



## Committee Report

**Planning Committee South - 30 March 2021**

**Application no DC/20/1831/OUT**

**Location**

Land Off St Andrews Place And  
Waterhead Lane  
St Andrews Place  
Melton  
Suffolk

**Expiry date** 17 August 2020

**Application type** Outline Application

**Applicant** Warburg Dawson Partnership

**Parish** Melton

**Proposal** Outline Application with Some Matters Reserved - Residential development of up to 55 dwellings, with access off St Andrews Place

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### 1. Summary

1.1 The application is made in Outline form and proposes the erection of up to 55 dwellings on land off St. Andrews Place in Melton. The application site is located within the area covered by Policy MEL20 of the Melton Neighbourhood Plan which sets out proposals for a mixed-use development on a wider site.

1.2 While there are elements of the proposal that are not ideal, mainly that the application is being made independently of the remainder of the site, as the site forms part of the Neighbourhood Plan allocation, it is not considered that the principle of development is objectionable. There are technical details still to be resolved in relation to ecology and drainage however once these have been overcome, Officers consider that the scheme should be recommended for approval. This view is contrary to that of the Parish Council and Suffolk County Council as Highways Authority.

### Reason for Committee

- 1.3 The application was therefore presented to the Referral Panel who considered that this major planning application should be determined by Planning Committee to enable all matters to be considered.

### Recommendation

- 1.4 The recommendation of this application is authority to determine with approval being granted subject to no objections being received from Natural England and/or Suffolk County Council as Lead Local Flood Authority, a S106 Agreement detailing Highways Improvement works, affordable housing provision and a contribution to the Suffolk Coast RAMS and controlling conditions as detailed below.

## **2. Site description**

- 2.1 The application site covers an area of 3.4 Hectares and is located within the physical limits boundary of Melton as defined in the Melton Neighbourhood Plan. The site is located to the north east of the settlement and is also within a Special Landscape Area.
- 2.2 The site forms part of a larger site which has been allocated for a mixed-use development by Policy MEL20 of the Neighbourhood Plan. The application site is located to the north of this allocation and is currently overgrown with a number of trees. It shares its western boundary with existing residential dwellings on St. Andrews Place. There is a tree belt to the north and east of the site and a public right of way (Bridleway 10) also lies adjacent to these boundaries. The site boundary to the south borders other land within the allocation and is less defined. While part of the allocation not immediately adjacent to the site has already been developed, the land immediately to the south of the application site which also forms part of the development currently remains vacant. This part of the site is allocated for B1 employment use and a green/community space and lake. The southern part of the site and the neighbouring site to the south also lie within Flood Zone 3 however it is currently protected by flood defences.

## **3. Proposal**

- 3.1 The application has been made in Outline form with all matters reserved except for access. Access is proposed off the northern end of St. Andrews Place and an indicative layout plan showing 55 dwellings has been submitted with the application however this is not for determination. The application also includes an area of open space between the proposed housing and the remainder of the allocated site to the south. A permissive footpath is proposed through this area to allow public access and this area will also include an extension of the existing wetland to form a surface water retention pond to mitigate run-off from the new development and provide enhancements to habitats.
- 3.2 In order to achieve a safe and suitable access, works are proposed further along St. Andrews Place and onto Station Road. These works include providing crossing points, new lengths of footway, widening existing footway and providing additional parking spaces.

#### 4. Consultations/comments

4.1 Third party representations - 92 letters have been received in relation to the application. One of these one raises comments and the other 91 object to the proposal. The objections can be summarised as follows:

- Poor access. Station Road and St. Andrews Place are already very busy, relatively narrow and not suitable for increased use. Increased use would result in further congestion and a danger to pedestrians;
- The Melton Crossroads is at capacity and further traffic would make this situation worse;
- It would result in the loss of habitat on the site;
- It would result in an increase in pollution, noise and disturbance;
- The site should be developed in a comprehensive manner;
- Development would result in increased flood risk to existing properties in St. Andrews Place;
- Loss of trees
- Lack of infrastructure in Melton;
- Would overlook existing properties in St. Andrews Place; and
- Would not enhance Melton.

#### 5. Consultees

##### Parish/Town Council

Consultee	Date consulted	Date reply received
Melton Parish Council	29 May 2020	18 June 2020
<p>Melton Parish Council's Interim Management Committee considered the above application at its meeting on 17 June 2020.</p> <p>It was resolved to recommend refusal of this application. The grounds are set out in detail below.</p> <p>1. The application site forms part of an area designated for development under Policy MEL20 in the Melton Neighbourhood Plan, which was formally made by the former Suffolk Coastal District Council on 25 January 2018 and which therefore now forms part of the Local Development Plan. In the Neighbourhood Plan the application site is allocated for "the provision of approximately 55 dwellings which provides a mix of dwelling sizes (market and affordable) that meets the needs of Local Plan Policy SP3; and affordable housing which meets the requirements of Local Plan Policy DM2..." However Policy MEL20 envisages a comprehensive development package for what remains of the 9.7 hectares of land off Wilford Bridge Road, following the completion of the Riduna Park business park. The Policy envisages, as well as the dwellings, the provision of further serviced Class B1 floorspace along the south eastern side of the site, whilst retaining the existing low lying wetland on the south east of the site as community greenspace. Melton Parish Council is concerned that this application for the development of some 3.4 hectares of land, with 1.7 hectares accommodating the proposed dwellings, represents a piecemeal approach</p>		

which delivers only the housing aspect without any of the associated community benefits and will make satisfactory development of the remainder of the site much more difficult to achieve.

2. There are significant challenges in terms of flood risk and drainage relating to this site. The proposal does not appear to address these effectively to the satisfaction of Suffolk County Council and failure to do so may well impact on existing dwellings on the St Andrews estate.

3. In its vision for the development of this site, the Parish Council has always maintained that access to the new housing must be via either the access road to the Riduna Park development or via a new road directly to (a realigned) A1152. In this application the sole access proposed is via the St Andrews estate, which leads into the already constrained Station Road. The Parish Council considers this proposal completely unacceptable for the following reasons:

- . The additional level of traffic would be detrimental to the safety of both highway users and pedestrians throughout the estate because of the level of on-road parking and lack of suitable pedestrian facilities.

- . The level of mitigations required to make such a proposal acceptable is, in the Parish Council's view, not possible given the existing constraints of the estate layout.

- . The St Andrews estate contains a significant number of families whose children use the green areas for play and recreation, and the Parish Council would therefore resist any proposals to reduce the scale of these facilities to enable additional resident parking to facilitate through traffic to the new development.

- . The St Andrews estate is completely unsuitable for construction access to the application site, a view which is endorsed by Suffolk Highways.

- . Access to the road network from St Andrews is via Station Road, which has recently had traffic calming measures installed and is for the most of its length reduced to one-way traffic because of parking, and thence to The Street, from which it is only a very short distance to the Melton signalised crossroads (junction of the A1152 and B1438) which already suffers from over-capacity.

Consultee	Date consulted	Date reply received
Melton Parish Council	N/A	22 July 2020

**Further to our objection to the recent application DC/20/1831/OUT we would like to make the following further representations.**

1. The application does not conform with the requirements of MEL20 which, as a 'made' neighbourhood plan, should be given full weight. The policy is clear that the whole area is designated for a mix of uses. In coming forward with an application to provide solely residential uses, with some limited green space, it fetters the ability to deliver the allocation comprehensively. The residential elements create the financial value necessary to deliver the mix of uses allocated but to do this, it must demonstrate that there is a comprehensive approach, even if ultimately the allocation comes forward in phases. It cannot be the case that all mixed use policies must include the word 'comprehensive' in order to ensure that this happens. Paragraph 118 of the NPPF states: "Planning policies and decisions should...a) encourage multiple benefits from both urban and rural land, including through mixed use schemes..."

2. Section 4 on page 4 of the Design and Access Statement states, "The illustrative layout includes substantial areas of open space to the south of the residential area which should contribute to the community uses element of MEL20 and includes the more ecologically diverse parts of the site."

3. There has been no engagement with Melton Parish Council or, to our knowledge, any other landowners, as to the nature of the community uses that should be provided on the land within the application or on the land to the south. The application does not provide any of the community-related requirements of Policy MEL20.

4. Section 6 on page 5 of the Design and Access Statement states that the publicly accessible areas "...will need to be subject to a long term management plan." There is no suggestion about who will be responsible for its management, how this will be paid for and how this will relate to the other community related uses that are expected to come forward on the areas immediately to the south of the application site.

#### **Representations made by ESC Planning Policy**

5. Representations by ESC Planning Policy officers state that the application does not provide sufficient 1- and 2-bed units; it proposes 36 such units. However, the representations go on to assess this figure against the Draft Local Plan requirement for 41% 1- and 2-bed units, despite saying that Draft Local Plan Policy 5.8 (Housing mix) should be given limited weight because it is currently subject to consultation on several main modifications and there are outstanding representations related to the policy. Given this, it should be made clear that the application should be assessed against adopted Local Plan Policy SP3 (New homes), which requires 45% of units to be 1- and 2-bed. It is therefore even further in conflict with local plan policy.

6. The Draft Local Plan consultation finished on 10 July; therefore any such issues may have been resolved. It will be important that Planning Policy updates on the latest position regarding the weight that should be afforded to such policies.

#### **Highways**

7. SCC Highways objected to the previous withdrawn application (ref: DC/19/2558/OUT) on a number of grounds. Whilst some of these have been addressed, it still maintains a holding objection on a number of matters including access via St Andrew's Place. It is fundamental, in considering the vehicular impact of this application, that the impact of the full development of the site allocation MEL20 is considered.

8. The application does not consider how and whether visitor access will be needed for those wishing to access the community facilities that would be provided on the southern part of the site allocation, i.e. allotments/community growing spaces with a café, public green space, communal gardens, children's play area and potentially a community farm and After-School and Holiday Club. Most if not all of these will require vehicular access for visitors, including disabled access. The application does not propose to provide any form of vehicular access through the site to the land to the south, therefore completely restricts the ability to deliver the site allocation in full.

9. The failure to provide pedestrian/cycle access along the 'desire line' to the station (instead requiring pedestrians/cyclists to access this through the St Andrew's Place and the A1152) is likely to greatly limit sustainable movement. This is one of the issues which SCC Highways is objecting to. This highlights the need – even though not explicitly stated in Policy MEL20 – for a comprehensive approach.

10. In January 2020, SCC Highways submitted an advisory statement to Melton Parish Council in respect of transport issues related to the whole allocation in Policy MEL20. This states that junction improvements may be needed at the junction with the A1152. However, SCC Highways response to the application says that the 55 dwellings would not require junction improvements

(noting instead that a package of sustainable transport measures would be sufficient, although the proposed package is clearly considered insufficient, given SCC Highways' holding objection). Given the need for further development to deliver all the requirements of Policy MEL20 (including the community activity highlighted above) and SCC Highways' advisory statement, it is unclear how the required junction improvements will be delivered. The application fetters the ability to deliver the transport improvements the Highways Authority requires in order for the site allocation to be delivered.

### **Environment and Biodiversity**

11. Policy MEL20 requires proposals to demonstrate no unacceptable impact on the Special Landscape Area. No landscape assessment has been submitted which is of significant concern, given that this is a clear policy requirement.

12. Policy MEL20 requires a Habitats Regulations Assessment (HRA) to be carried out. All that the application is accompanied by is an ecological assessment which recommends that further survey work is undertaken. Such a fundamental issue relating to European protected species must be addressed at the earliest stage so that lack of evidence is of significant concern.

13. The ecological assessment makes brief mention of how development might achieve net biodiversity gain through the creation of wildlife zones. However, this is grossly insufficient to demonstrate how a minimum 10% net increase in biodiversity will be achieved and fails to recognise that there is little space on site for such wildlife zones and that they will likely be subject to disturbance from recreational activity. This also reinforces the need for a comprehensive approach to the site allocation. Any subsequent suggestion that net biodiversity gain should be achieved on the green/community spaces is utterly unacceptable. The applicants must demonstrate how meaningful gain in biodiversity is to be achieved.

14. In respect of net biodiversity gain, it should be noted that in July 2019, the Forestry Commission wrote to the site owners in respect of the felling of 19 mature trees without a felling licence. This required that these trees were replaced within one year but, at the current time, this has not been done. Whilst this is not a planning matter, the felling of such trees at this time (when the withdrawn planning application was being prepared) must be considered as a deliberate act to enable development. It is considered that the significant biodiversity contained in 19 mature trees that were felled must be taken into account when considering the need to achieve 10% net biodiversity gain.

15. As part of the Melton Neighbourhood Plan review, Suffolk Wildlife Trust has undertaken a landscape and ecological evaluation of the parish. This included an assessment of the MEL20 allocation and the application site. The report considers that the site is likely to support various protected species and that, as per the 2018 survey that accompanied the withdrawn application, a suite of additional surveys should be undertaken. These have not been done as part of this application and it is considered that the application should be refused without them.

16. The importance of the surveys being undertaken to inform matters such as net biodiversity gain and the wider implications for the site allocation as a whole is highlighted by the Suffolk Wildlife Trust report. On page 40 it states, "Whilst the low-lying nature of this part of the site means it is unlikely to be chosen for housing, it is vulnerable to other impacts such as the need for remodelling of the site to accommodate sustainable urban drainage schemes or the proposal for a lake as mentioned in the existing Neighbourhood Plan. Given the sensitive nature of this wetland parts of this site and also depending on the outcome of the surveys, this should be used to inform

the decision making on how best to utilise the site whilst avoiding and mitigating for any impacts. Should the wetland area be affected by future proposals, then this is likely to have a negative impact upon the biodiversity of this area. Consequently, in order to deliver overall biodiversity net gain, it is likely that off-site compensation may be required. Consideration should therefore be given to protecting this area from any future development that would require remodelling, reshaping or introducing drainage.”

17. This demonstrates why a comprehensive approach is needed and why the application site cannot be considered in isolation.

18. One specific issue with the proposed layout which is of concern, not least because of the importance of design and layout in achieving the maximum possible net biodiversity gain on site, is the way that the housing and access road completely cuts the green areas off from the Deben Estuary. The Estuary is a major biodiversity asset and it is important that the newly created biodiversity features, such as wildlife zones, are linked to it. As proposed, the development will act as a barrier to such corridors.

19. Finally it is known to you that we are in the process of refreshing our Neighbourhood Plan. Although the Covid situation has slowed this process down over the last few months we still intend to complete the refresh by the end of this year and our first stage of community consultation has already been done. It cannot be overstated how important it is that the site and housing allocation within the Neighbourhood Plan is delivered properly. Not only for the community who put this plan together and voted it in, but also to showcase how successfully East Suffolk can support communities in achieving positive development within a Neighbourhood Plan framework. It should also be noted that the site is next door to your central office and will therefore be a lasting testament to the success, or not, of such a project. This application differs in no way to the one last year when we all met, with the developer. You asked the developer to show the correct housing mix, you asked him to show what community benefits there would be, you supported our request for him to show how there would be a Net Biodiversity Gain and most importantly you supported our request that he work with us, Melton Parish Council, in putting together a new application which benefitted all parties and followed the policy in the NP. None of these things have been done.

### Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County Council - Highways Department	29 May 2020	4 June 2020
Summary of comments: Object (see report)		

Consultee	Date consulted	Date reply received
Head of Environmental Services	29 May 2020	16 June 2020
Summary of comments: Comments on air quality, noise, dust and contamination		

Consultee	Date consulted	Date reply received
Suffolk County Council - Rights Of Way	29 May 2020	24 July 2020
Summary of comments: Comments		

Consultee	Date consulted	Date reply received
Suffolk County Council Archaeological Unit	29 May 2020	4 June 2020
Summary of comments: Require Written Scheme of Investigation		

Consultee	Date consulted	Date reply received
Suffolk County Council Flooding Authority	29 May 2020	4 June 2020
Summary of comments: Object		

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	29 May 2020	5 June 2020
Summary of comments: Comments		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	29 May 2020	16 June 2020
Summary of comments: Comments regarding flood risk		

Consultee	Date consulted	Date reply received
Suffolk County Council Section 106 Officer	29 May 2020	19 June 2020
Summary of comments: Comments regarding contributions to be sought		

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	29 May 2020	No response



Summary of comments:  
None received

Consultee	Date consulted	Date reply received
SUSTRANS	29 May 2020	No response

Summary of comments:  
None received

Consultee	Date consulted	Date reply received
Forestry Commission	29 May 2020	16 June 2020

Summary of comments:  
Information regarding restocking order

Consultee	Date consulted	Date reply received
Natural England	21 October 2020	12 November 2020

Summary of comments:  
Further information required

Consultee	Date consulted	Date reply received
Suffolk County Council - Highways Department	24 June 2020	16 June 2020

Summary of comments:  
Object (see report)

Consultee	Date consulted	Date reply received
Suffolk County Council - Highways Department	N/A	1 July 2020

Summary of comments:  
Object (see report)

Consultee	Date consulted	Date reply received
Suffolk County Council Flooding Authority	7 October 2020	28 October 2020

Summary of comments:  
Object

Consultee	Date consulted	Date reply received
Suffolk County Council - Highways Department	N/A	12 June 2020
Summary of comments: Object		

### Non statutory consultees

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	29 May 2020	No response
Summary of comments: None received		

Consultee	Date consulted	Date reply received
Head of Housing	29 May 2020	9 June 2020
Summary of comments: Comments		

Consultee	Date consulted	Date reply received
Head of Economic Development	29 May 2020	No response
Summary of comments: None received		

Consultee	Date consulted	Date reply received
Network Rail Property (Eastern Region - Anglia)	29 May 2020	15 June 2020
Summary of comments: Comments		

Consultee	Date consulted	Date reply received
Police - Alan Keely Crime Reduction Beccles Police Station	29 May 2020	No response
Summary of comments: None received		

Consultee	Date consulted	Date reply received
Disability Forum	29 May 2020	No response
Summary of comments: None received		

Consultee	Date consulted	Date reply received
Head of Asset Management	29 May 2020	No response
Summary of comments: None received		

Consultee	Date consulted	Date reply received
The National Trust	29 May 2020	No response
Summary of comments: None received		

Consultee	Date consulted	Date reply received
Andy Osman Emergency Planning	29 May 2020	No response
Summary of comments: None received		

Consultee	Date consulted	Date reply received
Suffolk Police Designing Out Crime Officer	29 May 2020	No response
Summary of comments: None received		

Consultee	Date consulted	Date reply received
East Suffolk Drainage Board	15 December 2020	3 November 2020
Summary of comments: Comments regarding watercourses		

Consultee	Date consulted	Date reply received
East Suffolk Drainage Board	N/A	11 June 2020
Summary of comments: Comments regarding watercourse		

### Reconsultation consultees

Consultee	Date consulted	Date reply received
Suffolk County Council - Highways Department	19 August 2020	1 September 2020
Summary of comments: Improvements to St Andrews Place but objection remains		

Consultee	Date consulted	Date reply received
Head of Environmental Services	7 September 2020	11 September 2020
Summary of comments: Noise concerns		

Consultee	Date consulted	Date reply received
Suffolk County Council - Highways Department	24 June 2020	19 June 2020
Summary of comments: Object		

Consultee	Date consulted	Date reply received
Suffolk County Council - Highways Department	16 July 2020	22 July 2020
Summary of comments: Object		

Consultee	Date consulted	Date reply received
Natural England	N/A	22 December 2020
Summary of comments: Object – further information required to determine impacts on designated sites.		

Consultee	Date consulted	Date reply received
East Suffolk Drainage Board	N/A	14 January 2021
Summary of comments: no additional comments to make in addition to those sent on 03/11/2020 and 11/06/2020		

Consultee	Date consulted	Date reply received
Suffolk County Council Flooding Authority	15 December 2020	21 December 2020
Summary of comments: Holding objection in relation to downstream flood risk.		

## 6. Publicity

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

Category	Published	Expiry	Publication
Major Application	4 June 2020	25 June 2020	East Anglian Daily Times

## Site notices

General Site Notice

Reason for site notice: Major Application  
In the Vicinity of Public Right of Way  
Date posted:  
Expiry date:

## 7. Planning policy

7.1 National Planning Policy Framework 2019

7.2 Melton Neighbourhood Plan - 'Made' January 2018 policies:

MEL1 - Physical Limits Boundaries

MEL20 - Land Off Wilford Bridge Road

7.3 East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020 policies:

SCLP3.2 - Settlement Hierarchy

SCLP3.3 - Settlement Boundaries

SCLP5.1 - Housing Development in Large Villages

SCLP5.8 - Housing Mix

SCLP5.10 - Affordable Housing on Residential Developments

SCLP7.1 - Sustainable Transport

SCLP7.2 - Parking Proposals and Standards  
SCLP9.2 - Sustainable Construction  
SCLP9.5 - Flood Risk  
SCLP9.6 - Sustainable Drainage Systems  
SCLP10.1 - Biodiversity and Geodiversity  
SCLP10.4 – Landscape Character  
SCLP11.7 - Archaeology

## 8. Planning considerations

### Principle of Development – MEL20

- 8.1 The application site forms the northernmost portion of a site allocation in the Melton Neighbourhood Plan, which is also intended to include employment land and communal greenspace. The proposal concerns only the residential part of the allocation and a part of the greenspace and employment area. The central issue concerning this application is to what extent the proposal is in accordance with the Neighbourhood Plan policy.
- 8.2 Melton is categorised as a Large Village within the Settlement Hierarchy as set out in Policy SCLP3.2 of the Local Plan. Table 3.4 of the Local Plan in relation to this policy sets out that in large villages, housing allocations and development within settlement boundaries will be appropriate. The application site is located within the physical limits boundary of Melton as defined in the Melton Neighbourhood Plan (MEL1). The application site is also allocated as part of a larger site by Policy MEL20 in the Melton Neighbourhood Plan. The MEL20 allocation also includes land allocated for employment and community space. It is anticipated by the Neighbourhood Plan that one day this community space could be used for a lake, communal gardens, allotments/community growing space, cafe, and a children's play space and potentially a community farm and after school club.
- 8.3 MEL20 reads as follows:
- “Land off Wilford Bridge Road shown on the Proposals Map of 9.7 hectares is allocated for a mixed use development of business, residential and open space uses, subject to the following:
- o the provision of at least 9,000m<sup>2</sup> of serviced B1 floorspace; and
  - o ancillary retail to support the B-class commercial development; and
  - o the provision of approximately 55 dwellings which provides a mix of dwelling sizes (market and affordable) that meets the needs of Local Plan Policy SP3; and
  - o affordable housing which meets the requirements of Local Plan Policy DM2; and
  - o ensuring that no direct access is provided to the public right of way on the northern boundary of the site from the residential development; and
  - o community uses, including a public green space for community use, a lake, communal gardens, allotments/community growing spaces, café, a children's play area and potentially a community farm and After-School and Holiday Club (see policy MEL10); and
  - o in order to minimise activity on the Deben Estuary, ensuring that the publicly accessible open space provided on-site is located between the residential area and any access point to the Deben Estuary; and
  - o landscaping; and

- o ensuring that development does not have an unacceptable impact on the Special Landscape Area; and
- o access, ensuring that options are explored to avoid a single vehicular access onto the A1152 subject to demonstrating that this would not have a detrimental impact on access for residents adjacent to the development; and
- o the provision of a flood risk assessment; and
- o the provision of appropriate utilities infrastructure, including drainage, in order to service the development once it is occupied; and
- o the retention where possible of protected trees; and
- o a project level Habitats Regulation Assessment should be carried out and measures should be secured to ensure that the development does not have an adverse impact on international habitats. Where appropriate, developer contributions should be secured through a planning agreement towards the strategic mitigation scheme for impacts on international sites; and
- o development should avoid having an adverse impact on Protected Species and Priority Species and Habitats.”[Client \(eastsuffolk.gov.uk\)](http://Client.eastsuffolk.gov.uk)

8.4 Concern has been raised that the site is not being developed in a comprehensive manner. While this is true and while there would be benefits of an integrated development for this application site and the area of land to the south, the policy does not require this and as the south western part of the allocation had a planning permission in place and was under construction when the Neighbourhood Plan was made (the Riduna Park development), the precedent for a piecemeal development of the whole allocation site has already been set.

8.5 It follows that not all of the requirements of MEL20 will be relevant to each 'phase' of the development. Taking the points from the policy in turn, the following assessment is made:

- “The provision of at least 9,000m<sup>2</sup> of serviced B1 floorspace; and
- Ancillary retail to support the B-class commercial development”

8.6 The application site broadly occupies the same area as that indicated for residential development in MEL20. The provision of B1 space has been provided by the Riduna Park development and any ancillary uses to this would also be provided on that site or within the other area indicated for B1 commercial uses. These aspects of the policy are therefore not of significance to this application.

#### Residential

- “The provision of approximately 55 dwellings which provides a mix of dwelling sizes (market and affordable) that meets the needs of Local Plan Policy SP3;-
- affordable housing which meets the requirements of Local Plan Policy DM2”

8.7 This application proposes up to 55 residential dwellings which is in accordance with the policy. Details on design, number and mix of dwelling will be considered at reserved matters stage. Similarly, the application has indicated that the policy compliant level of affordable housing will be provided however the size and location of these properties cannot be considered at this stage.

### Access and open space

- “ensuring that no direct access is provided to the public right of way on the northern boundary of the site from the residential development; and
- community uses, including a public green space for community use, a lake, communal gardens, allotments/community growing spaces, café, a children's play area and potentially a community farm and After-School and Holiday Club (see policy MEL10)”

8.8 While the policy requirement is for **no** direct access to the public right of way on the northern site boundary, it is considered that the policy was seeking to limit direct connectivity to the Deben Estuary to reduce the amount of recreational pressure on this protected area. It appears, as acknowledged by Natural England, that this may have been the result of a misunderstanding, as the public footpath link to Brick Kiln Lane provides a more direct link to the Deben Estuary. Therefore, Natural England consider that this aspect could be reviewed to provide more walking opportunities away from the Deben Estuary. This could be achieved by the inclusion of a footpath link from the development to the public rights of way network to the north of the site, away from the Deben Estuary. The applicant is willing to provide this.

8.9 The application site does not relate to the area designated within the allocation for community uses and therefore this element of the policy does not apply to this application. A further requirement is that the open space is provided between the residential area and any access point to the Deben Estuary. This application indicates an area of open space to the south of the application site (which would be between the proposed dwellings and the Deben Estuary). While this element of the proposal would benefit from being designed comprehensively with the area immediately to the south, as the application indicates that there would be open space provided to the south of the dwellings (and this is reasonably fixed due to the location of Flood Zones 2 and 3) and that further south the community space and lake is proposed, the application is considered to comply with the site allocation policy in this respect.

### Landscape

- “landscaping;
- ensuring that development does not have an unacceptable impact on the Special Landscape Area”

8.10 MEL20 also requires that development does not have an unacceptable impact on the Special Landscape Area and that landscaping is provided on the site. Overall this area is noted for its sensitive, strong estuary valley character, and its value lies in its historic meadow system that flanks the river corridor and its open wooded slopes that form the setting to the adjacent AONB. According to the Suffolk Coastal Landscape Character Assessment, the site falls within landscape character area B7 Deben Valley, and this site shows many characteristics of the wider landscape character. The meadowlands of the valley floor and its immediate hinterland are little changed over the centuries, and so any change now proposed can be expected to have a notable magnitude of change to what is regarded as a landscape of noted sensitivity to change.



8.11 A public bridleway runs across the northern boundary and around the eastern boundary of the site and so it may be anticipated that there is potential for notable visual impacts from this route, as well as from train passengers on the railway line to the south. The site does therefore have some landscape sensitivity. The trees on the site and neighbouring the site can, technically, be retained however it is considered that they may come under pressure for pruning or removal in the future should development go ahead. Having said this, as the site is allocated for development, it wouldn't be reasonable to put significant weight on this argument at this stage. Mitigation can be incorporated into the development by securing an appropriate landscaping plan.

#### Access

- “access, ensuring that options are explored to avoid a single vehicular access onto the A1152 subject to demonstrating that this would not have a detrimental impact on access for residents adjacent to the development”

8.12 MEL20 requires that options are explored to avoid a single vehicular access onto the A1152 subject to demonstrating that this would not have a detrimental impact on access for residents adjacent to the development. The existing Riduna Park development has its access onto Station Road and the application site proposes access off St. Andrews Place. This part of the policy has therefore been complied with as the site would not have a single access onto the A1152. Having said that, there are concerns with the proposed access and while the Highways Authority have now accepted that the scope of improvements to St Andrew's Place has progressed as far as is feasible and the improvements would provide a noted benefit to the flow of traffic and improve pedestrian facilities, their concerns relating to construction access, traffic impact and sustainable access remain outstanding.

8.13 The concern in relation to construction access relate to St Andrew's Place not being considered suitable for construction vehicle access route due to the width of the carriageway and parked vehicles. The Highways Authority recognise that this would be a temporary situation however consider it would be detrimental to the safety of users of the highway for a significant period of time. As it would only be temporary, it is not considered that the local planning authority could justify a reason for refusal on these grounds.

8.14 In relation to traffic impact, the Highways Authority recognise the proximity of the site to the Melton signalised crossroads (junction of the A1152 and B1438) which, as detailed in the submitted Transport Assessment, suffers from congestion (over-capacity). They comment that the proposal will impact upon the junction, and increase delay, particularly on The Street. The increase in delay is significant (over 30 seconds on The Street in the future scenario) and therefore should be mitigated in accordance with NPPF 108. They accept that it would not be proportionate to the scale and impact of this development to provide a junction improvement scheme, so the scheme should provide measures to improve sustainable travel opportunities for the occupiers of the development and reduce the need for motor vehicle use. SCLP7.1 relating to Sustainable Transport sets out that a Transport Statement will be required for development of 50 - 80 dwellings and a Transport Assessment and Travel Plan will be required for developments of over 80 dwellings. While this development is not of a scale such that a travel plan is required, any reserved matters application should include a transport statement and the developer should be encouraged to incorporate any ideas to improve and/or encourage sustainable travel options for future residents.

- 8.15 The site is located close to Melton Railway Station and the Highways Authority emphasise the need for the development to maximise the opportunity for occupiers to use it as an alternative to motor vehicle travel (in accordance with NPPF 108). The submitted Transport Assessment alludes to a footway connection from the site to Wilford Bridge Road as part of the site Masterplan (page 16) however no details of this link appear to have been provided and it is understood that this is not proposed at this stage due to this link requiring access across land not in the applicant's ownership. This option does remain possible for the future, if and when the land to the south becomes available. However, the Highways Authority consider this to be essential for the residential development and should be provided prior to occupation of the dwellings. The Riduna Park development has provided a pedestrian refuge to aid pedestrian crossing of Wilford Bridge Road and access to the Railway Station. The Railway Station does not benefit from a segregated footpath from the platform to the footway on Wilford Bridge Road and the Highways Authority consider this should also be provided (via Section 106 contribution) in order to: give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use NPPF 110. Therefore, should permission be granted, a Section 106 Contribution of £10,000 will be sought in order to provide the above footpath connection at the railway station.
- 8.16 While the local planning authority understands and sympathises with the concerns raised by the Highways Authority, it is not considered that any of these reasons are sufficient to warrant refusal of the scheme that is allocated. The proximity of the site to the station is a benefit in relation to sustainable travel options however without a direct link from the residential properties, the journey time for pedestrians would be considerably longer and this may deter some use of the station or increase private car use. Although there is not currently a direct link from the residential dwellings to the station, if, in the future the remainder of the allocated site gets developed, it is possible that such a link could be provided at that stage. The opportunity for this should be incorporated into the final design of the scheme.

#### Flood Risk

- “Provision of a flood risk assessment”

- 8.17 A flood risk assessment has been submitted with the application. Part of the site (to the south) is located within Flood Zones 2 and 3 however this area is currently protected by defences. The indicative layout submitted indicates that the residential dwellings would be located within Flood Zone 1 and this would be a requirement of any future reserved matters application. The proposed access onto St Andrew's Place is at the highest point of the site and therefore in any flood event, residents would be able to leave the site if necessary. The Environment Agency have commented that the site is not at risk of flooding in the present day 1 in 200 annual probability flood event and that the defences will continue to offer protection over the lifetime of the development, provided that the hold the line Deben Estuary Policy is followed and the defences are raised in line with climate change, which is dependent on future funding.

8.18 Flood resilience/resistance measures have also been proposed and for two-storey properties there would be refuge above the 1 in 1000 annual probability breach flood level including climate change of 5.41m AOD. A Flood Evacuation Plan has been proposed and is necessary to ensure the safety of the development in the absence of safe access and with internal flooding in the event of an extreme breach flood. Further consideration of the site levels and the Environment Agency's comments should be taken into account if a detailed scheme is drawn up.

#### Utilities Infrastructure

- “the provision of appropriate utilities infrastructure, including drainage, in order to service the development once it is occupied”

8.19 To provide residential dwellings on the site, it would need to be serviced by the appropriate utilities infrastructure. In respect of drainage, Suffolk County Council as Lead Local Flood Authority have currently raised an objection to the scheme because the flood risk assessment and surface water drainage strategy do not contain enough detail and are not compliant with current policy and standards. The information provided in response to an earlier request for the assessment of the downstream flood risk was undertaken however the information provided remains insufficient and does not remove initial concerns in response to increasing flood risk downstream. The watercourse should be traced from the proposed discharge point, all the way through to the river Deben. This assessment should identify the culverts, denoting the size of those culverts, the location of any properties, the ground levels around those properties, ground levels over the culverts (road and rail), and compare those to surface water flood risk maps, to identify the current position of surface water in relation to downstream properties.

8.20 It has been agreed that groundwater monitoring can be dealt with via a planning condition, given this application is outline.

#### Trees

- “The retention where possible of protected trees”

8.21 MEL20 requires the retention where possible of protected trees. While there are no trees on the site that are subject to a tree preservation order, there are a number of mature trees on and around the site. The application site is also the subject of a Forestry Commission re-stocking notice which requires the re-planting and retention (for at least ten years) of a number of trees on the site following unlicensed felling.

8.22 The application is accompanied by a tree survey which has been drawn up by an experienced arboriculturalist and accords with the guidance contained in BS5837:2012. The report shows that the proposed development can be achieved with only a relatively small requirement for tree removal, and where this is required, the trees concerned are relatively young and their removal will have a limited impact on public amenity because of the ongoing contribution of larger retained trees. The report goes on to show that the proposed development can be achieved and provided that key tree protection measures are fully implemented, it will not have any significant impact on the trees shown for retention. That said, there are concerns about the proximity of some of the plots along the northern edge of the site to northern boundary trees. Whilst it may be technically possible

to build in these locations with the right protection measures, in the future there is potential for pressure to either fell or markedly reduce these trees because of their sheer physical presence and the limitations that will place of the gardens of these properties. Plots along the western side of the site will also be shaded by retained trees on the western boundary during the afternoons and summers evenings. Notwithstanding these concerns, the allocation of the site and its other constraints (notable access and flood zones) require that the proposed dwellings be located in a similar manner to that indicated on the indicative plan. Any concerns about potential pressure to fell at a later date should therefore be considered at this stage.

#### Habitats Regulation Assessment

- “A project level Habitats Regulation Assessment should be carried out and measures should be secured to ensure that the development does not have an adverse impact on international habitats. Where appropriate, developer contributions should be secured through a planning agreement towards the strategic mitigation scheme for impacts on international sites”

8.23 As the site is located within 13km of protected European sites, most notably the Deben Estuary SPA and RAMSAR, a project level Habitats Regulation Assessment is required and measures should be secured to ensure that the development does not have an adverse impact on international habitats. Natural England’s most recent response to the application states that further information is required in order to determine the impact, and the significance of the impacts, on designated sites. They require the scope of the HRA to be broader as it currently only addresses recreational disturbance. A scoping assessment on all potential impact pathways that may result in a likely significant effect is required. The findings of the Flood Risk Assessment and Drainage Strategy need to be applied within the HRA. Natural England also concludes that the current measures will not fully mitigate the Likely Significant Effect (LSE) and therefore could result in an Adverse Effect on the Integrity (AEOI) of the European sites included within the Suffolk Coast RAMS. Due to the very close proximity of the development site to the Deben Estuary SPA/Ramsar, it is considered that without adhering to Natural England’s recommendations for providing well-designed open space/green infrastructure on larger sites (50+ dwellings), the development could result in an Adverse Effect on the Integrity (AEOI) of the ‘habitat sites’ previously mentioned. The recommendations include:

- High-quality, informal, semi-natural areas
- Circular dog walking routes of 2.7 km within the site and/or with links to surrounding
- public rights of way (PRoW)
- Dedicated ‘dogs-off-lead’ areas
- Signage/information leaflets to householders to promote these areas for recreation
- Dog waste bins
- A commitment to the long-term maintenance and management of these provisions

8.24 In respect of this, the application proposes on-site high quality informal areas (the path around the wetland area), a link to Waterhead Lane and St Andrews Place, signage and

leaflets – an information board with info about walks in the area away from the Deben as well as leaflets to residents of the development and the existing area, dog waste bins and a long-term commitment. This information will be used to inform an updated HRA and submitted to Natural England for their comment.

- 8.25 In addition to the above, a financial contribution (of £321.22 per dwelling) is required to the Suffolk Coast RAMS to mitigate in-combination recreational disturbance impacts on habitats sites (European designated sites).

#### Species and Habitats

- “Development should avoid having an adverse impact on Protected Species and Priority Species and Habitats.”

- 8.26 The site has been identified as being of county importance for bats, with habitats of particular value for foraging and commuting present. The majority of these habitats are shown as retained on the outline plans for the site (Proposed Site Plan drawing ref. 4465-0108 Rev P06), however it is important that this remains the case at the time of any Reserved Matters application. Additionally, it is important that the design of any external lighting protects these habitats, should outline permission be granted the detail of this should form part of any Reserved Matters application.
- 8.27 The Ecological Impact Assessment (EclA) states that habitats suitable for water vole are retained within the design of the proposed development. However, Proposed Site Plan drawing ref. 4465-0108 Rev P06 appears to show the northern most ditch lost to the proposed development. This should be clarified and preferably this ditch should be retained in the greenspace on the site, if it is not to be retained this must be justified. Whilst the 2019 water vole survey recorded the ditch as comprising of sub-optimal habitat for the species, should it be lost a further survey will be required as part of any Reserved Matters application to ensure that this remains the case and that no additional mitigation measures are required.
- 8.28 Surveys at the site have recorded 'Low' populations of slow worm, common lizard and grass snake. The retention of most of the habitats suitable for these species and the implementation of the mitigation measures identified in the EclA should ensure that there is no significant adverse impact on this group. Should permission be granted a condition securing the details of the required reptile mitigation measures is required.
- 8.29 The EclA identifies that the site contains a mix of habitats, including wetter habitats (wet woodland, scrub, swamp/fen and drainage ditches) in the southern area which are considered to be of district nature conservation value, habitats assessed as of local (species diverse grassland) and site (tall ruderal, poor semi-improved grassland and bracken) value were also recorded. The importance assigned to each of the habitat types present is considered accurate. Whilst the proposed development avoids most of the habitats of district and local importance, the southern most plots (26 to 41 on the Proposed Site Plan drawing ref. 4465-0108 Rev P06) will result in the loss of one of the ditches and an area of marshy grassland, as well as part of an area of scrub. Whilst the EclA identifies mitigation and compensation measures for this, nevertheless, the development will result in the loss of some habitats considered of district/local biodiversity importance.

This loss must be considered against the requirements of Local Plan policy SCLP10.1. Again, as this application is only indicative, the layout of these plots is not being considered however the constraints identified at outline stage should be considered when drawing up a detailed scheme.

## **9 Conclusion**

- 9.1 While there are still some matters outstanding, the applicant has been continuing to undertake the necessary works in order to overcome these concerns. Given the extent of the works required and the time that is passing while this work is underway, the applicant wishes the application to be considered by Planning Committee in order to make a judgement regarding on whether to continue with these works in order to find an acceptable solution.
- 9.2 There remain some technical matters outstanding, mainly in relation to ecology and drainage, which need to be resolved prior to the application being in a position whereby it can be determined positively however, given that the site is allocated for residential development in the Melton Neighbourhood Plan, it is considered that there are no other concerns of such a significant magnitude that should result in the principle of the proposal being unacceptable.
- 9.3 A number of matters will need to be controlled by Legal Agreement (including Highways works and affordable housing) and also by condition (as set out below). Detailed matters on design and layout etc. would then be considered as part of a potential future application for the reserved matters.

## **10 Recommendation**

- 10.1 Authority to determine with APPROVAL being granted subject to no objections being received from Natural England and/or Suffolk County Council as Lead Local Flood Authority, a S106 Agreement detailing Highways Improvement works, affordable housing provision and a contribution to the Suffolk Coast RAMS and controlling conditions as detailed below.
- 10.2 Otherwise, to REFUSE as contrary to National and/or Local Policy in respect of any of the above issues that cannot be overcome, as appropriate.

### **Conditions:**

1. Application for approval of any reserved matters must be made within three years of the date of this outline permission and then;  
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. Details relating to the layout, scale, appearance and landscaping of the site (the "reserved matters") shall be submitted to and approved by the Local Planning Authority before any development is commenced.  
Reason: To comply with Sections 91 and 92 of the 1990 Act.
3. No part of the development shall be commenced until details of the accesses (including the position of any gates to be erected and visibility splays provided) have been submitted to and approved in writing by the Local Planning Authority. The approved accesses shall be laid out and constructed in its entirety prior to occupation. Thereafter the accesses shall be retained in their approved form.  
Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.
4. 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.
5. 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.
6. Before the development is commenced details of the areas to be provided for storage and presentation 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.
7. Within one month of the first occupation of any dwelling, the occupiers of each of the dwellings shall be provided with a Residents Travel Pack (RTP). Not less than 3 months prior to the first occupation of any dwelling, the contents of the RTP shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and shall include walking, cycling and bus maps, latest relevant bus and rail timetable information, car sharing information, personalised Travel Planning and a multi-modal travel voucher.  
Reason: In the interest of sustainable development as set out in the NPPF, and Policy SCLP7.1 of the East Suffolk Council - Suffolk Coastal Local Plan.
8. Before the development is commenced details of the areas to be provided for purposes of loading, unloading, manoeuvring and parking of vehicles and secure covered 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 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.

9. No part of the development shall be commenced until details of the proposed off-site highway improvements to St Andrew's Place as indicatively shown on drawing no. 4465-0104 P05 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 the occupation of any property.

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

10. A Construction Management Plan shall be submitted to, and approved by, the Local Planning Authority. This should contain information on how noise, dust, and light will be controlled so as to not cause nuisance to occupiers of neighbouring properties.

Reason: In the interest of residential amenity.

11. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Impact Assessment (EclA) (Huckle Ecology, July 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.

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

Reason: To ensure that nesting birds are protected.

13. Commensurate with the first Reserved Matters application, a "lighting design strategy for biodiversity" for the development shall be submitted to and approved in writing by the local planning authority. The strategy shall:

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

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

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

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



14. No development shall take place (including any demolition, ground works, site clearance) until a method statement for Reptile Mitigation has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:
- a) purpose and objectives for the proposed works;
  - b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
  - c) extent and location of proposed works shown on appropriate scale maps and plans;
  - d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
  - e) persons responsible for implementing the works;
  - f) initial aftercare and long-term maintenance (where relevant);
  - g) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

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

15. Commensurate with the first Reserved Matters application a construction environmental management plan (CEMP: Biodiversity) will submitted to and approved in writing by the local planning authority. No development shall take place (including demolition, ground works, vegetation clearance) until the CEMP (Biodiversity) has been approved. The CEMP (Biodiversity) shall be based on up to date ecological survey information and 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 similarly competent person.
  - 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.

16. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior any 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.

17. Commensurate with the first Reserved Matters application 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.

18. No development shall take place 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
- b) The programme for post investigation assessment
- c) Provision to be made for analysis of the site investigation and recording
- d) Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e) Provision to be made for archive deposition of the analysis and records of the site investigation
- f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g) The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7 of the Suffolk Coastal Local Plan and the National Planning Policy Framework (2019).

19. 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 18 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7 of the Suffolk Coastal Local Plan and the National Planning Policy Framework (2019).

20. Prior to the commencement of development of the site a Management Plan shall be submitted to the Local Planning Authority for approval in writing, detailing the mechanism for maintenance of all open and communal space within the site. The management of such shall be carried out in accordance with the approved details in perpetuity.

Reason: In the interest of the visual amenity of the site and to ensure proper maintenance.

21. Concurrently with the first submission of the reserved matters, a tree survey and any tree protection measures shall be submitted to and approved in writing by the local planning authority. Any tree protection measures identified shall be implemented and retained during construction.

Reason: To ensure appropriate protection of trees during construction in accordance with BS5837.

22. The mitigation measures identified in section 5.4 of the Air Quality Report referenced 15533-SRL-RP-YQ-01-S2-P1 in relation to construction dust shall be adhered to at all times during the construction phase.

Reason: in the interest of amenity and protection of the local environment – the dust arising from development could be significant given the earthworks required.

23. Concurrently with the submission of the reserved matters, details of electric vehicle charging points shall be submitted to and approved in writing by the local planning authority. The electric vehicle charge points shall be installed and made available for use prior to occupation of the dwelling to which they relate and shall be retained.

Reason: to help reduce the impact on Local Air Quality.

24. Concurrently with the submission of the reserved matters a noise survey shall be submitted to assess the suitability of locating residential dwellings on the application site and where necessary make recommendations for layout, orientation or other noise mitigation measures to ensure that the new housing does not suffer unreasonable loss of amenity (as a result of potential noise and disturbance from Bye Engineering, Brick Kiln Lane). The survey shall be undertaken by a competent person and shall include periods for daytime as 0700-2300 hours and night-time as 2300-0700 hours. All residential units shall thereafter be designed so as not to exceed the noise criteria based on BS8233 2014 given below:

- Dwellings indoors in daytime: 35 dB LAeq,16 hours
- Outdoor living area in day time: 55 dB LAeq,16 hours
- Inside bedrooms at night-time: 30 dB LAeq,8 hours (45 dB L<sub>Amax</sub>)
- Outside bedrooms at night-time: 45 dB LAeq,8 hours (60 dB L<sub>Amax</sub>)

Reason: To ensure that the new development can be integrated effectively with existing businesses such that unreasonable restrictions are not placed on existing businesses as a result of development.

25. Concurrently with the first submission of the reserved matters, a sustainable construction report shall be submitted to and approved in writing by the local planning authority. The report shall set out how the proposed development will comply with the requirements of

Policy SCLP9.2. All details in the approved report shall be integrated into the development and retained in their approved form thereafter.

Reason: In the interests of mitigating climate change and to help achieve the objectives of the Suffolk Climate Action Plan

### **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>

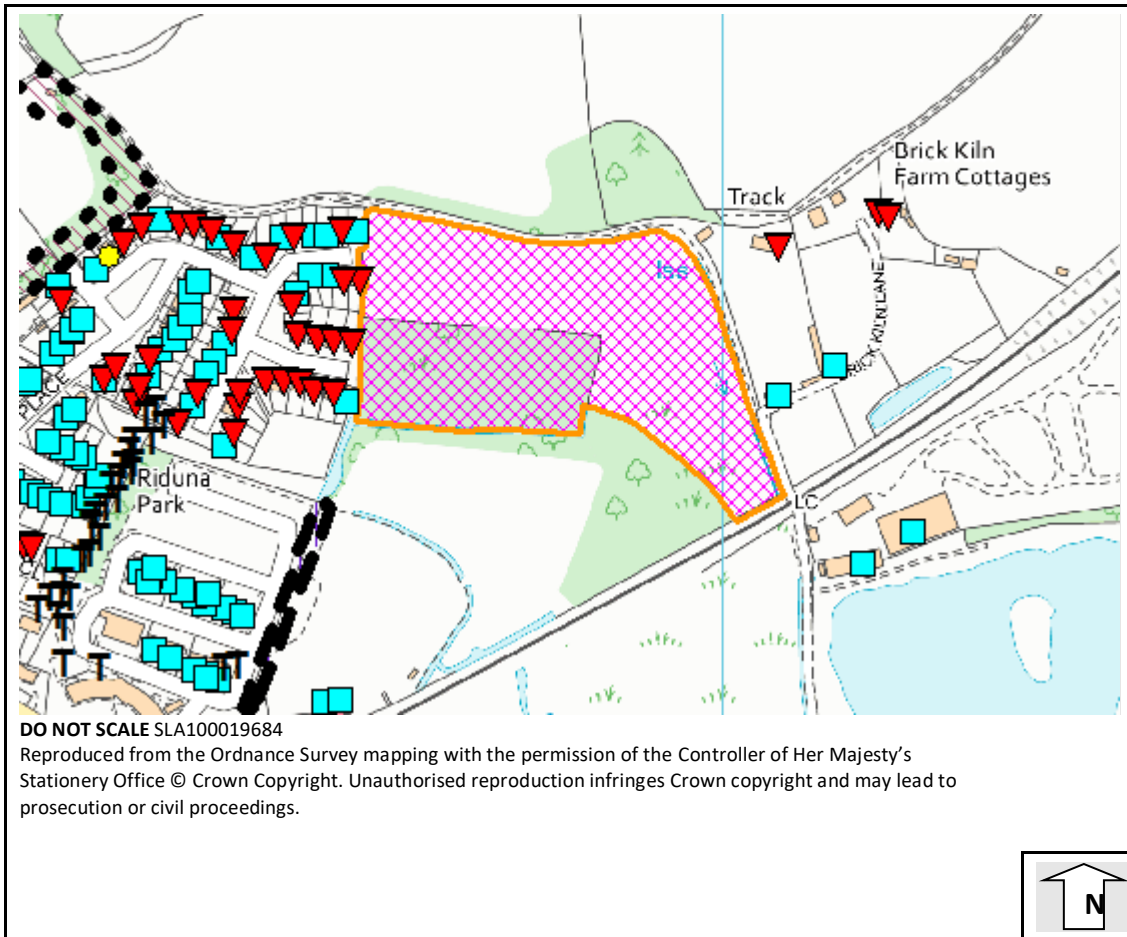
3. The applicant is advised that the proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business premises. For details of the address charges please see our website [www.eastsuffolk.gov.uk/planning/street-naming-and-numbering](http://www.eastsuffolk.gov.uk/planning/street-naming-and-numbering) or email [llpg@eastsuffolk.gov.uk](mailto:llpg@eastsuffolk.gov.uk)
4. The proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3). Any consent granted will likely be conditional, pending the payment of a Surface Water Development Contribution fee, calculated in line with the Board's charging policy.  
([https://www.wlma.org.uk/uploads/WMA\\_Table\\_of\\_Charges\\_and\\_Fees.pdf](https://www.wlma.org.uk/uploads/WMA_Table_of_Charges_and_Fees.pdf)).

The presence of several watercourse which have not been adopted by the Board (a riparian watercourse) adjacent to the Eastern and Southern site boundaries are noted. If (at the detailed design stage) the applicant's proposals include works to alter the riparian watercourse, consent will be required under the Land Drainage Act 1991 (and byelaw 4).





### **Background information**

See application reference DC/20/1831/OUT on [Public Access](#)

## Map



## Key

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