. The uncontested figures as set out in Table 3 of Mr May’s evidence (Document CLE1; p 25) show that for the five year period 2010/11 to 2014/15 housing completions always fell below the CS annual requirement; it is only in the year 2015/16 that the CS requirement has been exceeded. To be fair to the Council, the completions figures for the three years to 2015/16 have shown an upward curve and the expectation, based upon starts and information from house builders, is that the requirement will be exceeded again in 2016/17.
13. As stated above, however, the CS requirement figure of 465 dwellings per year is based upon a requirement figure of 7,900. It is therefore artificially low and not based upon a FOAHN, the best estimate for which at the time of the CS Examination was 11,000 dwellings. That would give a requirement of 647, well above the completion figure for 2015/16 and above every year’s housing completion figure since 2007/08. In all these circumstances I conclude that the

Council has a record of persistent under delivery of housing and so a buffer of 20% is appropriate. *Supply [37, 38, 70-74]*

14. The SoCG on Housing Requirement and Five Year Housing Land Supply (Document ID1) set out a summary of the parties' positions. The Council acknowledged that there is an arithmetic error in the Housing Land Supply figures published on 20 June 2016 and set out in Table 1 (page 7) of the SoCG. The figures in the first two rows (planning permissions not started and planning permissions under construction) are incorrect. The correct figures are used in

Table 2 (page 8) and result in a reduction in the Council's calculation of the five year housing land supply from 6.3 years to 5.4 years (with a 5% buffer) or from 5.5 years to 4.7 years (20% buffer). The final table in the SoCG sets out the Council's position taking account of its "August update" published on 30 August 2016.

15. These tables were subsequently amended before the close of the Inquiry by the submission of a position statement "Revised Positions on the 5 year Supply of Deliverable Sites" (Document ID28). This sets out various deductions in the supply side such that the difference between the parties is reduced to 286 dwellings. The reductions in supply that are agreed by the Council reduce the supply of sites with planning permission (Row 1 of Table 2) from 1,897 to 1,836 dwellings; windfalls (Row 3) from 200 to 150; and the Adastral Park contribution (Row 4) from 375 to 350. This reduces the supply position from 5.4 years to 5.2 years (5% buffer) or 4.7 years to 4.6 years (20% buffer).

16. The appellant considered that further reductions were appropriate such that the supply was less than 5 years even with a 5% buffer. These included Adastral Park where only 165 dwellings were anticipated within the 5 year period and a reduced windfall allowance.

17. The Council sought to increase the level of supply by submitting a revised Housing Land Supply Assessment (August 2016) (the August Update) (Document CD G19). This document incorporates the reduction in supply arising from the arithmetical correction and was produced in response to a question raised by the Local Plan Inspector. It also increased supply by including sites not identified in the June 2016 Housing Land Supply figures as there had been material changes since 1 April 2016 such that these sites were now considered to be part of the supply figures. There are a variety of reasons for bringing the sites forward, including the conclusion of a legal challenge to one decision and permission being granted on appeal on another site.

18. I am concerned about the inclusion of the August Update as it is not a full review of the 5 year position. The base date remains at 1 April 2016 and the revised figures include sites that only qualified for inclusion after that date. In a Post Hearing Statement (September 2016) (development CD G21) in respect of the emerging FPAAP the Council says that best practice and recent appeals suggest that if a mid-year review was to be undertaken it should be a full review. That seems fair. A partial review, which includes previously unavailable sites, does not ascertain whether previously available sites are still available or look at any other variables. In respect of an appeal in the Forest of Dean (Document CLE1; Appendix 27) the Inspector concluded that to include any sites that would not have qualified for inclusion at the base date would serve to make the whole exercise unreliable. That is a reasonable conclusion.

19. I am not convinced that it would be fair to increase the supply side in accordance with the August Update without looking at any other changes to the assessment. It would result in a skewed assessment and so I have not taken it into account. I consider that the June position, adjusted to take account of the arithmetic error and as set out in Table 2 of the position statement (Document ID28) is the most accurate representation of the position.

20. I conclude on this issue that the requirement figure in the CS is out of date by reason of the Council's failure to comply with the provisions of CS Policy SP2.

The requirement figure of 7,900 dwellings was to be the subject of an early review. That review did not commence by 2015 as stipulated in the policy. The only other figure put to the CS

Inspector was a requirement of 11,000. If that figure is used then the Council does not have a five-year housing land supply.

21. If the SoS considers that the requirement figure of 7,900 dwellings remains current then it is necessary to determine what the buffer should be as this has a significant impact on the five-year housing land supply position. In the light of all the evidence I have concluded that this should be 20% due to the Council's persistent under delivery of housing. In these circumstances, and without any further adjustment to the supply from the identified sites, the Council once again cannot demonstrate a five-year housing land supply. This means that paragraph 49 of the Framework is engaged and the tilted balance, as set out in the second limb of the fourth bullet point of paragraph 14, should be applied.

**The effect of the proposals on the landscape character of the area [39-43, 57, 58, 75-80, 93-96, 97, 101, 105]**

1. The planning application was accompanied by a LVIA (Document CD A9) whose methodology and principal conclusions were not seriously challenged at the Inquiry. While there were a few differences of opinion between the expert witnesses, these were relatively minor and were confined to judgements about the severity of the likely impact of the proposals. Based upon the evidence at the Inquiry, the written representations and my accompanied and unaccompanied site visits, I broadly agree with the LVIA's conclusions.
2. The harm to the landscape character that would arise from the proposals would relate to both its intrusion into the countryside and its visual impact. In terms of intrusion, the site lies in open countryside to the north of Candlet Road. It lies within the valley of the River Deben, one of ten river valleys identified in CS Policy SP15 as being particularly significant. The policy seeks to protect and enhance this character area and as it is not a policy for the supply of housing it carries full weight.
3. Candlet Road is a tree-lined, busy road that forms a clear and well-defined northern boundary between the built up part of Felixstowe/ Walton and the largely undeveloped countryside to the north. It contains the built up area in a clear and logical manner; the boundary is defensible. Apart from the two dwellings on "islands" omitted from the appeal site albeit within the overall site boundary and the commercial units close to Candlet Road, this area to the north of Candlet Road supports countryside uses including horse grazing and stabling, allotments, woodland, playing fields and various agricultural uses.
4. The proposed development would result in an irregularly-shaped residential enclave almost entirely surrounded by countryside uses. Even where the site has a boundary with Candlet Road, the treed nature of the land either side of this road means that it would not relate visually with the residential development to the south. The western boundary would be defined by the Quiet Lane of Gulpher Road, and the eastern boundary by the finger of woodland in Grove Wood, which would provide some degree of containment. However, the northern boundary would be especially weak with just a field between the proposed housing and the northern extent of Gulpher Road.
5. The strong physical and visual boundary of Candlet Road is an important part of the landscape character of the area. The countryside to the north makes a significant and positive contribution to the setting of the settlement. The appeal proposals would harmfully breach that boundary and provide no equivalent boundary between the built up area and the countryside. That would be harmful to the setting of Felixstowe/ Walton and would be in conflict with CS Policy SP15.
6. In terms of its visual impact, this is a large site that lies outside the settlement boundary for Felixstowe/ Walton. It is clear that the proposed development would substantially alter the character and the appearance of the site from being predominantly used for

horse grazing and stabling into a predominantly residential use. That is an inevitable consequence of residential development in the countryside.

7. The development would result in considerable visual harm to the immediate area. Most affected would be users of the public footpath (FP024) that runs adjacent to the western boundary of the allotments and which then runs in an east/ west direction across much of the site. My observations indicate that this path is not especially well used as the grass is not worn down and the fact that it crosses a few small fields occupied by horses would deter some walkers. Also significantly affected would be the users of Gulpher Road, a Quiet Lane that forms the western boundary of the site. This harm is reduced by the presence of the existing buildings at Cowpasture Farm and the former golf driving range, as well as its car park that is in use for caravan storage.
8. The harms identified by SCDC are set out on Drawing YOR.2258.038 (Document ID3) which demonstrates just how localised the harms are. There would be views of the site from footpaths FP028, 020 and 005 when travelling towards the site and from bridleway BR027. Views to the east from the eastern end of this, close to Gulpher Road, would be particularly affected and there would be considerable harm. However, such views are over relatively short distances and the footpath network extends further into the countryside.
9. I consider that the parties have underestimated the impact of the proposals on users of FP057 which runs through Grove Wood to the east of the site. This is a tranquil woodland path. The Illustrative Masterplan shows planting within the site close to that eastern boundary but nonetheless the proposals would bring residential development, including an access road, quite close to the path. While views of the houses would be filtered by existing and proposed trees, the presence of housing, with its associated noise and activity, and a road in proximity to the path would be significantly harmful to its character.
10. Further afield lies the AONB which is, at its closest point, about 300m distant. The main views of the site, however, are from public footpaths and are rather more distant, being 1 to 1.5km away. I visited all the identified viewpoints and found that in many of these views the glimpses of the site are quite fleeting, being through openings in hedges into fields. While the housing on the site would be visible it would not dominate what are generally quite extensive panoramic views. Existing trees and hedges screen or filter views of the site and future planting would further reduce any visual impact.
11. Paragraph 115 of the Framework says that great weight should be given to conserving landscape and scenic beauty in AONBs. In this case the impact is on views out from the AONB; there would be no harm to the fabric of the AONB itself. Due to the distance of these viewpoints from the appeal site and the fleeting nature of many of the views, the harm would be very limited indeed.
12. The proposals would also alter the character of the allotments as the housing would be close to its western and northern boundaries. While there is significant traffic noise from Candlet Road, the impact of this reduces towards the north of the allotments. There is also likely to be some noise from the use of the business units, stables and maneges but it is likely that the houses would generate additional noise from vehicles and general domestic activities.
13. There would be a loss of outlook for the occupiers of a number of houses in and around Gulpher Road, but these are private views and the housing would not be so close or intrusive as to be overbearing or dominating.
14. I conclude on this issue that there would be some harm to the setting of Felixstowe/ Walton and harm to the character of the countryside. Although the site is large, the extent of the harm would be limited and highly localised. In cross examination the Council's planning witness agreed that if paragraph 14 of the Framework is engaged, then the harm does not significantly and demonstrably outweigh the benefits of permitting development.

It is, nonetheless, not in dispute that there is some harm to the landscape character of the area, including views from the AONB, and that there is conflict with the development plan. In particular, there is conflict with CS Policies SP15, SP19, SP21 and SP29. The weight that can be given to these policies is set out in the planning balance.

**Whether the proposals comprise sustainable development as defined in the Framework [44-46, 81-82, 93, 96-97, 100, 105]**

1. The Framework says that the policies within it as a whole constitute the Government's view of what sustainable development means in practice. Paragraph 7 identifies that there are three dimensions to sustainable development: economic, social and environmental. Paragraph 8 says that these roles must not be undertaken in isolation and that economic, social and environmental gains should be sought jointly and simultaneously through the planning system. It is therefore necessary to balance the economic, social and environmental dimensions of this development.
2. In economic terms, the benefits of providing housing are not in dispute. It would provide employment during construction and future residents would be likely to use local shops and other businesses which would ensure that such facilities remain viable. There is also an immediate need for more housing in the area and there is no identified five-year housing land supply. However, the CS goes further in that it states that the growth of jobs in Felixstowe, driven by the expansion of the Port, means that employment is now out of balance with the availability of housing.
3. The Officers' report to Committee recognised this as an economic benefit of the proposals. It cites the Draft Strategic Economic Plan produced by the LEP which recognised the importance of housing development in the LEP area. New housing is considered vital to an attractive housing market: the pace of development needs to be increased. It says that this is needed to stimulate economic growth and create both short term and long term employment.
4. The Report also sets out that the LEP advises that the economic value of each new home in New Anglia, based upon a calculation that without an addition of 100,000 dwellings to the housing stock the economy of the LEP area would underperform by about £3.7bn in 2026, would be £36,700. This site, therefore, could generate £20,552,000 of economic value.
5. The social dimension includes the provision of up to 560 dwellings in an area where there is a shortfall of provision and no five-year housing land supply. The mix of market (373) and affordable homes (187) would fully accord with the requirements of CS Policy DM2. The need for affordable housing is set out in the SHMA; the completion rate in 2013/14 was just 17. The site is in an accessible location within walking distance of shops and other facilities in Walton. Improved access across Candlet Road forms part of the package of offsite highway works. There are bus stops nearby and Felixstowe station is in walking distance. The community facility, if provided, would be a benefit. However, as there is no mechanism to ensure its provision, it cannot carry weight in the balance.
6. In environmental terms there would undoubtedly be harm arising from the loss of a green field site. While that is inevitable for any development in the countryside, it nonetheless weighs against the proposals. There is also some harm to views out from the AONB. This carries limited weight due to the distance involved and the presence of existing trees and hedges which restrict such views. I have identified that the environmental harm is limited and localised and this reduces the weight that it carries.
7. On balance, therefore, while there is some environmental harm this is significantly outweighed by the economic and social benefits of the development. I conclude that the proposals comprise sustainable development as defined in the Framework. This weighs in favour of the development.

**Whether the proposals make adequate provision for community and other services and facilities including affordable housing, education, libraries, play and sports space and open space management [47-57, 87-92, 105]**

1. The various SoCGs that were submitted before and during the Inquiry demonstrate that agreement was reached between the appellant and both SCDC and SCC on most issues. This agreement is subject to the imposition of various conditions and the completion of the UU. I have recommended that the necessary conditions be imposed on any permission granted. The UU has been completed and submitted.
2. The only outstanding issue concerns education. The issue is not between the appellant and the SCC, as education authority, but between the appellant and SCDC and relates to the mechanism for dealing with this matter as advanced by the appellant and as set out in the UU. SCDC's concerns relate to the potential impact of the terms of the UU on the validity of any permission granted. The appellant and SCC have signed the SoCG on Education and Early Years Matters (Document ID25) and SCC is satisfied that the UU is valid and it meets its requirements.
3. The SoCG advises that about 25% of the site lies within the catchment area for Kingsfleet Primary School and that there is insufficient capacity in that school to accommodate the 35 pupils likely to be generated by this development (25% of the total number of pupils likely to be generated by the whole scheme). There is spare capacity at Maidstone Infant School and Causton Junior School to accommodate the remaining 75% of the children. There is therefore a need to expand primary school capacity but SCC has not yet decided how best to make that additional provision. The appellant and SCC have sought to keep their options open by, in effect, providing an either/ or in the UU. Either the appellant cedes a parcel of land to SCC for the construction of a school or, if the school is to be built elsewhere, the appellant would provide a financial contribution.
4. The UU makes provision for the appellant to reserve land of not less than 2.06ha in area in a location within the site as agreed in writing by SCC. The appellant is also covenanted to pay a financial contribution of £725,000 which represents the proportional build cost for the primary school. If SCC notify the appellant that the school is not to be built on the site, then a further financial contribution of £45,302.58 is payable. SCC is wholly in support of these provisions.
5. SCDC (Document ID30) is concerned that if the site is considered to be a sustainable location for a school in the context of this development and other developments in the area then it could (and should) form part of the description of the development so that its benefits and disbenefits can be considered alongside the current proposals. SCDC acknowledges that the UU is enforceable and that the financial contribution meets the CIL tests. The concern is that it has not been shown that it is necessary to reserve land here so the UU cannot be given any weight in the planning decision. The site is considered by SCDC to be poorly located to serve other future developments in the area. There was no evidence before the Inquiry to demonstrate that it is necessary to make this provision on this site.
6. I am not a lawyer, but it seems to me that the UU is fully enforceable and that it makes adequate provision for the primary school children likely to be generated by the development. The UU provides for the reservation of some of the site for a particular purpose should it be needed. This is completely separate from the public process of making and determining a planning application. If SCC opts to build a school on the site then planning permission would be required and a further planning application would have to be made. The determination of that application would give SCDC the opportunity to consider whether this is an appropriate location for a primary school. The UU does not

remove SCDC from this decision making process; it simply provides a locational option that SCC may choose to pursue.

7. I agree with SCDC that the possible future provision of a primary school on part of the site can carry no weight in this appeal decision as it does not form part of the proposals currently under consideration. If SCC chooses to build a school elsewhere then this would trigger the need for financial contributions and the reserved land would continue to be used as public open space (POS) within the site. There is no issue concerning the reservation of land indicated as being POS on the Illustrative Masterplan in terms of the quantum of such provision within the development as SCDC agrees that even without this land the amount of POS exceeds that required for this development.
8. I conclude on this issue that subject to the imposition of various conditions as identified in the SoCGs and the submitted UU that the proposals make adequate provision for community and other services and facilities. This is in accordance with the development plan, and in particular CS Policies SP16 (Sport and Play), SP17 (Green Space) and SP18 (Infrastructure); the CIL Regulations; and paragraph 204 of the Framework.

#### **Conditions [87, 89, 106]**

1. If the SoS is minded to allow the appeal I recommend that conditions 1 – 31 (inclusive) as set out in the Annex to this Report be imposed on any permission granted. These conditions were discussed at the Inquiry and an agreed list, amended to take account of the round table discussion at the Inquiry, submitted following the close of the Inquiry. In addition to the standard outline planning permission conditions it is recommended that the plans are identified for the avoidance of doubt as the site boundary was amended during the Inquiry and that phases of development are identified at the outset to avoid future doubt.
2. Further conditions are required in respect of refuse/recycling facilities, noise attenuation measures and contamination in the interests of the living conditions of future residents. Details of foul and surface water drainage are necessary as no such details have been submitted; for the avoidance of flood risk; to ensure that sustainable drainage principles are employed; and to protect ground water supplies. Piling needs to be controlled to protect groundwater. Energy efficiency measures need to be identified and approved in the interests of sustainable development.
3. Construction and Dust Management Plans are necessary in the interests of highway safety and to protect the amenities of adjoining residents and allotment holders. A landscaping scheme, together with details of future management, needs to be submitted and implemented in the interests of the visual amenities of the area. Details of external lighting need to be submitted and approved for the same reason. A programme of archaeological investigation is necessary in order to advance understanding of heritage assets which otherwise may be lost.
4. Details of estate roads and footpaths, including the timing of their provision, together with details of visibility splays need to be approved in the interests of highway safety and to protect the living conditions of future residents. Details of parking facilities, including the storage of bicycles, need to be provided and the approved facilities retained in the interests of highway safety and the living conditions of future residents. The footway/cycleway along Candlet Road and the zebra crossing on the High Street need to be provided in the interests of the living conditions of future residents and to promote sustainable forms of travel.

#### **Unilateral Undertaking [87-92, 107-108]**

1. The UU was submitted by the appellant and covers the matters set out in paragraph 107 (above). As set out in paragraphs 87-92 (above) SCC is content with its provisions subject to various planning conditions. The only issue between SCDC and the appellant concerns

primary school provision in the area and whether the inclusion of land reserved for this purpose should have formed part of the planning application. There is no dispute concerning the legality or enforceability of the UU or the financial contributions that would be payable. I

have already concluded that, in my opinion, the UU is worded in such a way that SCDC still have absolute control over where a future primary school would be located as it would need separate planning permission. I have also concluded that as the school does not form part of these proposals its provision on the site cannot weigh rather for or against the proposals.

2. Overall, however, the UU secures benefits not only for future residents of the site but also for other residents and businesses in the area. I would point out, however, that the provision of the proposed business units and community centre are not secured by this Undertaking.

### **The Planning Balance**

1. The starting point in the planning balance is whether SCDC can demonstrate a five-year housing land supply as this determines the weight that can be given to relevant policies in the development plan. The importance of this in the balance was emphasised during the Inquiry by the evidence of SCDC's planning witness. Under cross examination this witness conceded that if the Council does not have a five-year housing land supply and paragraph 14 of the Framework is engaged, then the identified harm would not significantly and demonstrably outweigh the benefits.
2. There are two limbs to this issue. First, whether CS requirement of 7,900 new homes is out of date due to the final paragraph of CS Policy SP2; and, second, whether the Council can demonstrate a five-year housing land supply.
3. Concerning the first limb, I have concluded that the provisions of that policy are clear and that the timescale it sets out has not been met. I do not agree with the Council that in these circumstances the requirement figure of 7,900 dwellings, which was only accepted as a temporary measure, can reasonably continue to be used. It is out of date. To still use it would fly in the face of the Government's objective of significantly boosting the supply of housing.
4. On the second limb, for the reasons set out above I have concluded that the Council has a record of persistent under delivery of housing and so a 20% buffer should be provided. This, taken in combination with my conclusions on the first limb, means that the Council cannot demonstrate a five-year housing land supply. Relevant policies for the supply of housing, therefore, cannot reasonably be considered to be up to date.
5. If the SoS accepts that conclusion, then paragraph 14 of the Framework is engaged. In those circumstances all parties at the inquiry are agreed that planning permission should be granted given the Council's concession that the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits.
6. The benefits of granting permission include the provision of up to 560 dwellings, of which 187 would be affordable housing units. These benefits are recognised by Council and this provision carries considerable weight in support of the proposals. There is no certainty as to the timescale for the likely delivery of the dwellings (ie whether they will be delivered within the next 5 years), but evidence to the Inquiry from house builders was positive (Documents ID21 & 22. This provision is all the more important given the lack of a five-year housing land supply and the imbalance, identified in the development plan, between employment and housing in respect of the Port of Felixstowe. The other economic and social benefits of providing additional housing are set out above in the section on sustainable development which concludes that these benefits are significant. This carries significant weight in favour of the proposals.

7. The harm arising from the proposals is both limited in scale and highly localised. The fact that it would breach the strong physical boundary of the settlement by being located on the northern side of Candlet Road would not set a precedent given that the Grove Medical Centre and Pharmacy, with its extensive car park, is located to the north of that road. Nonetheless, there would be a major encroachment into the countryside and a resultant impact on users of public footpaths and a Quiet Lane in the area.
8. The harm to the AONB would be limited to long distance views out from the AONB and these views themselves are mostly limited to views through gaps in hedges or over field gates and there are some intervening trees. There would be some harm to these views but this would be very limited. Nonetheless, there would be conflict with CS Policies DM3, SP15, SP19, SP21 and SP29 and with emerging Policy FPP2 of the FPAAP and this weighs against the proposals.

### Overall Conclusions

1. I am satisfied that the consideration of the revised site location plan, which involves a reduction in the overall site area and does not include any additional land outside the original site location plan, is acceptable and would not prejudice any interested parties.
2. The proposals are in conflict with policies in the development plan as they involve housing provision in the countryside outside the confines of Felixstowe/ Walton. Policies for the supply of housing, however, are out of date insofar as the requirements of CS Policy SP2 have not been met and the Council is unable to demonstrate a five-year housing land supply. I have found that this would be a sustainable form of development. In accordance with paragraph 14 of the Framework, Government advice is that planning permission should be granted unless the impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.
3. I have found that the harm arising from the proposed development is limited and localised. The economic and social benefits are not significantly and demonstrably outweighed by the identified environmental harm. I therefore recommend that conditional outline planning permission be granted. **Recommendation**

### File ref: APP/V3500/W/15/3138710

184. I **recommend** that the appeal, as amended by drawing No YOR.2258\_036.A dated 09.09.2016, be allowed and that planning permission be granted subject to Conditions 1 – 31 (inclusive) as set out in the Annex to this Report.

*Clive Hughes*

Inspector

### APPEARANCES

#### FOR CHRISTCHURCH LAND & ESTATES (FELIXSTOWE) LTD:

Anthony Crean QC	Instructed by the appellant
He called	
Christopher May BS(Hons) MRTPI	Director, Pegasus Planning Group
Brian Denney BA(Hons) DipLA CMLI CENV MIEMA	Landscape and Environmental Planning Director, Pegasus Group Ltd
Richard Brown MSc	Director, Richard Brown Planning Ltd
*Paul Hart	Solicitor, Shakespeare Martineau
**Victoria Balboa BSc(Hons) MCIHT	Director, WYG Environment Planning Transport
**Stephen Clyne LCP	Principal, EFM

\* For sessions on conditions and Unilateral Undertaking only

\*\* These witnesses each produced written statements but were not called during the

Inquiry

FOR SUFFOLK COASTAL DISTRICT COUNCIL:

Harriet Townsend of Counsel Instructed by the Solicitor to the Council

She called

Desi Reed BSc(Hons) Planning Policy and Delivery Manager, SCDC

MPhil MRTPI DMS

Mark Flatman CMLI DipLA Director, Liz Lake Associates

BA(Hons)

Jane Crichton BA(Hons) Senior Planner, Lanpro Services MSc MRTPI

FOR SUFFOLK COUNTY COUNCIL:

Juan Lopez of Counsel Instructed by Emma Bethell, Principal Planning and Environment Solicitor

He was supported by

\*Faye Minter BA MA Senior Archaeological Officer, SCC

\*Simon Curl BSc Flood and Water Manager, SCC

\*James Cutting BA(Hons) Planning Strategy Manager, SCC BTP MRTPI

\*Luke Barber BSc FDCE Road Safety Audit Team Leader, SCC

\* These witnesses each produced written statements but were not called during the

Inquiry

INTERESTED PERSONS:

Guy Pearse Felixstowe Society of Allotment & Leisure

Gardeners and local resident

Robin Whittle Chair; River Deben Association and local resident Cllr Kimberley Williams Walton

Town Councillor and local resident

## CORE DOCUMENTS

CD1	Documents A1–A27 Planning application documents
CD2	Documents B1-B4 Consultation documents, officer report & decision notice
CD3	Documents C1-C5 Appellant’s appeal documents
CD4	Documents D1-D7 Statements of common ground & related inquiry documents
CD5	Documents E1-E13 Development plan policy documents and guidance
CD6	Documents F1-F11 Planning permissions and appeal decisions
CD7	Documents G1-G23 Other documents

## **DOCUMENTS SUBMITTED PRIOR TO THE INQUIRY BY THE APPELLANT**

CLE1 Proof of evidence and appendices of Christopher May  
CLE2 Proof of evidence and appendices of Brian Denney  
CLE3 Proof of evidence and appendices of Richard Brown  
CLE4 Proof of evidence and appendices of Victoria Balboa  
CLE5 Proof of evidence and appendices of Stephen Clyne  
CLE6 Supplemental proof of evidence of Richard Brown

## **DOCUMENTS SUBMITTED PRIOR TO THE INQUIRY BY THE DISTRICT COUNCIL**

SCDC1 Proof of evidence and appendices of Desi Reed  
SCDC2 Proof of evidence and appendices of Mark Flatman  
SCDC3 Proof of evidence and appendices of Jane Crichton

## **DOCUMENTS SUBMITTED PRIOR TO THE INQUIRY BY THE COUNTY COUNCIL**

SCC1	Proof of evidence and appendices of Luke Barber
SCC2	Proof of evidence and appendices of Simon Curl
SCC3	Proof of evidence and appendices of Faye Minter
SCC4	Proof of evidence and appendices of James Cutting
SCC5	Rebuttal proof of evidence and appendices of Chris Ward on Travel Plan matters
SCC6	Rebuttal and erratum on Education and Early Years Matters of James Cutting

## **OTHER DOCUMENTS SUBMITTED PRIOR TO THE INQUIRY**

GEN1 Email (30.08.16) containing updated housing land supply details  
GEN2 Planning Statement of Common Ground (unsigned)  
GEN3 Statement of Common Ground on Highway and Transport Matters (signed)

## **DOCUMENTS SUBMITTED AT THE INQUIRY**

ID1 Statement of Common Ground: Housing Requirement & Five Year Housing Land Supply  
ID2 Stratford upon Avon DC v SoS CLG and J S Bloor (Tewkesbury) Ltd etc [2013] EWHC 2074 (Admin)

ID3	Drawing No YOR.2258_038: Extent and level of visual effects set out in evidence of Mark Flatman
ID4	Summary proof of evidence of Desi Reed

ID5	M Flatman Fig 10: Encroachment into the open countryside
ID6	M Flatman Fig 02: Landscape character
ID7	Indicative masterplan annotated with areas of built development and hard surfacing
ID8	Land off Woods Lane, Melton, Woodbridge: Illustrative Masterplan
ID9	Opening submissions on behalf of Suffolk Coastal District Council
ID10	Opening submissions on behalf of Suffolk County Council
ID11	Email dated 26 September 2016 flagging up proposed application for costs by the appellant
ID12	Aim of the River Deben Association
ID13	Council's list of factual changes since the Framlingham Decision
ID14	Draft Unilateral Undertaking (Number 2) - withdrawn
ID15	Statement of Common Ground on Drainage Matters
ID16	Statement of Common Ground on Archaeology Matters
ID17	Council's notification letter and list of persons notified
ID18	Timetable: Suffolk Coastal Local Development Scheme 2012-2015
ID19	Extracts from The Deben Estuary Plan (April 2015)
ID20	Summary proof of evidence of Jane Crichton
ID21	Letter dated 3 June 2016 from Taylor Wimpey to Mr S Roper
ID22	Letter dated 1 August 2016 from Bloor Homes to Mr S Roper
ID23	Draft conditions (Suffolk County Council)
ID24	Addendum Statement of Common Ground on Transport Matters
ID25	Statement of Common Ground on Education and Early Years Matters
ID26	Draft Unilateral Undertaking (version 2) (replaced ID14)
ID27	Draft conditions (Suffolk Coastal District Council)
ID28	Revised position on the 5 year supply of deliverable sites

ID29	Extract from Planning Practice Guidance (16-049-20140306)
ID30	Position statement on Education by Suffolk Coastal District Council
ID31	Costs application on behalf of Suffolk County Council
ID32	Closing submissions on behalf of Suffolk County Council
ID33	Closing submissions on behalf of Suffolk Coastal District Council
ID34	Closing submission on behalf of the appellant
ID35	Suggested itinerary – Inspector’s site visit

## DOCUMENTS SUBMITTED FOLLOWING THE CLOSE OF THE INQUIRY

PID1 Signed Unilateral Undertaking dated 7 October 2016

PID2 Composite list of agreed conditions

## PLANS

- A. Drawing No YOR.2258\_036.A – Site boundary plan (revised)
- B. Drawing No YOR.2258\_010M – Indicative Masterplan (revised) **ANNEX: Suggested conditions (31 conditions)**

1. Plans and particulars showing the detailed proposals for all the following aspects of the development (“the reserved matters”), or within a phase, shall be submitted to the local planning authority and the development shall not be commenced before these details have been approved:
  - i. The siting of all buildings and the means of access thereto from an existing or proposed highway;
  - ii. The design of all buildings, including the colour and texture of facing and roofing materials; iii. Landscaping;

iv. 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; v. The layout of foul sewers and surface water drains; and

vi. The alignment, height and materials of all walls and fences and other means of enclosure.

2. a) Application for approval of any reserved matters must be made within five years of the date of this outline permission and then

b) The development hereby permitted must be begun within either three years from the date of this outline permission or within two years from the final approval of the reserved matters, whichever is the later date.

3. The development hereby permitted shall be carried out in full accordance with Drawing No. YOR.2258\_036.A and generally in accordance with the Indicative Masterplan (Drawing No YOR.2258\_010M) unless otherwise agreed in writing by the Local Planning Authority.
4. Prior to development commencing a phasing plan for the development of the whole of the site shall be submitted to and approved in writing by the Local Planning Authority. The development of the site shall be undertaken in accordance

with the approved plan or as otherwise agreed in writing by the Authority from time to time.

5. Before the development is commenced, or any phase of development commenced, details of the areas to be provided for storage of refuse/ recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in accordance with the approved details and shall be retained thereafter for no other purpose.
6. Prior to the commencement of development, a Construction Management Plan shall be submitted to the local planning authority for approval. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:
  - i. The parking of vehicles of site operatives;
  - ii. Loading and unloading of plant and materials;
  - iii. Storage of plant and materials used in the construction of development;
  - iv. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate;
  - v. Measures to control the emission of dirt; and
  - vi. A scheme for recycling/disposing of waste resulting from demolition.
1. No development shall take place until a Dust Management Plan has been submitted to and approved in writing by the Local Planning Authority and the recommendations of which must be implemented during the construction phase of the development unless otherwise agreed in writing.
2. Prior to any development commencing on any phase within the site a scheme for protecting noise sensitive properties within the site from road traffic noise shall be submitted to and approved by the Local Planning Authority. All works which form part of this scheme shall be so far as they relate to any specific property before such property is occupied.
3. Although site investigation has not previously identified any contamination associated with this site, if any contamination is encountered anywhere on the site during the development, it must be reported to the Local Planning Authority. Where remediation is necessary a scheme shall be prepared and agreed in writing with the Local Planning Authority prior to any works which may disseminate or bury the contaminant or put any site operative at risk and thereafter implemented in accordance with the measures specified in the agreed scheme.
4. No development shall commence commencing on any phase within the site until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.
5. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.
6. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
7. Prior to the commencement of development a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and occupational phases of the development shall be submitted to and

- agreed, in writing, with the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The scheme shall be constructed and the measures provided and made available for use in accordance with such timetables as may be agreed.
8. Prior to the commencement of development, a scheme for the provision and implementation of rainwater harvesting shall be submitted and agreed, in writing, with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification in conjunction with the development to which it relates.
  9. Any planting, seeding or turfing comprised in the approved details of landscaping in respect of any phase shall be carried out in accordance with the phasing arrangements for such planting and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced on the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.
  10. A landscape management plan, including the long term design objectives, management responsibilities and maintenance schedules for all landscape areas, SUDS and play areas, other than privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development or any phase of the development. The landscape management plan shall be carried out as approved.
  11. Details of any external lighting shall be submitted to and approved in writing by the local planning authority before the dwellings are occupied. Development shall be carried out in accordance with the approved details.
  12. Concurrent with the first reserved matters application, an amended flood risk assessment (FRA) including surface water storage on site to be provided and sized to contain the 1 in 100 year + 40% climate change event has been submitted to and approved in writing by the Local Planning Authority.
  13. No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
    - a. Limiting the surface water run-off generated in all events up to the 1 in 100 year critical storm to no more than 43l/s (1.37 l/s/ha or QBAR), so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site;
    - b. Provision of attenuation storage to manage the volume of surface water generated in all rainfall events up to and including the 1 in 100 year return period event including allowances for climate change (40%);
    - iii. The pipe diameters of the surface water drainage network shall be determined during the detailed design stage and calculations shall be submitted which demonstrate they are sized to adequately convey the critical duration 1 in 100 year return period rainfall event, including allowances for climate change. A fully labelled network diagram showing all dimensions (pipe numbers, gradients, sizes, locations, manhole details etc.) of every element of the proposed drainage system should be submitted;
    - iv. In the event of exceedance flows that surpass the critical duration rainfall event or a blockage/failure occurs within the drainage network/flow control device the attenuation features shall incorporate an emergency spillway and appropriate freeboard as part of their design;
  - a. Confirmation that the existing drainage ditches, downstream to watercourse, are free from obstruction and able to adequately drain to watercourse without causing

nuisance or damage. It is proposed that all surface water runoff generated from the proposed development will be discharged to existing drainage ditches via attenuation and a controlled discharge rate (43 l/s);

- b. All surface water management features must be designed in accordance with CIRIA (C753) The SuDS Manual so ecological, water quality and aesthetic benefits can be achieved in addition to the flood risk management benefits;
  - c. Plans and drawings showing the locations and dimensions of all aspects of the proposed surface water management scheme. The submitted plans should demonstrate that the proposed drainage layout will perform as intended based on the topography of the site and the location of the proposed surface water management features. In addition, full design details, including cross sections of the proposed attenuation features will be required;
  - d. Details of the future adoption and maintenance of all aspects of the surface water drainage strategy. The local planning authority should be satisfied that arrangements are in place for the long term maintenance and management of the surface water management scheme;
  - e. Infiltration testing shall be carried out on the site in accordance with BRE 365, and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
  - f. Confirmation, in writing, of the East Suffolk Internal Drainage Board's acceptance of the proposed surface water runoff rates should be submitted; xi. A full hydrological analysis of the ordinary watercourse which flows through the site, including information regarding the watercourse capacity and calculations to demonstrate that the proposed road crossing culverts/bridges will be suitably sized to convey the 1 in 100 year flood event, including allowances for climate change. The mitigation measures shall be fully implemented in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.
14. No development shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.
15. No more than three hundred (300) dwellings hereby permitted shall be occupied until the flood risk asset register template has been submitted, in the required form, to and approved in writing by the Local Planning Authority.
16. No development shall commence until details of a construction surface water management plan detailing how surface water and storm water will be managed on the site during construction is submitted to and agreed in writing by the Local Planning Authority. The construction surface water management plan shall be implemented and thereafter managed and maintained in accordance with the approved plan.
17. No development shall commence until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions, and:

- a. The programme and methodology of site investigation and recording; ii. The programme for post investigation assessment;

- iii. Provision to be made for analysis of the site investigation and recording; iv. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
- a. Provision to be made for archive deposition of the analysis and records of the site investigation;
  - b. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation; and vii. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.
18. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 23 and the provision made for analysis, publication and dissemination of results and archive deposition.
19. No development shall commence on each specific reserved matters phase until details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), related to that phase, have been submitted to and approved in writing by the Local Planning Authority.
20. 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.
21. The new estate road junction with Candlet Road, as shown on WYG drawing No. A085774\_007 Rev. B inclusive of cleared land within the sight splays to this junction must be formed prior to any other works commencing or delivery of any other materials. Full details of the junction shall be submitted to and approved by the Local Planning Authority prior to the commencement of development.
22. No development shall commence on each specific reserved matters phase until details of the areas to be provided for the manoeuvring and parking of vehicles including secure cycle storage, related to that phase, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be delivered in conjunction with the development they are intended to serve, and shall be retained thereafter and used for no other purpose.
23. No more than ninety nine (99) dwellings shall be occupied until the footway/ cycleway along the north east side of Candlet Road from the site access to the Grove Road Heath Centre, as shown on WYG Drawing A085774\_010 Rev. A, and the footway link adjacent to Gulpher Road, as shown on WYG Drawing No. A085774\_007 Rev. B, have both been completed in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority.
24. No dwelling shall be occupied until footpath 24 has been enhanced with a metalled surface and street lighting, from the site access to Ataka Road (as generally shown in WYG drawing A085774\_014), has been carried out in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority.
25. No dwelling shall be occupied until a Zebra Crossing on the High Street, as shown on the WYG Drawing A 085774\_011 Rev. A, has been completed in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority.

## **RIGHT TO CHALLENGE THE DECISION IN THE HIGH COURT**

**These notes are provided for guidance only and apply only to challenges under the legislation specified. If you require further advice on making any High Court challenge, or making an application for Judicial Review, you should consult a solicitor or other advisor or contact the Crown Office at the Royal Courts of Justice, Queens Bench Division, Strand, London, WC2 2LL (0207 947 6000).**

The attached decision is final unless it is successfully challenged in the Courts. The Secretary of State cannot amend or interpret the decision. It may be redetermined by the Secretary of State only if the decision is quashed by the Courts. However, if it is redetermined, it does not necessarily follow that the original decision will be reversed.

### **SECTION 1: PLANNING APPEALS AND CALLED-IN PLANNING APPLICATIONS**

The decision may be challenged by making an application for permission to the High Court under section 288 of the Town and Country Planning Act 1990 (the TCP Act).

#### **Challenges under Section 288 of the TCP Act**

With the permission of the High Court under section 288 of the TCP Act, decisions on called-in applications under section 77 of the TCP Act (planning), appeals under section 78 (planning) may be challenged. Any person aggrieved by the decision may question the validity of the decision on the grounds that it is not within the powers of the Act or that any of the relevant requirements have not been complied with in relation to the decision. An application for leave under this section must be made within six weeks from the day after the date of the decision.

### **SECTION 2: ENFORCEMENT APPEALS Challenges under Section 289 of the TCP Act**

Decisions on recovered enforcement appeals under all grounds can be challenged under section 289 of the TCP Act. To challenge the enforcement decision, permission must first be obtained from the Court. If the Court does not consider that there is an arguable case, it may refuse permission. Application for leave to make a challenge must be received by the Administrative Court within 28 days of the decision, unless the Court extends this period.

### **SECTION 3: AWARDS OF COSTS**

A challenge to the decision on an application for an award of costs which is connected with a decision under section 77 or 78 of the TCP Act can be made under section 288 of the TCP Act if permission of the High Court is granted.

### **SECTION 4: INSPECTION OF DOCUMENTS**

Where an inquiry or hearing has been held any person who is entitled to be notified of the decision has a statutory right to view the documents, photographs and plans listed in the appendix to the Inspector's report of the inquiry or hearing within 6 weeks of the day after the date of the decision. If you are such a person and you wish to view the documents you should get in touch with the office at the address from which the decision was issued, as shown on the letterhead on the decision letter, quoting the reference number and stating the day and time you wish to visit. At least 3 days notice should be given, if possible.



## **Committee Report**

**Planning committee** - 26 January 2021

**Application no** DC/20/3946/FUL

**Location**

12 Elm Road  
Rushmere St Andrew  
IP5 1AJ

**Expiry date** 3 December 2020

**Application type** Full Application

**Applicant** Mr Carl Vince

**Parish** Rushmere St Andrew

**Proposal** Retrospective change, converting a 3rd of our garage into a Barbershop

**Case Officer** Jamie Behling  
07919 303788  
[Jamie.Behling@eastsoffolk.gov.uk](mailto:Jamie.Behling@eastsoffolk.gov.uk)

### **1. Summary**

- 1.1. The proposed development seeks permission retrospectively for planning permission for a one chair barbers to be operated out of a partly converted garage space at 12 Elm Road, Rushmere St Andrew.
- 1.2. The town council have recommended refusal to the application, and therefore given the contrary officer recommendation the application was presented to the referral panel on the 15/12/2020 whereby it was decided to bring the application to the Planning Committee.
- 1.3. The referral panel considered that there were material planning considerations which warranted further discussion by the planning committee.
- 1.4. Officer recommends approval.

## 2. Site description

- 2.1. 12 Elm Road is a semi-detached bungalow within the physical limits of Rushmere St. Andrew. The plot has a long thin back garden that recently received planning approval for a separate, detached annexe. The site has parking to the front and side of the dwelling for approximately three cars comfortably with a garage positioned just behind the dwelling, on the north boundary which has been partly converted into a barbers.
- 2.2. This retrospective application has been submitted as a result of enforcement case under ref. ENF/20/0293/USE. Elm Road lies on the southern side the Main Road through Kesgrave. It not a through road, and is narrower than the standard roads in the area.

## 3. Proposal

- 3.1. The proposal seeks to retain the use of the single chair barber shop in part of a converted garage within the rear garden of this residential property, for part time use between the hours of 16:00 - 20:00 Mon - Fri and 9:00 - 12:30 Sundays.
- 3.2. Scheduled clients will arrive one at a time so there should never be more than one customer on the premises at any given time. Clients are asked to park on the driveway when arriving so not to congest the street. The use of the building will solely be operated by a family member and not leased out for additional professionals.

## 4. Consultations/comments

- 4.1. Five letters of objection raising the following material planning considerations:
- Parking
  - Highway Safety
  - Loss of privacy
  - Noise and disruption

## Consultees

### Parish/Town Council

Consultee	Date consulted	Date reply received
Rushmere St Andrew Parish Council	9 October 2020	2 November 2020
<i>"Response: Rushmere St Andrew Parish Council recommends REFUSAL.</i>		
<i>The reasons for refusal are: This is a narrow site near the top of Elm Road. There are already issues with cars parking along the road and insufficient car parking is available/ proposed on site.</i>		

*The Parish Council would also like to draw attention to the fact that online appointments are currently advertised for day times but in the application form it is stated that there would not be appointments available during day times.”*

### Non statutory consultees

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	N/A	12 October 2020
Summary of comments: Standard comments regarding access for fire vehicles and installation of sprinklers		

### Publicity

None

### Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted:

Expiry date:

### 5. Planning policy

- 5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *“where in making any determination under the planning Acts, if regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise”*.
- 5.2. National Planning Policy Framework (NPPF) (2019)
- 5.3. National Planning Policy Guidance (NPPG)
- 5.4. The East Suffolk Council – Suffolk Coastal Local Plan was adopted on 23 September 2020 and the following policies are considered relevant:
  - Policy SCLP11.1 - Design Quality
  - Policy SCLP11.2 - Residential Amenity

## 6. Planning considerations

### Principle and Sustainable Development

- 6.1. The site is located within physical limits of Rushmere St Andrew, a sustainable residential location with good links to public and private transport. It is a low-level personal use with no employees and limited visitors.
- 6.2. There is an allowance for small-scale businesses to be run from private dwellings and the only reason this requires planning permission is due to the fact that part of the garage area will be lost to become the barbers. Therefore, given its sustainable location it is considered acceptable in principle, however there are other issues to be considered.

### Visual Amenity, street scene and landscape

- 6.3. The proposal will not be seen in the public domain as it is at the rear of the property with the exception of the door into the newly converted garage area, however this will not have such a significant impact on the visual amenities, street scene and urban landscape as to warrant refusal of the development. The proposal is therefore considered compliant in this regard with policy SCLP11.1 (Design) of the Adopted East Suffolk (Suffolk Coastal) Local Plan Policies.

### Concerns raised by Objectors and Residential Amenity considerations

- 6.4. There have been five objectors outlining a number of issues which will be considered in the paragraphs below.

#### Traffic/Danger to highway safety:

- 6.5. Elm Road is a narrow road off the Main Road through Kesgrave, servicing approx. 30 dwellings that leads to a dead end. The proposed site has at least three comfortable parking spaces within it where clients are proposed to park. The dwelling has three bedrooms requiring the need for two car parking spaces as set out by the Suffolk Guidance for Parking Technical Guidance leaving one space free for clients.
- 6.6. If the clients were to park within the site, they would not be contributing to the congestion within the street, nor would they be creating any increased danger to highway safety other than entering and leaving the road. If clients were to arrive one at a time as suggested, there would only be the addition of a single vehicle within the area at any given time. Although it is acknowledged the road does appear narrower than a standard road, and in evening times may get congested, this would not be due to the approval of this application but a continuing issue outside of the control of the applicant and the site, that is made no worse by the parking proposal within this application.

#### Loss of Privacy:

- 6.7. The operation of the proposal in itself would not be considered to cause the loss of privacy to neighbouring properties. If visitors choose to sit in their cars while they wait for clients at the site, this is not something that can be controlled within the planning system.

6.8. Noise and disruption:

6.9. Whilst there will be some noise generated from the use of tools such as hairdryers, this is not a constant noise but is more intermittent and is of a decibel level that is unlikely to cause such detriment and disturbance as to warrant refusal on noise grounds.

6.10. Any noise generated from vehicles would not be uncommon to the location due to the dense residential nature of the area and if clients were to arrive by appointment one at a time, this would not create any more significant noise or disturbance than what someone may expect within an area such as this for residential reasons. Any disruption of vehicles leaving their lights on again cannot be controlled within a planning consent and the issue would have to be dealt with through some other means.

6.11. The hours proposed are part time and although not at the usual working hours of the day, due to the relatively low volume of traffic generated, would not cause any substantial disturbance to neighbours.

6.12. The proposal therefore is not considered to cause substantial harm to the residential amenity of surrounding neighbours and therefore complies with policy SCLP11.2.

6.13. It has also been noted that the applicant may have erected a sign out the front of the property to advertise which property the barbers is operating within. This is not part of the application and if larger than what is permitted under the Town and Country Planning, Control of Advertisement Regulations (2007 (as amended) would require separate Advertisement Consent.

## **7. Conclusion**

7.1. As the design is acceptable and as noted above there is no significant impact on neighbour's amenity, the development is therefore considered to comply with the policies listed above. There should only be minimal impact on traffic levels so long as visitors park within the site. This has been conditioned to limit the impact on the highway.

## **8. Recommendation**

8.1. Approve planning permission, subject to conditions as outlined below.

### **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 Site Plan, Block Plan, Floor Plan & Proposed Info. received 05/10/20 and Elevation

received 09/10/2020, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. The development hereby permitted shall not be used by members of the public outside the following hours:

16:00 - 20:00 Monday to Friday

09:00 - 12:30 Sunday

No works shall take place on Bank Holiday's

Reason: To ensure the amenities of adjacent residents are not adversely affected.

4. The Barbers unit hereby approved shall only be operated and used by one professional barber with one client at a time. It shall not be leased out or used independently from the host dwelling (12 Elm Road).

Reason: To ensure the building is used by the applicant only, or any successive owner of the building in the interests of safeguarding residential amenity.

5. A parking space shown on the Block Plan showing possible parking received 05/10/2020 shall be retained during business hours for clients of the barbers unit only and for no other purpose. Outside of these hours it can be used in conjunction with the normal domestic purposes of the dwelling.

Reason: To ensure that off-road client parking is provided during business hours.

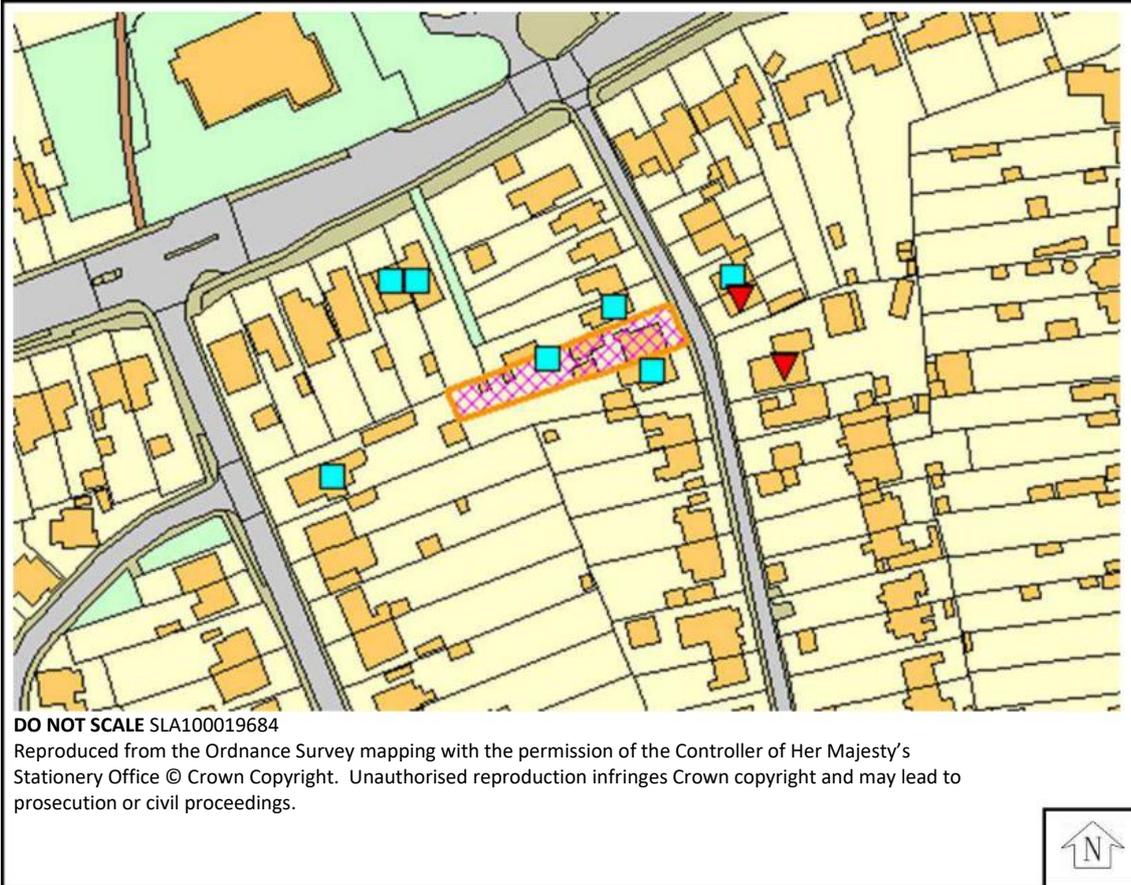
### **Informatives:**

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/20/3946/FUL on [Public Access](#)

## Map



## Key



Notified, no comments received



Objection



Representation



Support



## Committee Report

**Application no** DC/20/3852/FUL

**Location**

Part Land Off  
Watermill Road  
Newbourne  
IP12 4NP

**Expiry date** 28 December 2020

**Application type** Full Application

**Applicant** Mr N Ridley

**Parish** Newbourne

**Proposal** Use of land for stationing of two holiday lodges

**Case Officer** Natalie Webb  
01394 444275  
[natalie.webb@eastsoffolk.gov.uk](mailto:natalie.webb@eastsoffolk.gov.uk)

### 1 Summary

- 1.1 The application seeks permission for the use of land for stationing of two holiday lodges at land off Watermill Road, Newbourne, IP12 4NP.
- 1.2 This application was presented to the referral panel on 22 December 2020 as Officer's are minded to approve the application, contrary to a holding objection from a statutory consultee (Suffolk County Council Flood and Water Team), the Parish Council's objection and an objection from one of the Ward Members.
- 1.3 The referral panel considered that there were material planning considerations which warranted further discussion by the planning committee.

### 2 Site description

- 2.1 Newbourne is identified as a small village within the Local Plan. The application site lies outside of any settlement boundary and is therefore considered to be in the countryside

for planning purposes (SCLP3.2 & SCLP3.3). The site is south of Mill Road, with an existing access off Watermill Road. The southern section of the site is within flood zones 2 and 3, although the proposal is not within the flood zones (existing lodges are closer than those proposed).

2.2 The site benefits from planning permission for seven holiday lodges, with an 11-month occupancy restriction. Three of the existing lodges were approved under planning permission DC/16/0302/FUL and allowed on appeal (ref. APP/J3530/W/17/3187178). Four lodges were subsequently approved under planning permissions DC/19/2697/COU and DC/20/1024/FUL. The site has an extensive planning history, including:

- DC/13/2801/FUL - Erection of new dwelling as part of development of small holding – Refused
- DC/15/3877/FUL - 3 no luxury holiday cabins and store building at land to the rear of 28 Mill Road, Newbourne, Woodbridge Suffolk, IP12 4NP – Withdrawn
- DC/16/0302/FUL - Use of land for the provision of 3 holiday cabins and associated access drive – Permitted
- DC/17/1877/FUL - Use of Land for the provision of 7 holiday lodges and associated access drive – Withdrawn
- DC/17/3199/VOC - Variation of Condition No 4 of DC/16/0302/FUL - Use of land for the provision of 3 holiday cabins and associated access drive – Refused
- APP/080/2017 - Variation of Condition No 4 of DC/16/0302/FUL - Use of land for the provision of 3 holiday cabins and associated access drive - Allowed at appeal
- DC/17/3207/FUL - Use of land for stationing up to 20 touring caravans – Withdrawn
- DC/19/2697/COU - Use of Land for Stationing 2 Holiday lodges - Permitted
- DC/20/1024/FUL - Use of Land for Stationing 2 Holiday lodges - Permitted
- DC/20/2647/FUL - Use of land for the stationing of 4 holiday lodges - Withdrawn

### **3 Proposal**

3.1 The application proposes the provision of two additional holiday cabins in the north of the site, adjacent to the existing lodges. The lodges will be used for self-catering holiday accommodation. It is intended to provide holiday accommodation at the site for 11 months of the year. The holiday lodges will conform to the definition of 'caravans' set out in paragraph 29(1) of the Caravan Sites and Control of Development Act 1960. Access to the site will be via the existing vehicular access from Watermill Road. Each lodge will have parking provision for two cars.

#### 4 Consultations/comments

4.1 Eight letters of objection have been received raising the following matters (inter alia):

- Density
- Dominating/Overbearing
- Impact on character of the area
- Inappropriate in Conservation Area
- Landscape impact
- Light Pollution
- Loss of open space
- Loss of outlook
- Loss of Privacy
- Loss of view
- Noise
- Over Development
- Over Shadowing
- Overlooking
- Scale
- Setting of precedent
- Strain on Local Services
- Traffic or Highways
- Wildlife

4.2 Three letters of support were also received, including a 'petition' which contains 12 names. These support the proposal on the following grounds:

- Better use of land;
- Local employment;
- Support to Local Economy;
- Tourism.

4.3 The above is a summary of representations received; full comments can be viewed on the Council's website.

#### 4 Consultees

Consultee	Date consulted	Date reply received
Newbourne Parish Council	4 November 2020	22 November 2020
<i>"The parish council objects to this planning. Another planning application for Newbourne Park !</i>		

*A planning application was only withdrawn a matter of months ago for 4 holiday lodges.*

*The parish council does not feel that we need any more holiday lodges on the site any more lodges will be too close to the neighbouring houses.”*

### **Statutory consultees**

Consultee	Date consulted	Date reply received
Suffolk County Council- Highways Department	4 November 2020	17 November 2020
<p>Summary of comments: The Highways authority states that any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. They advise that the current access does not, they believe, benefit from permission from the County Council to be undertaken therefore making it an illegal access. This means that the development does not benefit from a lawful access to the highway and it has not been evidenced that it is safe and suitable, with regard to visibility, layout and surface water drainage.</p> <p>It is also noted that the development is remote from the footway network and local amenities and subsequently the development is therefore not in accordance with NPPF para. 108.</p>		

Consultee	Date consulted	Date reply received
Suffolk County Council Flooding Authority	4 November 2020	19 November 2020
<p>Summary of comments: Recommends a holding objection as there is insufficient information regarding flood risk and surface water drainage.</p>		

### **Non statutory consultees**

Consultee	Date consulted	Date reply received
East Suffolk Internal Drainage Board	N/A	2 December 2020
<p>Summary of comments: 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). The applicant has indicated that they intend to dispose of surface water via infiltration, however I cannot see that the viability of the proposed drainage strategy has been evidenced. Ground investigation to test infiltration potential is recommended.</p>		

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	4 November 2020	6 November 2020
Summary of comments: Informative information regarding access to water supply and fire fighting facilities.		

Consultee	Date consulted	Date reply received
Head of Environmental Services	4 November 2020	24 November 2020
Summary of comments: Recommends the full suite of land contamination conditions.		

Consultee	Date consulted	Date reply received
Ward Councillor	4 November 2020	6 November 2020
Summary of comments: I [Cllr Allen] must object to this planning application for these reasons: <ul style="list-style-type: none"> <li>- Impact on landscape;</li> <li>- Over-crowding/over development of the site/layout &amp; density;</li> <li>- Loss of privacy;</li> <li>- Noise &amp; disturbance;</li> <li>- Visual amenity.</li> </ul>		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	4 November 2020	No response
Summary of comments: No response received.		

### Re-consultation consultees

Consultee	Date consulted	Date reply received
Suffolk County Council - Highways Department	N/A	26 November 2020
Summary of comments: Following further information from the applicant, conditions are recommended in respect of the access layout and maintaining visibility splays. An informative for works in the highway has also been included.		

## Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 13 November 2020

Expiry date: 4 December 2020

## 5 Planning policy

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *“where in making any determination under the planning Acts, if regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise”*.
- 5.2 National Planning Policy Framework (NPPF) (2019)
- 5.3 National Planning Policy Guidance (NPPG)
- 5.4 The East Suffolk Council – Suffolk Coastal Local Plan was adopted on 23 September 2020 and the following policies are considered relevant:
- Policy SCLP3.2 - Settlement Hierarchy
  - Policy SCLP3.3 - Settlement Boundaries
  - Policy SCLP4.5 - Economic Development in Rural
  - Policy SCLP6.1 - Tourism
  - Policy SCLP6.4 - Tourism Development outside of the
  - Policy SCLP5.5 - Conversions of Buildings in the Countryside for Housing
  - Policy SCLP7.2 - Parking Proposals and Standards
  - Policy SCLP9.2 - Sustainable Construction
  - Policy SCLP9.5 - Flood Risk
  - Policy SCLP9.6 - Sustainable Drainage Systems
  - Policy SCLP10.1 - Biodiversity and Geodiversity
  - Policy SCLP10.4 - Landscape Character
  - Policy SCLP11.1 - Design Quality
  - Policy SCLP11.2 - Residential Amenity

## 6 Planning considerations

### Principle of Development

- 6.1 The tourism sector is a substantial and important part of the area's overall economy. Tourism supports businesses, facilities, town centres and community life across the plan area. Tourism is an important part of the economy of the former Suffolk Coastal area, contributing 12% to total employment across the District in 2017. The Suffolk Coastal Economic Impact of Tourism Report 2017 identifies that over 6.3 million tourist trips were recorded generating a total of £325 million total tourism value across the plan area.

- 6.2 The Ipswich Economic Area Sector Needs Assessment (2017) identifies that growth is expected to be seen within the 'Hospitality and Leisure' sector of the economy. Tourism is an important part of this sector reflecting both the cultural and natural environment across the plan area.
- 6.3 In accordance with the above, and the existing uses on site, the principle of the use of the site for a two holiday lodges are considered acceptable, subject to the proposals compliance with other Policies within the framework. The East Suffolk Business Plan, the East Suffolk Tourism Strategy and the East Suffolk Economic Growth Plan 2018 strive to build on the strength of the tourism economy and set out aims for increasing visitor numbers outside of the main tourist season. The East Suffolk Business Plan and the East Suffolk Tourism Strategy both support the focus of tourism across East Suffolk and to establish strong links with neighbouring areas. Encouraging increased tourism opportunities in the less sensitive parts of the plan area will ensure that the overall tourism capacity is increased, and tourism spend increases across the plan area and throughout the year.
- 6.4 The National Planning Policy Framework encourages development of tourism initiatives in urban and rural locations, provided the character of the countryside is respected, and pollution and other adverse effects on the local and natural environments are minimised.
- 6.5 Local Plan Policy SCLP6.1 states that the Council will seek to manage tourism across the plan area in a way that protects the features that make the area attractive to visitors, and supports local facilities where the local road network has the capacity to accommodate the traffic generated from proposals. Proposals which improve the visitor experience and support opportunities for year-round tourism will be supported where increased tourism uses can be accommodated; this includes the rural areas across the district. Outside of the Area of Outstanding Natural Beauty (AONB), the Council is welcoming of tourist enterprises and activities which can complement the tourism industry established in the 'hotspots' across the plan area. The areas outside of the AONB can play a key role in supporting and facilitating the increase of destinations and accommodation across the plan area. In accordance with SCLP6.4, tourism development outside of the AONB should be directed to locations which are well related to the existing settlements and will need to demonstrate good connectivity with existing amenities, services and facilities, and promote walking and cycling opportunities where appropriate.
- 6.6 Newbourne is split between development along Ipswich Road and Jackson/Mill Road, with agricultural land between. The site lies behind residential development which fronts Mill Road. Given the existing use of the site for tourism, the additional two holiday lodges are considered to be a compatible use for the site, which aims to enhance the long-term stability of the area. Whilst this application seeks two units of tourism accommodation, it is noted that cumulatively nine units would have been permitted on site. Whilst the rolling incremental expansion of this site is unfortunate, the scale of development - as proposed under this application and cumulatively - is on balance acceptable.
- 6.7 It is not considered that the additional units will have a significant additional adverse impact on the landscape, which also accords with the National Policy Framework (NPPF) paragraph 28, which stipulates that "Local Authorities should enable sustainable rural tourism and leisure which respect the character of the countryside". There are no concerns

of the designs of the units, it is understood that these will be of similar appearance to the existing lodges. For these reasons, the proposals broadly comply with the aspirations of Local Plan Policies SCLP6.4 and SCLP6.5.

- 6.8 In accordance with the above, and considering the existing uses on site, the principle of the use of the land for an additional two holiday lodges is considered acceptable, subject to the proposals compliance with other Policies within the framework.

#### Occupancy

- 6.9 The proposed holiday accommodation is located outside a recognised settlement and the cabins will therefore be sited in area where new development is discouraged unless there is a functional requirement for it to be located in the countryside.
- 6.10 The permanent residential occupation of the cabins would therefore be contrary to the Policies of the Development Plan. As such, Policy SCLP6.5 states that new tourist accommodation will be restricted by means of planning conditions or obligations in accordance with national policy for planning conditions and obligations which permit holiday use only, restricted to a continuous period of 56 days by one person or persons within one calendar year, plus require a register of all lettings, to be made available at all times.
- 6.11 However, planning permission was granted under application DC/16/0302/FUL for the use of part of a field to the rear of 28 Mill Road for the siting of three holiday cabins (the cabins). Condition 4 of the planning permission had the purpose of precluding the permanent residential occupation of the cabins by requiring that none of them shall be occupied by a single person or persons for more than 56 days in any single calendar year. The appellant sought to vary condition 4 by removing the 56-day limitation and replacing it with a prohibition on occupancy between 5 January and 5 February in any one calendar year, which was refused by Officers, but conditionally allowed on appeal.
- 6.12 The Planning Inspector considered that the imposition of a condition prohibiting occupancy between 5 January and 5 February would be a means of ensuring that the cabins were not permanently occupied and be enforceable. While a condition relying on a one-month winter occupancy break would not be wholly consistent with the 56 day limitation stated in Policy SCLP6.5 of the Local Plan, the planning inspector considered that in this instance, such condition would not give rise to a fundamental conflict with Policy SCLP6.5.
- 6.13 Given the previous decision by the Planning Inspector and the current occupancy conditions on the site, Officer's conclude that while a condition restricting the occupancy of the cabins is necessary, the 56-day limitation could be replaced by a prohibition on occupancy between 5 January and 5 February without undermining the underlying reason for the conditions imposition. Therefore, Officer's consider that the imposition of condition prohibiting occupancy between 5 January and 5 February would not give rise to any significant or unacceptable conflict with Policy SCLP6.5 of the Local Plan, and it would tie the occupancy to the current provisions available on the site.

### Access, Highways Safety and Parking Provision

- 6.14 Suffolk County Council (SCC) as Local Highways Authority (LHA) initially commented that any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. There is no record that the current access has permission from the LHA to be undertaken therefore making it an illegal access. This means that the development does not benefit from a lawful access to the highway and it has not been evidenced that it is safe and suitable, with regard to visibility, layout and surface water drainage. Since these comments were received, the applicant has discussed this with the LHA and agreed to retrospectively seek a Minor Works Licence for the access; at this stage, it has not been confirmed whether the LHA have approved this licence, however, this is a separate matter, outside of the planning remit and not required to determine the planning application.
- 6.15 The LHA have since revised their comments requiring conditions are included with any consent for the access to be laid out in accordance with highways drawing DM01 and the removal of permitted development rights within the visibility splays. There is no concern in respect of the parking provision available within the site. Therefore, it is considered that the proposal accords with Local Plan Policy SCLP7.2.

### Flood Risk

- 6.16 As noted above the site lies adjacent to flood zones two and three, which lie to the south of the site. SCC Flood and Water Management as Local Lead Flood Authority (LLFA) have raised a holding objection to the proposal. This is because they consider that an insufficient level of information regarding flood risk and surface water drainage has been provided. The only information provided with the application is an Environment Agency flood map which denotes that the site falls within Flood Zone one. Foul water is to be dealt with by Private Treatment Plant, details of which have been conditioned on previous consents and surface water is proposed to discharge to soakaways. There has been no assessment of ground conditions to support the proposed use of soakaways, or any plans submitted or calculations to demonstrate their suitability. These requests have been made as the entire site area is more than 1ha. However, this has not been requested on the previous applications and this proposal is located further from flood zones two and three than the existing units. It is noted that the lodges would meet the definition of a caravan and therefore are not covered by building regulations.
- 6.17 The applicant has submitted a revised site location plan, only showing the areas where change of use is sought (and access to the units), reducing the site area significantly. In accordance with the guidance on the Environment Agency's website, in Flood Zone 1, a Flood Risk Assessment is not required if the site is less than 1ha and the site is not affected by sources of flooding other than rivers and the sea. Equally as drainage details have not been requested or required on the other proposals for the site, it would be considered unreasonable to ask for this information for the two proposed units, where it has not been a requirement of the previous seven.

### Land Contamination

- 6.18 It is noted that the Environmental Protection Team requested the full suite of land contamination conditions, however these conditions were included with the grant of DC/19/2697/COU (conditions 8 and 9). Whilst this site area differs from the site area of this application, the Phase 1 - Ground Investigation Report by Geosphere Environmental (November 2019) covers the whole of the wider site area, including this application. This report was approved on 20 January 2020 under DC/19/4620/DRC. It is therefore considered that a condition for the unexpected discovery of land contamination is more appropriate in this instance, because the ground conditions are already understood.

### Landscape, Ecology and Suffolk RAMS

- 6.19 In respect of impact to the landscape, the Council's Landscape Officer has not raised any objection to the proposal in respect of adverse impact to landscape character or visual impact; further noting that the additional planting is acceptable.
- 6.20 In terms of the current proposal, the two new cabins are going on areas which are currently short mown grass, which is unlikely to result in any adverse ecological impacts on their own. Application DC/20/1024/FUL included a condition for a landscape and ecological enhancement strategy to be submitted prior to the occupation of the new units. Whilst landscaping details have been included as part of this application, no ecological enhancements have been provided. It is therefore considered that this condition is applied to this consent to ensure that landscape and ecological enhancements are incorporated into the development.
- 6.21 The development falls within the 13km zone of influence over the following European Deben Estuary Special Protection Area (SPA) and Ramsar site; Stour and Orwell Estuaries SPA/Ramsar; Sandlings SPA; and Alde-Ore Estuary SPA/Ramsar. The strategic mitigation measures outlined in the Habitats Regulation Assessment (HRA), raises concern that new housing developments, including tourism, in this area have the potential to have a significant effect upon the interest features of the previously mentioned designated sites, when considered in combination, through increased recreational pressure.
- 6.22 By way of mitigation Natural England advise that a suitable contribution to the emerging Suffolk RAMS is required in relation to this development to enable the conclusion of no likely significant effect whilst ensuring the RAMS remains viable. Subject to the applicant paying the required sum and a completed Section 111 form, there is no reason why the development would not be considered to accord with Local Plan Policy SCLP10.1.

### Residential Amenity

- 6.23 Local Plan Policy SCLP11.2 (residential amenity) requires the Council to have regard to the following points when considering development:
- a) Privacy/overlooking;
  - b) Outlook;
  - c) Access to daylight and sunlight;
  - d) Noise and disturbance;

- e) The resulting physical relationship with other properties;
- f) Light spillage;
- g) Air quality and other forms of pollution; and
- h) Safety and security.

- 6.24 The proposed lodges will be located along the northern boundary of the site, adjacent to a landscaping bund which was required as part of an earlier consent to improve residential amenity of existing residents and provide screening of the site. In assessing the above criteria of SCLP11.2, it is considered that the proposal would not have an adverse impact to the properties which front Mill Road, due to existing distances and screening. The units would be single storey, with the land falling from the north to the south of the site; reducing any likelihood of being overbearing, overshadowing or causing loss of light to neighbouring properties. The development is of a higher density than the surrounding character of development, however, is not uncommon for holiday lodges to be located within a closer proximity to one another, given that these are not intended for permanent residential occupation. Given the constraints of the flood zone to the south, the proposed development has been located to the northern part of the site. Given this restriction, it is unlikely that the site could accommodate many/ if any further units. Concerns have been raised regarding the loss of open space; however, the site is not allocated open space within the Local Plan and is privately owned land which has been permitted use for the siting of holiday lodges. Each site/application is considered on its own merits. It is not considered that the additional two units would create an unacceptable level of noise or disturbance, even when considered cumulatively with the other units to warrant refusal of this application.
- 6.25 It is also noted that comments were received on the impact to the conservation area, however the site is not within a conservation area and loss of view is not a material planning consideration. Therefore, it is not considered that the increase in two units (nine cumulatively) would have an adverse impact on neighbouring amenity that warrants refusal in accordance with SCLP11.2.

## **7 Conclusion**

- 7.1 The application seeks the use of land for stationing of 2 holiday lodges at land off Watermill Road, Newbourne, IP12 4NP. The recently adopted Local Plan for the former Suffolk Coastal area has a presumption in favour of new tourism development, where there would be no harm or conflict with other policies within the plan. Officers have assessed the proposal and found that the proposal is broadly in accordance with Policies SCLP6.1, SCLP6.4 and SCLP6.5 which support new tourism development. Whilst issues have been raised in respect of highways, land contamination and flooding, these have been scrutinised as outlined within this report and found, on balance, to be in accordance with National and Local Policy. It is therefore considered that the proposed development is acceptable and recommended for approval.

## 8 Recommendation

Approve planning permission, subject to conditions as outlined below.

### 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 not be carried out other than in complete accordance with Drawing No's LSDP11260-03 Rev A received 29/09/2020 and the site location plan received 16/12/2020.

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

3. The two lodges herein referred to shall meet the definition of a 'caravan' (as stated in the planning statement received on 29th September 2020) provided by the Caravan Sites and Control of Development Act 1960 as amended or any Order/Act revoking or re-enacting the said Act. Only structures which meet this definition shall be placed on the site.

Reason: For the avoidance of doubt as to what has been considered and approved; only the siting of structures which meet the definition of a caravan have been granted on this site.

4. Full details of the proposed sewage treatment plant, including Environment Agency Registration or Permit Number, siting of unit, design and projected loading of unit, together with final discharge point, shall be submitted to the local planning authority. Only a scheme approved in writing by the local planning authority shall be implemented at the site and shall be fully operational before the units are occupied.

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

5. The use shall not commence until the area within the site shown on Drawing No: LSDP11260-03 Rev A for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

6. The access shall be improved and maintained in accordance with drawing DM01 with the access properly surfaced with a bound material for the minimum distance of 15 metres from edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority, prior to the first use of the hereby permitted units.

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

7. The visibility splays shall be maintained with an X dimension of 2.4m and a Y dimension of 90m in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

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

Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

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

9. The holiday cabins shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The hereby approved holiday cabins shall not be occupied between 05 January and 05 February in any calendar year. The owners/operators shall maintain an up-to-date register of: all the owners/occupiers of the individual cabins on

the site; and their main home addresses and shall make the register available to the local planning authority upon request.

Reason: To ensure that the development is occupied only as bona-fide holiday accommodation, having regard to the tourism objectives of the Local Plan and the fact that the site is outside any area where planning permission would normally be forthcoming for permanent residential development.

10. Prior to first occupation, a landscape and ecological enhancement strategy for the site shall be submitted to and approved in writing by the local planning authority. Landscaping and ecological enhancements will be implemented in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy unless otherwise approved in writing by the local planning authority.

Reason: In the interests of protecting and enhancing the local rural environment, including the ecological environment.

### **Informatives:**

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. Note: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

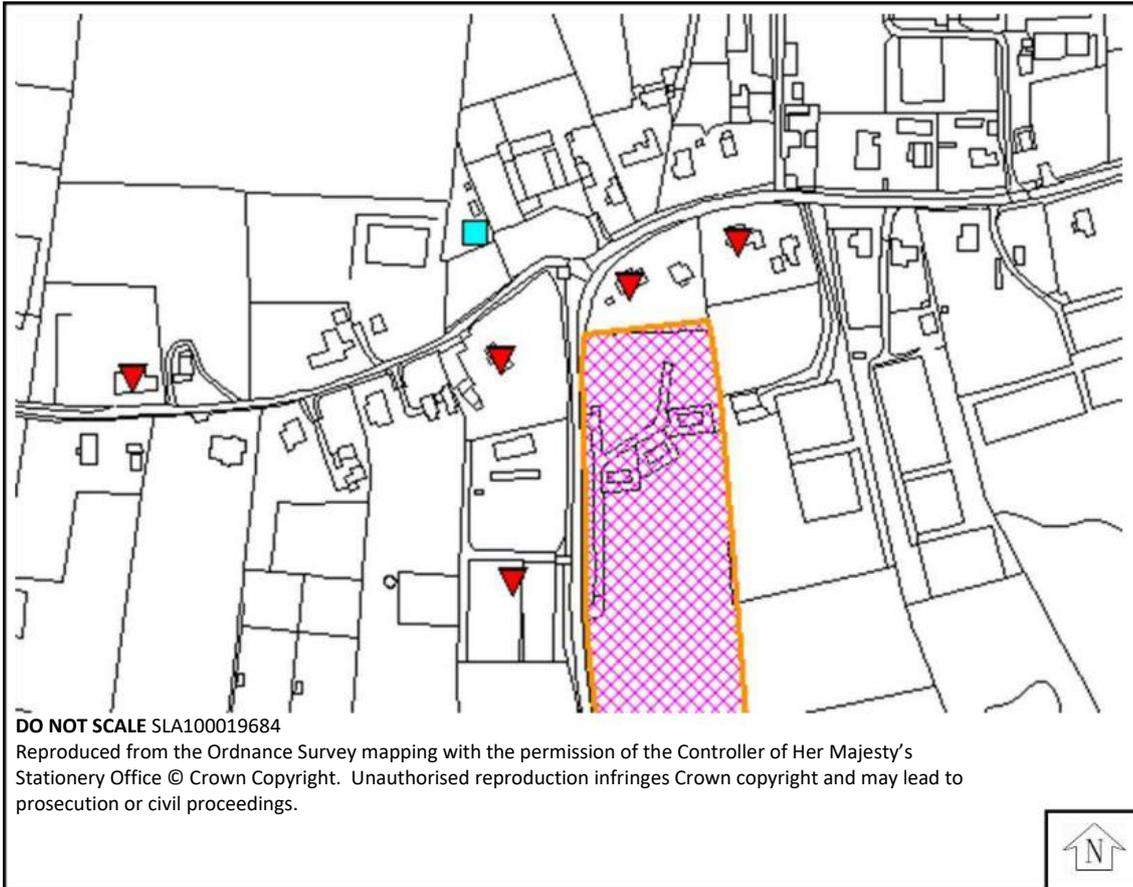
The County Council's East Area Manager must be contacted on Telephone: 01728 652400. Further information can be found at: [www.suffolk.gov.uk/environment-and-transport/highways/dropped-kerbs-vehicular-accesses/](http://www.suffolk.gov.uk/environment-and-transport/highways/dropped-kerbs-vehicular-accesses/)

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

### **Background information**

See application reference DC/20/3852/FUL on [Public Access](#)

## Map



## Key

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