



Committee Report

Planning Committee - 11 February 2020

Application no DC/18/4104/OUT

Location

Land Off
Pilgrims Way
Bungay
Suffolk

Expiry date 1 January 2019

Application type Outline Application

Applicant Halsbury Homes Ltd

Parish Bungay

Proposal Outline Application (All Matters Reserved) - Residential development for up to 40 dwellings with open space, landscaping, access and associated infrastructure.

Case Officer Iain Robertson
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1. Summary

- 1.1. The application seeks outline planning permission for the development of the site for up-to 40 residential dwellings with all matters reserved for later consideration.
- 1.2. Under the current adopted local plan for the Waveney area of East Suffolk Council the site is not allocated for development. The site is however situated within the 'settlement boundary' of Bungay as highlighted on the policy maps. Settlement boundaries define the built up area of settlements, and subject to the other policies of this Local Plan, indicate where development for housing, employment and town centre development would be suitable in principle.
- 1.3. As highlighted within the sustainability appraisal which accompanied the Final Draft Local Plan prior to adoption, the site was not considered to be suitable for development as the Strategic Flood Risk Assessment (SFRA) (2008) showed the site to be within Flood Zone 2

when taking into account climate change, which represents an annual probability of 1% - 0.1 %

- 1.4. Within the process of this application the applicant has challenged the evidence within the SFRA and has remodelled the Tin River demonstrating that the site is actually within Flood Zone 1, which represents a low risk at a 0.1% probability of flooding in any year and therefore sequentially preferable for residential development.
- 1.5. Although access is a matter reserved for further consideration it has been demonstrated that safe and suitable access can be achieved onto Wingfield Street. Although there is concern locally with the suitability of the surrounding road network to accommodate additional traffic there has been no objection from the Highways Authority in this regard and, within the Suffolk County Transport Model (SCTM) forecast model report, Bungay was shown to have junctions which operate within capacity in both the AM and PM peak in 2036 across all development scenarios within the Local Plan.
- 1.6. There would be significant public benefits from the proposal including (but not limited to): up-to 40 dwelling contribution to housing supply; 30% proportion of affordable housing, short term job creation; and longer term spend in the local economy by future residents.
- 1.7. The proposal is therefore considered to represent a sustainable form of development and officers recommend that planning permission be granted.
- 1.8. The recommendation is authority to approve subject to the signing of a section 106 legal agreement to secure necessary planning obligations; along with planning conditions to secure further details as detailed in the recommendation section of this report.

2. Site description

- 2.1. The site is situated adjacent the Bungay Conservation Area which includes properties on Wingfield Street and St. Johns Road. This site is situated between Wingfield Street and Pilgrims Way and has historically been used as allotment land; however, the site has not been in this use for many years and has since become overgrown and is within private ownership.
- 2.2. The site measures 1.12 hectares in area and is roughly rectangular in shape.
- 2.3. The site is surrounded by existing residential development. The Southern side of the site borders with existing residential property on Pilgrims Way and the Northern side with the rear gardens of properties on Wingfield Street. To the East is an existing area of open space equipped with play equipment; pedestrian access leads through this area to the properties beyond in Garden Close. To the West are properties on St. Johns Road.
- 2.4. Access to the site would naturally be gained from Wingfield Street as there is an existing access at this point which serves an existing garage block. These structures are in a state of disrepair and do not appear to be in use for the keeping of vehicles. Pilgrims Way terminates on the Southern boundary of the site and would naturally allow access at this point. Pedestrian access is currently available from Pilgrims Way to Garden Close.

2.5. There is no recent planning history to report; however, planning permission for residential development was refused in the early 1990's on two separate occasions Ref: W15642 and W15642/1 as it was contrary to the structure plan at the time, the latter being dismissed on appeal.

3. Proposal

3.1. The application seeks outline planning permission for the erection of up to 40 residential dwellings with all matters reserved (access, layout, scale, appearance and landscaping) for further consideration.

3.2. In accordance with article 5(3) of the Development Management Procedure Order 2015, where access is a reserved matter, the application for outline planning permission must state the area or areas where access points to the development proposed will be situated.

3.3. In this case vehicular access is proposed onto Wingfield Street at the point where access is currently provided to a garage court. Pilgrims Way is shown on the indicative layout plan to extend from its current position through the site to join the highway at the point shown on the indicative layout plan. The position of pedestrian and cycle ways are shown indicatively through the site on to St. Johns Road and Pilgrims Way. In addition to this a shared cycleway/footway is sought to connect through to Garden Close.

4. Consultations/comments

4.1. Thirty-five representations of Objection have been received raising the following material planning considerations (inter alia):

- Flooding/drainage
- Traffic/Access
- Parking
- Congestion
- Overdevelopment /Density not appropriate
- Impact on local services; already stretched
- Infrastructure not suitable
- Impact on wildlife/Loss of habitat
- Not allocated in Local Plan
- Loss of open space - Potential to be used by the community.
- Impact on trees

Consultees

Town Council

Consultee	Date consulted	Date reply received
Bungay Town Council	8 October 2018	5 November 2018
Summary of comments: DC/18/4104/OUT - Land Off Pilgrims Way. -. It was unanimously RESOLVED to recommend Refusal of these plans and strongly decline them with the following comments. (Proposed ML and		

seconded DO).

Vehicular Access onto and around the development is insufficient for this scale of development and also includes the entrance to a Junior School. It is identified that much of the site is at risk of flooding leaving only 0.2 hectares for development and safe access / egress would need to be addressed whilst safeguarding heritage assets and neighbour amenity. Area prone to flooding under current Environment Agency Flood Risk Assessment. Existing sewage system is inadequate. Existing Plans include a cycleway which is not owned by the Developer and therefore should not be included in these plans. Under the Local Plan Sustainability Appraisal (page 875) it notes under item 10 that 'this site is in a flood risk zone identified in the Strategic Flood Risk Assessment and Development of this site is likely to increase flood risk elsewhere'. The Local WDC local plan (March 2018) identifies that only 0.20 hectares may be suitable for housing and at current density of 25 per hectare this would equate to 5 or 6 houses and not the 40+ number as proposed. Better use of this land could be a 'Green Space' for the Community. There is no need for a further 40 new houses to be built in the Town as the existing allocations under the final Draft of the Local Plan (that does not include this development) more than adequately covers the projected growth of 6% for Bungay.

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	N/A	24 October 2018

Summary of comments:
No objection subject to standard conditions.

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	8 October 2018	5 November 2018

Summary of comments:
No objection subject to conditions relating to details of access, road safety audit, cycle way provision, Estate road details, manoeuvring and parking areas & refuse plan..

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	8 October 2018	15 October 2018

Summary of comments:
No objection subject to a water connection for the new dwellings being made onto their Company network for revenue purposes.

Consultee	Date consulted	Date reply received
SCC Flooding Authority	8 October 2018	16 October 2018

Summary of comments:
No objection subject to conditions to secure drainage strategy.

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	N/A	8 November 2018

Summary of comments:
Advice in relation to fire-fighting facilities and water supplies.

Non statutory consultees

Consultee	Date consulted	Date reply received
WDC Environmental Health - Contaminated Land	8 October 2018	19 November 2018

Summary of comments:
No objection - Phase I assessment suggests that contamination may be present. Phase II assessment required by condition.

Consultee	Date consulted	Date reply received
Anglian Water	8 October 2018	No response

Summary of comments:
No comments received.

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	8 October 2018	No response

Summary of comments:
No comments received.

Consultee	Date consulted	Date reply received
Police - Alan Keely Crime Reduction Beccles Police Station	12 October 2018	No response

Summary of comments:
Consideration should be given to the 'Designing Out Crime in Suffolk, Residential' document at detailed design stage but have highlighted concerns with permeability through to Wingfield Street.

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	8 October 2018	No response

Summary of comments:
No comments received.

Consultee	Date consulted	Date reply received
Disability Forum	8 October 2018	No response

Summary of comments:
No comments received.

Consultee	Date consulted	Date reply received
Building For Life	8 October 2018	8 October 2018

Summary of comments:
Building for life assessment not possible at this stage as this is an outline application with all matters reserved.

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	18 October 2018	18 December 2018

Summary of comments:
Internal, comments incorporated into report.

Consultee	Date consulted	Date reply received
WDC - Arboricultural And Landscape Officer	18 October 2018	26 October 2018

Summary of comments:
Internal, comments incorporated into report.

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	N/A	26 October 2018

Summary of comments:
No objection – Satisfied with the findings of (Ecology by design, September 2018), conditions required.

Consultee	Date consulted	Date reply received
Police - Alan Keely Crime Reduction Beccles Police Station	11 October 2018	16 October 2018

Summary of comments:
Consideration should be given to the 'Designing Out Crime in Suffolk, Residential' document at

detailed design stage but have highlighted concerns with permeability through to Wingfield Street.

Consultee	Date consulted	Date reply received
Suffolk County Council Section 106 Officer	N/A	8 November 2018
Summary of comments: Planning obligation requirements for Pre-school provision of approximately £91,704. CIL bids will be made for other matters such as libraries and education.		

5. Publicity

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

Category	Published	Expiry	Publication
Major Application	12 October 2018	2 November 2018	Beccles and Bungay Journal
Category	Published	Expiry	Publication
Major Application	12 October 2018	2 November 2018	Lowestoft Journal

6. Site notices

General Site Notice	Reason for site notice: Major Application Date posted: 16 October 2018 Expiry date: 6 November 2018
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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, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”.
- 7.2. Planning (Listed Buildings and Conservation Areas) Act 1990. Section 72 states that, with regard to Conservation Areas, “*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*”.
- 7.3. National Planning Policy Framework (NPPF) (2019)
- 7.4. National Planning Policy Guidance (NPPG)
- 7.5. The East Suffolk Council - Waveney Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:
 - WLP1.1 – “Scale and Location of Growth”

- WLP1.2 – “Settlement Boundaries”
- WLP8.1 – “Housing Mix”
- WLP8.2 – “Affordable Housing”
- WLP8.21 – “Sustainable Transport”
- WLP8.24 – “Flood Risk”
- WLP8.29 – “Design”
- WLP8.30 – “Design of Open Spaces”
- WLP8.32 – “Housing Density and Design”
- WLP8.33 – “Residential Gardens and Urban Infilling”
- WLP8.34 – “Biodiversity and Geodiversity”
- WLP8.37 – “Historic Environment”
- WLP8.39 – “Conservation Areas”
- WLP8.40 – “Archaeology”

8. Planning considerations

Background

- 8.1. Within the previous Waveney local Plan this site was highlighted as an area of public open space as it was former allotment land.
- 8.2. It can be seen on the policy maps that within the current local plan that this site is not now designated as public open space. It was considered that, as this site is within private ownership, the prospect of it being brought into a public use was unlikely and that this area could not be justified under the protection afforded by policy WLP8.23 "Protection of Open Space".
- 8.3. Within the Sustainability Appraisal (SA) to the Draft Waveney Local Plan this land was identified as site option 55. Within the SA it was highlighted that this site was at risk of flooding based on the evidence within the Strategic Flood Risk Assessment (2008), which together with the update to the SFRA (2018) formed the evidence base to the Local Plan.
- 8.4. For this reason, the site was not allocated for residential development in the Local Plan.

Principle of Development

- 8.5. The site is situated within the settlement boundary of Bungay as highlighted by Policy WLP1.2 - "Settlement Boundaries" as shown on the policy maps. The Settlement boundaries define the built-up area of settlements, and subject to the other policies of this Local Plan, indicate where development for housing, employment and town centre development would be suitable in principle.
- 8.6. The distribution of growth strategy detailed in Policy WLP1.1 "Scale and Location of Growth" aims to ensure the vision for the Local Plan is delivered alongside the requirements of the National Planning Policy Framework. The strategy allows for reasonable levels of development in the market towns. Bungay has good employment opportunities, a good range of services and facilities and an attractive town centre making it a sustainable location for growth. However, Bungay is proposed to take more modest

levels of growth at 6% of housing growth compared to other market towns, reflecting the environmental constraints to growth around the town.

- 8.7. Based on evidence in the Strategic Housing and Economic Land Availability Assessment and given that the potential for development within Settlement Boundaries will be proportional to the settlement size, windfall development coming forward from planning applications in accordance with Policy WLP1.2 such as this proposal are unlikely to skew the distribution strategy.
- 8.8. The NPPF promotes and supports the development of under-utilised land and buildings and promotes the effective use of this land but also recognises that some undeveloped land can perform important functions.

Flood Risk/Drainage

- 8.9. Paragraph 155 of the National planning policy framework requires that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future).
- 8.10. Strategic policies should be informed by a Strategic Flood Risk Assessment (SFRA) and should manage flood risk from all sources. Policy WLP8.24 - "Flood Risk" follows this approach and states that new residential development on sites not allocated in this Local Plan or a Neighbourhood Plan will not be permitted on sites at risk from flooding.
- 8.11. It should first be noted that the site is situated with the Environment Agency (EA) Flood Zone (FZ) 1, which represents the lowest risk area at a 0.1% probability of flooding in any year, this is also known as having a 1:1000-year chance. This flood risk is from fluvial (river) flooding, the source being the Tin River. The Environment Agency will not comment on a scheme of this size in flood zone 1, as they do not deem there to be a significant flood risk.
- 8.12. As is required by the NPPF and the Local Plan, climate change must also be considered as part of the flood risk assessment. Within the 2008 SFRA this site is shown within FZ2 when considering climate change, which represents an annual probability of 1% - 0.1 %. This can be seen on figure A10 on page 51 of Appendix 1 of the 2008 SFRA.
- 8.13. A further SFRA was undertaken in 2018; the 2018 assessment is an update to the 2008 Assessment. The data relating to climate change was not fully re-modelled across the entire district; the rivers that were re-modelled in Bungay are shown on figure 13.3 Rev 3; the lack of re-modelling of the Tin River can be seen on 09.3 Rev 4 of this assessment. Therefore, the information on climate change within the 2008 assessment in respect of the Tin River, Bungay forms part of the evidence base for the East Suffolk Council - Waveney Local Plan, which was adopted in March 2019.
- 8.14. This 2008 data has been challenged by the applicant and they have carried out re-modelling of the Tin River. In response to this submission the Council employed an external consultant to independently assess the study undertaken. The Council's consultant provided feedback on the modelling undertaken, which was amended in line with the guidance. The updated report shows the site to be in FZ1 when considering climate change. The modelling undertaken is recent, up-to-date and properly reflects the

flood risk at the site when accounting for climate change. Officers have sought appropriate input from an external, independent consultant to ensure the assessment is robust in its findings – which are accepted by officers. It is therefore considered that the applicant has demonstrated that the site is within FZ1 when considering climate change. The site is therefore sequentially preferable for residential development in accordance with the objectives of policy WLP8.24 to locate housing in lowest risk areas.

Drainage Strategy

- 8.15. As highlighted in Policy WLP8.24 - "Flood Risk" development proposals should consider flooding from all sources and that "developments should use sustainable drainage systems to drain surface water". Sustainable drainage systems should be integrated into the landscaping scheme and the green infrastructure provision of the development and not detract from the design quality of the scheme. They should deliver water quality and aquatic biodiversity improvements wherever possible.
- 8.16. No surface water connections should be made to the foul system and connections to the combined or surface water system should only be made in exceptional circumstances where there are no feasible alternatives (this applies to new developments and redevelopments). Foul and surface water flows should also be separated where possible.
- 8.17. It is acknowledged within the submitted FRA that the site is susceptible to surface water flooding. The proposed development will create an increase in overall impermeable areas and surface water run-off from the development that will be greater than existing. Therefore, suitable mitigation will be provided in the drainage strategy to ensure surface water run-off is no greater than existing greenfield run off rates with allowance for climate change and surface water flows restricted and attenuated on site.
- 8.18. The SUDs hierarchy demands that surface water run off should be disposed of as high up the following list as practically possible:
 - Into the ground (infiltration) and re-use, or then;
 - To a surface water body, or then;
 - To a surface water sewer, highway drain or another drainage system, or then;
 - To a combined sewer.
- 8.19. The surface water drainage design has considered the use of SUDs appropriate to the development. Several options are available noting that further intrusive ground investigation works are required before a final drainage strategy can be designed. Any proposed drainage strategy should be designed to accommodate surface water flows up to, and including, the 1 in 100-year storm event plus 40% for climate change, without flooding.
- 8.20. Existing ground conditions appear to be Sand Formation and therefore surface water run-off will be drained using sustainable drainage methods (i.e. soakaways and permeable paving). Full site investigation works are required, and infiltration testing undertaken prior to any detailed drainage design being undertaken. A full maintenance regime will be implemented at detailed design stage and will provide input into the operation and maintenance manual (O&M).

- 8.21. Suffolk County Council Flood and Water Management have reviewed the information submitted within the Flood Risk Assessment (FRA) in terms of the impact of surface water flooding on the site. It is considered that it has been demonstrated that the drainage strategy provided within the FRA would be suitable to prevent flooding from this source by ensuring the satisfactory storage and disposal of surface water is provided. Several conditions have been suggested to ensure that at reserved matters stage a detailed surface water drainage scheme is submitted, including maintenance and management of the scheme, details of the Sustainable Urban Drainage System (SUDs) components and a Construction Surface Water Management Plan (CSWMP).
- 8.22. It is therefore considered that the applicant has taken into account all forms of flooding (whether existing or future) as required by paragraph 155 of the NPPF and Policy WLP8.24 - "Flood Risk" of the Local plan and it has been demonstrated that the site is at a low risk of flooding.

Heritage Impact

- 8.23. The NPPF and the Local Plan give significant weight to conserving and enhancing the historic environment. Paragraph 193 of The NPPF states:
- "when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".*
- 8.24. A heritage assessment has been included within the application which is considered to meet the requirements of paragraph 189 of the NPPF and Policy WLP8.37 - "Historic Environment" of the Local Plan.
- 8.25. This site is situated adjacent to the designated heritage assets of the Bungay Conservation Area, there are a number of listed buildings in the vicinity, the closest being a Grade II listed building at 14 Wingfield Street, which abuts the site. The initial part of the access road falls within the designation where it joins Wingfield Road. A number of non-designated heritage assets, in the form of Locally Listed buildings fronting Wingfield Street and St John's Road also adjoin the site to their rear gardens.
- 8.26. The site is set back from Wingfield Road with the visual impact limited to the access road. This is currently an unmade track to a garage area and although it has a quite rural character with a view beyond this is not overly attractive. With thought given to materials and detailing the access road would have minimal impact in itself. Views into the site will be possible; however, it appears that the two storey structures will be set back twice as far as No 8 so they will be regressive.
- 8.27. There are some gaps in the frontage to St Johns Road; the gap between No7 and No9 provides a view of the existing relatively recent buildings of 2-8 Wingfield Street which will mask development behind.

- 8.28. The view from the Conservation Area through the existing gap between Nos 15 and 17 St. Johns Road will afford views into the development. The addition of higher-level landscaping to the rear boundary to 21- 25 here may reduce this impact.
- 8.29. Views of the site and its impact on heritage assets are considered to be low. The impact on the Conservation Area and the surrounding listed and locally listed buildings based on the information available is considered to be minimal due to the sites position, behind existing development. Suitable hard landscaping to roads, footpaths and cycle ways where they connect to the existing road network, as well as some strategic landscaping would be likely to reduce this impact further, which would be addressed at reserved matters stage.

Archaeology

- 8.30. This site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER). This site is within the area of the early post-medieval town, defined in the HER and has high archaeological potential. Also, it overlooks the lower lying floodplain. It is also close to Saxon and Roman finds (BUN 023, 015) and medieval occupation remains (BUN 091) Thus, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.
- 8.31. There are no grounds to consider refusal of permission to achieve preservation in situ of any important heritage assets. However, in accordance with Paragraph 199 of the NPPF, any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.
- 8.32. Overall the harm to heritage assets within the vicinity will be less than substantial and at a low level; as required by the Paragraph 196 of the NPPF where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be properly weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Highways/Access

- 8.33. Under article 5(3) of the Development Management Procedure Order 2015, it states that where access is a reserved matter, the application for outline planning permission must state the area or areas where access points to the development proposed will be situated.
- 8.34. An indicative plan has been provided which shows Pilgrims Way extending into the site and exiting onto Wingfield Street. Although access is a reserved matter the highways authority needs to be satisfied that access can be provided without having an unacceptable impact on highway safety.
- 8.35. A Transport Statement (TS) has been submitted with the application. A number of enhancements to the highway layout in the vicinity of the proposed access onto Wingfield Street will be required to ensure safe access can be provided, which have been shown on a detailed access plan. In addition to the TS, data to show traffic speeds in the area has been provided. Based on the review of this information and taking account the local factors a

reduced visibility splay of 20m to the nearside edge of the highway in a North Easterly direction has been shown to be feasible and is considered to be acceptable by the Highways Authority. The principle of providing an access point for up to 40 dwellings is therefore considered to be acceptable.

- 8.36. The TS highlights that the site is situated in a sustainable location and access to services and facilities by sustainable means such as walking, and cycling is feasible. Public transport can be accessed close to the site from St. Johns Road which provides access to other surrounding settlements.
- 8.37. The development of this site also provides the opportunity to provide cycle/pedestrian access through from Garden Close to Wingfield Street as suggested within BU12 of the Waveney Cycle Strategy (2016). This will be required by condition to be provided at reserved matters stage.
- 8.38. The TS provides forecast trip generation data for this scale of development. In terms of increased volume of traffic and the proposed access on to Wingfield Street the highways authority does not object to the proposal; within the Suffolk County Transport Model (SCTM) forecast model report Bungay was shown to have junctions which operate within capacity in both the AM and PM peak in 2036 across all development scenarios.
- 8.39. Within paragraph 109 of the NPPF it sets out clear guidance when development should be refused on highways grounds. Although access is a matter reserved for further consideration it is considered by officers that within this application it has been demonstrated that safe and suitable access can be achieved at the access point onto Wingfield Street and that the surrounding highway network has the capacity for the numbers of dwellings proposed. It is considered that the proposal would not have an unacceptable impact on highway safety as required by the NPPF. The proposal also accords with the sustainable transport objectives of the NPPF and Policy WLP8.21 - "Sustainable Transport" of the Local Plan.

Density/Housing mix

- 8.40. Paragraph 122 of the NPPF states that planning policies and decisions should support development that makes efficient use of land. Policy WLP8.32 - "Housing Density and Design" of the Local Plan requires that development proposals make best use of a site in a manner that protects or enhances the distinctiveness and character of the area and takes into account the physical environment of the site and its surroundings. Development proposals in and adjacent to the built-up areas of the market towns such as Bungay should aim for urban scale development at a density of at least 30 Dwellings Per Hectare (DPH), unless local character indicates otherwise.
- 8.41. This site is 1.12 hectares in size, a development of 40 properties equates to 35 DPH. It is not considered that the character of the area would dictate a lower density and this density can be delivered without harm to the adjacent Conservation Area subject to a suitable design and layout.
- 8.42. Although the plan is only indicative it does demonstrate that a suitable housing mix could be provided which would accord with Policy WLP8.1 - "Housing Mix" which requires at least 35% of new dwellings on a site are 1- or 2-bedroom properties.

Open Space

- 8.43. Policy WLP1.3 - Infrastructure states that "Open space should be provided on residential development sites of 1 hectare or more in size and be based on the needs identified in the Waveney Green Infrastructure Strategy and Open Space Needs Assessment".
- 8.44. Within the Waveney Green infrastructure Strategy this site is highlighted as allotment land but as already discussed this has not been in this use for many years. The strategy highlights that provision of open space for general use in Bungay is relatively poor with only the North and South West of the town having reasonable coverage. Overall as highlighted in the Open Space Needs Assessment access to parks and gardens, amenity green space and equipped play space in Bungay is limited and have less access than the District Average. Therefore, provision of a proportionate area of open space is important to be secured.
- 8.45. The open space will be required to be equipped with suitable play equipment; a Local Equipped Area for Play (LEAP) would be considered suitable for a development of this size which would supplement the play provision in the neighbouring area of open space. This would be secured within the S106 agreement.
- 8.46. The layout of this area would be considered at reserved matters stage.

Affordable housing

- 8.47. Policy WLP8.2 - "Affordable Housing" states that all new housing developments on sites with a capacity of 11 dwellings or more must make provision for a proportion of the total dwellings to be affordable housing as follows:
- Housing developments in the Lowestoft and Kessingland area (excluding Corton) must provide 20% affordable housing;
 - Housing developments in the Southwold and Reydon area must provide 40% affordable housing; and
 - Housing developments in the remainder of the District must provide 30% affordable housing.
- 8.48. Proposals which provide a higher amount of affordable housing than set out above will also be permitted.
- 8.49. Of these affordable dwellings, 50% should be for affordable rent. Sheltered and extra-care housing should be included as affordable units where needed and where practicable.
- 8.50. A commitment to provide the affordable housing as required by the Local Plan has been highlighted within the D&A statement which can be secured by S106 agreement.

Ecology

- 8.51. In accordance with the National Planning Policy Framework (NPPF), ODPM Circular 06/2005 and East Suffolk Council: Waveney Local Plan policy WLP8.34, ecology assessments are required in order to establish whether the proposed development is likely

to result in any adverse impacts on protected and/or UK Priority species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006))."

- 8.52. A preliminary Ecology Assessment (PEA) has been submitted with this application, it is noted that the consultant has recommended further emergence surveys for bats from buildings 1,4 and 5, and a closer examination of the potential roosting features in the surrounding trees to determine whether they are suitable for bats. A walkover survey for badgers is also recommended once bramble clearance is complete.
- 8.53. It is considered that in addition to this, details of site clearance methodology (for reptiles, breeding birds and hedgehogs), external lighting and ecological enhancements need to be secured by condition to be addressed at reserved matters stage.
- 8.54. This site is outside of the 13km 'zone of influence' for European designated sites, therefore a contribution towards the Suffolk Coast Recreational Disturbance Mitigation Strategy is not required.

Sustainable Construction

- 8.55. Policy WLP8.28 "Sustainable Construction" of the Local Plan requires that proposals for major residential development of 10 or more houses and commercial development schemes of 1,000sqm or more of floorspace should demonstrate through the submission of a sustainability statement that, where practical, they have been incorporated. This should include matters such as:
- Improved efficiency of heating, cooling, and lighting of buildings by maximising daylight and passive solar gain through the orientation and design of buildings.
 - Sustainable water management measures such as the use of sustainable drainage systems, green roofs and/or rainwater harvesting systems.
 - Locally sourced and recycled materials.
 - Renewable and low carbon energy generation into the design of new developments. Larger schemes should explore the scope for District heating.
 - Minimising construction waste, including designing out waste during the design stage, selecting sustainable and efficient building materials and reusing materials where possible.
 - Accessible and unobtrusive sustainable waste management facilities such as adequate provision of refuse, recycling and composting bin storage.
 - A show home demonstrating environmentally sustainable options which can be purchased and installed in homes bought off-plan.
- 8.56. It is considered appropriate to impose a condition requiring the submission of a sustainability statement in order that future development proposals meet the requirements of policy WLP8.28.

Life-time Design

- 8.57. Policy WLP8.31 - Lifetime Design requires that where appropriate proposals for development should demonstrate that the design supports the needs of older people and those with dementia.

- 8.58. All new housing developments on sites of 10 or more dwellings must make provision for 40% of all dwellings to meet Requirement M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings. Dwellings that meet Requirement M4(3) of Part M of the Building Regulations will be supported and can count towards the requirement above.
- 8.59. It is considered appropriate to impose a condition requiring details to be provided of this proportion of properties that meet the requirements highlighted within policy WLP8.31.

Financial contributions – Highways

- 8.60. Paragraph 56 of the NPPF is clear that planning obligations should only be sought where they meet all the following tests:
- Necessary to make the development acceptable in planning terms
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development.
- 8.61. Within the highways response a contribution of £5,000 has been requested to improve the nearest bus stops to site by installing raised kerbs and a new pole.
- 8.62. In this case the requirement for a total contribution of £5,000 would meet the three tests within paragraph 56 of the NPPF. The request is related to the development by improving sustainable transport modes and making them more attractive to future residents as required by Policy WLP8.21 – “Sustainable Transport” and is reasonably related in scale and kind to the development and will therefore be sought through S106 agreement.

Financial contributions - Pre-school provision

- 8.63. Within section 5 of the Local Plan "Strategy for Bungay" the requirement for a new preschool setting is required on Land West of St. Johns which will be delivered under policy WLP5.2
- 8.64. This requirement is highlighted within Appendix 1 "Infrastructure and Delivery Framework" of the Local Plan Table A1.2 - Infrastructure Delivery Framework as highlighted below:

Project	Priority	Lead Provider	Approximate Cost	Funding Sources	Potential Funding Amount	Required Developer Contribution	Type of Developer Contribution	Potential Remaining Funding Gap	Potential Funding Sources to Fill Gap	Timescale/Progress
1 new Pre School setting at Land West of St Johns Road, Bungay (Policy	Essential	Suffolk County Council	£500,000	None	£0	£500,000	Section 106	£0	None	Short-medium term

- 8.65. From these development proposals Suffolk County Council would anticipate up to 6 FTE pre-school children arising (one FTE is based on a place used for 30 hours per week).
- 8.66. In respect of the developer contributions sought to mitigate the harm arising from this proposed scheme the following trigger points are required:
- a) Build cost contribution (BCIS linked) of £87,180 (2018/19 costs) to be payable prior to 1st dwelling occupation. To be secured by way of a planning obligation.

- b) Land contribution of £4,524 to be payable prior to 1st dwelling occupation. To be secured by way of a planning obligation.
- c) The developer contributions will be secured for a period of up to 10 years and returned if not spent.

8.67. In this case the requirement for a total contribution of £91,704 would meet the three tests within paragraph 56 of the NPPF and will be sought through the S106 agreement.

Design of Development

8.68. Paragraph: 013 Reference ID: 26-013-20191001 of the NPPG encourages the use of conditions highlighting design parameters when determining outline applications to influence the design of future detailed development proposals:

8.69. "During the decision-making stage, where limited design documentation has been prepared as part of the outline planning application, a local planning authority can consider using conditions to ensure that fundamentally important principles are respected in detailed design and to set out if there are further detailed design requirements to make a scheme acceptable. Conditions on design can be identified at the outline planning application stage allowing for the details to be submitted for later determination as part of a reserved matters application".

8.70. Therefore condition 28 of this report sets out key design parameters which provides policy based criteria that should be adhered to by the future developer when designing a detailed scheme.

9. Conclusion

9.1. Although the site is not allocated for residential development under the current, adopted Development Plan for the Waveney area of East Suffolk, the application site is situated within the settlement boundary of Bungay and would represent efficient use of an unused piece of land which is well located in terms of access to services and facilities within Bungay.

9.2. Within the application detailed consideration has been given to flood risk from all forms of flooding, taking into account the current risk to the site and also the position when climate change is considered, as required by the NPPF and the Local Plan. It has been demonstrated through the modelling exercise of the Tin River that the site is situated within Flood Zone 1 which represents a low risk at a 0.1% (1:1000 year) probability of flooding in any one year. It is also considered that the information within the FRA demonstrates that a suitable approach to surface water flooding has been taken within the drainage strategy.

9.3. It has been demonstrated to the satisfaction of officers and Suffolk County Council as highways authority that the proposed access point onto Wingfield Street would allow suitable and safe access to the site when taking into account the traffic speeds in this area. Furthermore, it is considered that the surrounding road network can cope with the additional traffic that would be generated from this scale of development when taking into

account other allocated sites in Bungay without causing an unacceptable impact on highway safety.

- 9.4. Whilst local objection to the application is noted and has been duly considered, officers are of the view that significant material harm would not arise from this proposal. The proposal would also give rise to significant public benefits including (but not limited to): up to a 40-dwelling contribution to housing supply, with a 30% provision for affordable homes; contribution towards a new pre-school facility, pedestrian and cycling connectivity through the site, short term construction job creation and longer term spend in the local economy by future residents.
- 9.5. Therefore, the proposal is considered to represent a sustainable form of development and officers recommend that planning permission be granted.

10. Recommendation

10.1. Authority to Approve with conditions as set out below and subject to completion of a S106 agreement securing:

- Affordable housing provision;
- Open space provision and long-term site management; and
- A financial contribution towards a new pre-school setting in Bungay.

1. 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. Details relating to the layout, scale, appearance, access 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. The development hereby permitted shall be completed in all respects strictly in accordance with the Site Location Plan, drawing no. BRL – 01 received 03 October 2018, 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.

4. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be in accordance with the approved FRA and include:
 1. Dimensioned plans and drawings of the surface water drainage scheme;
 2. Further infiltration testing 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;
 3. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
 4. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
 5. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
 6. Topographical plans depicting all exceedance flowpaths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
 7. Details of how existing surface water flooding will be managed, supported by sufficient modelling of proposed ground levels and site layout

The scheme shall be fully implemented as approved.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development.

5. Concurrent with the first reserved matters application(s) details of the implementation, maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

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

6. The development hereby permitted shall not be occupied until details of all Sustainable Urban 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 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.

7. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site

during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include:

1. 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 in line with the River Basin Management Plan

8. No part of the development shall be commenced until details of the proposed pedestrian cycle and vehicular access (including the position of any gates to be erected and visibility splays provided) has been submitted to and approved in writing by the Local Planning Authority. The approved access(es) shall be laid out and constructed in their entirety prior to the occupation of any dwelling. Thereafter the access(es) shall be retained in their approved forms.

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

9. Concurrent with the first reserved matters application the results of a Road Safety Audit (Stage 1/2) on the design of the development's proposed access onto Wingfield Street shall be submitted, complete with the signed 'Road Safety Audit Response Report' produced by the developer's design team. The Road Safety Audit shall be carried out in compliance with GG119 (formerly HD 19/15) subject to any departures agreed in advance with the planning authority.

Reason: In the interests of highways safety the developer is required to undertake and submit a Road Safety Audit in support of the 'access' reserved matters application.

10. The development shall not be occupied until a Stage 3 Road Safety Audit (RSA) has been undertaken on the new Wingfield Street access and any requirements under this Stage 3 RSA have been completed or a programme of remedial works has been agreed with the Local Planning Authority.

Reason: In the interests of highway safety to ensure the approved layout is properly designed.

11. Concurrent with the first reserved matters access application details of a scheme to provide a shared-use cycle track to connect Garden Close, Pilgrims Way and Wingfield Street shall be 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 of any dwelling.

Reason: In the interests of highway safety to reduce conflict between non-motorised and motorised traffic, to encourage the sustainable transport benefits of walking and cycling, and improve pedestrian and cyclist connectivity between residential areas, the town centre and increase access to nearby schools and play areas as per National and Local Planning Policies including Waveney Local Plan Policy WLP8.21 and the Waveney Cycle Strategy (2016) BU12.

12. 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.

13. 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.

14. 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.

15. Before the development is commenced details of the areas to be provided for the [loading, unloading,] manoeuvring and parking of vehicles including electric vehicle charging points, powered two vehicle provision 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: In the interests of highway safety and to encourage the use of sustainable transport. To ensure the provision and long-term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with Suffolk Guidance for Parking where on-street parking and manoeuvring could be detrimental to highway safety.

16. 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:

- 1) A desk study and site reconnaissance, including:
 - o a detailed appraisal of the history of the site;
 - o an inspection and assessment of current site conditions;

- o an assessment of the potential types, quantities and locations of hazardous materials and contaminants considered to potentially exist on site;
- o a conceptual site model indicating sources, pathways and receptors; and
- o a preliminary assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

2) Where deemed necessary following the desk study and site reconnaissance an intrusive investigation(s), including:

- o the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- o explanation and justification for the analytical strategy;
- o a revised conceptual site model; and
- o 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 BS10175:2011+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.

17. 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 in writing by, the LPA. The RMS must include, but is not limited to:
- o details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
 - o an explanation, including justification, for the selection of the proposed remediation methodology(ies);
 - o proposed remediation objectives and remediation criteria; and
 - o 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.

18. Prior to any occupation or use of the approved development the RMS approved under condition 17 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.

19. 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:
- o results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
 - o evidence that the RMS approved under condition 2 has been carried out competently, effectively and in its entirety; and
 - o evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

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

20. In the event that contamination which has not already been identified to the Local Planning Authority (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.

21. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved 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 WLP8.40 of the East Suffolk Council - Waveney Local Plan (March 2019) and the National Planning Policy Framework (2019).

22. 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 1 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 WLP8.40 of the East Suffolk Council - Waveney Local Plan (March 2019) and the National Planning Policy Framework (2019).

23. 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.

24. Concurrent with the first reserved matters application up to date surveys for bat roosts (in buildings and trees) and badgers will be undertaken and submitted to the Local Planning Authority for approval in writing. Avoidance, mitigation, compensation and enhancement measures identified through these surveys must form part of the development design included within the Reserved Matters.

Reason: In the interests of species protected by the Wildlife and Countryside Act 1981 as required by Policy WLP8.34 - "Biodiversity and Geodiversity" of the East Suffolk Council - Waveney Local Plan (Adopted 20 March 2019).

25. No external lighting shall be provided on the site until, a "lighting design strategy for biodiversity" has been 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 bats 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: In the interests of species protected by the Wildlife and Countryside Act 1981 as required by Policy WLP8.34 - "Biodiversity and Geodiversity" of the East Suffolk Council - Waveney Local Plan (Adopted 20 March 2019).

26. No development, demolition, site clearance (including clearance of vegetation), earth moving shall take place or material or machinery brought onto the site until a plan detail how ecological receptors (particularly protected and UK Priority species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006))) will be protected during site clearance has been submitted to and approved in writing by the local planning authority. All site clearance (including clearance of vegetation) shall be undertaken in accordance with the approved plan.

Reason: In the interests of species protected by the Wildlife and Countryside Act 1981 as required by Policy WLP8.34 - "Biodiversity and Geodiversity" of the East Suffolk Council - Waveney Local Plan (Adopted 20 March 2019).

27. No development shall take place until an Ecological Enhancement Strategy, addressing how ecological enhancements will be achieved on site, has been submitted to and approved in writing by the local planning authority.

Reason: In the interests of species protected by the Wildlife and Countryside Act 1981 as required by Policy WLP8.34 - "Biodiversity and Geodiversity" of the East Suffolk Council - Waveney Local Plan (Adopted 20 March 2019).

28. Any future application for approval of reserved matters shall incorporate the following 'Design Parameters' into the Development proposal.

General Design:

An assessment under building for life 12 should accompany any future application, demonstrating positive outcomes against the guidelines, as required by Policy WLP8.29 - "Design".

Open space:

New development must be laid out in a manner which provides a strong and positive relationship with the existing open space to the East of the site, supporting safe, convenient and well-overlooked connections for pedestrians and cyclists. As required by policy WLP8.29 "Design", WLP8.30 "Design of open spaces" and WLP8.21 "Sustainable Transport" and the Waveney Cycle Strategy (2016).

In accordance with the requirements of Policy WLP8.30 "Design of Open Spaces", the layout of the development should ensure that the open space is integral to the scheme, demonstrating a clear function with design and landscaping to a high standard. The open space should have a strong and positive relationship to adjacent properties and adjoining spaces, ensuring it is well overlooked to promote public safety and deter crime and antisocial behaviour.

Parking:

As required by building Policy WLP8.29 "Design", the development layout should demonstrate well-integrated car parking and landscaping to create a high-quality public realm and avoiding a car dominated environment. Consideration should be given to incorporating a range of parking solutions to meet this objective.

Scale:

Future development proposals shall respond to local context and the form of surrounding buildings. A maximum of two storey height is expected and shall consist of a good mix of house types in order that the development complements local character and distinctiveness and preserves or enhances the adjoining Conservation Area. These elements must be clearly demonstrated in a Heritage Impact Assessment in accordance with policy WLP8.37 "Historic Environment".

Cycling/pedestrians

Good quality and well overlooked pedestrian and cycle connections must be provided to connect Garden Close, Pilgrims Way and Wingfield Street. As required by policy WLP8.21 "Sustainable Transport" and as required in the Waveney Cycle Strategy.

Reason:

In order to provide a high level of design quality as required by Policy WLP8.29 "Design" of the Local Plan the NPPF and NPPG.

29. Concurrent with the first reserved matters application, details shall be submitted to the Local Planning Authority, through the submission of a sustainability statement, which demonstrates that Sustainable Construction methods have been incorporate into the development proposal. The development shall thereafter be carried out in accordance with the approved details unless otherwise approved in writing.

Reason: in accordance with the sustainable construction objectives of policy WLP8.28 of the East Suffolk (Waveney) Local Plan.

30. Concurrent with the first reserved matters application, details shall be submitted to the Local Planning Authority for approval demonstrating how 40% of the proposed dwellings shall be designed to meet requirement M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings. The development shall thereafter be carried out in accordance with the approved details unless otherwise approved in writing.

Reason: in accordance with the lifetime design objectives of policy WLP8.31 of the East Suffolk (Waveney) Local 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

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

CIL forms can be downloaded direct from the planning portal:

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

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

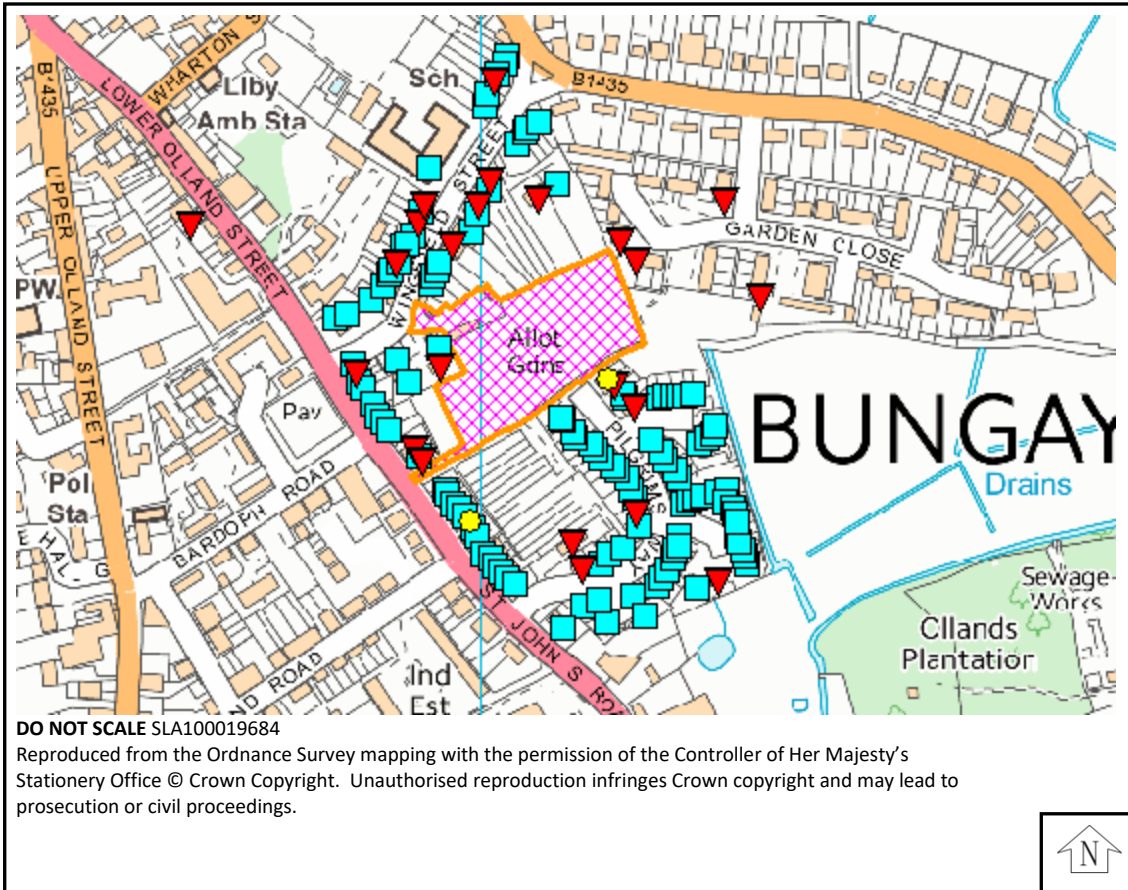
3. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing. For further information please visit <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>
4. 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. For further information please visit: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

Please note that this development may be subject to the Advance Payment Code.





Background information

See application reference DC/18/4104/OUT at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PG0X0SQXLS900>

Map



Key

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