

Development Control Committee

Title	Agenda																							
Date	Wednesday 1 September 2021																							
Time	10.00am																							
Venue	Conference Chamber West Suffolk House Western Way Bury St Edmunds, IP33 3YU																							
Full Members	<p style="text-align: center;">Chair Andrew Smith</p> <p style="text-align: center;">Vice Chairs Mike Chester and Jim Thorndyke</p> <p>Conservative Group (10)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Carol Bull</td> <td style="width: 33%;">Ian Houlder</td> <td style="width: 33%;"></td> </tr> <tr> <td>Andy Drummond</td> <td>David Roach</td> <td></td> </tr> <tr> <td>Susan Glossop</td> <td>Peter Stevens</td> <td></td> </tr> <tr> <td>Brian Harvey</td> <td></td> <td></td> </tr> </table> <p>The Independent Group (5)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Richard Alecock</td> <td style="width: 33%;">Roger Dicker</td> <td style="width: 33%;"></td> </tr> <tr> <td>John Burns</td> <td>David Palmer</td> <td></td> </tr> <tr> <td>Jason Crooks</td> <td></td> <td></td> </tr> </table> <p>Labour Group (1) David Smith</p>			Carol Bull	Ian Houlder		Andy Drummond	David Roach		Susan Glossop	Peter Stevens		Brian Harvey			Richard Alecock	Roger Dicker		John Burns	David Palmer		Jason Crooks		
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Substitutes	<p>Conservative Group (5)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Nick Clarke</td> <td style="width: 33%;">Sara Mildmay-White</td> <td style="width: 33%;"></td> </tr> <tr> <td>John Griffiths</td> <td>David Nettleton</td> <td></td> </tr> <tr> <td>James Lay</td> <td></td> <td></td> </tr> </table> <p>The Independent Group (2)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Trevor Beckwith</td> <td style="width: 33%;">Andy Neal</td> <td style="width: 33%;"></td> </tr> </table> <p>Labour Group (1) Diane Hind</p>			Nick Clarke	Sara Mildmay-White		John Griffiths	David Nettleton		James Lay			Trevor Beckwith	Andy Neal										
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Interests – declaration and restriction on participation	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.																							
Quorum	Six Members																							
Where required, site visits will be facilitated virtually by way of the inclusion of videos within the Case Officer's presentation of the application to the meeting																								
Committee administrator	Helen Hardinge - Democratic Services Officer Telephone 01638 719363 Email helen.hardinge@westsuffolk.gov.uk																							

Venue	<p>Conference Chamber West Suffolk House Western Way Bury St Edmunds IP33 3YU</p>
Contact information	<p>Telephone: 01284 763233 Email: democratic.services@westsuffolk.gov.uk Website: www.westsuffolk.gov.uk</p>
Access to agenda and reports before the meeting	<p>The agenda and reports will be available to view at least five clear days before the meeting on our website.</p>
Attendance at meetings	<p>This meeting is being held in person in order to comply with the Local Government Act 1972. Measures have been applied to ensure the health and safety for all persons present at meetings. We may also be required to restrict the number of members of the public able to attend in accordance with the room capacity.</p> <p>If you consider it is necessary for you to attend, please let Democratic Services know in advance of the meeting so they can endeavour to accommodate you and advise you of the necessary health and safety precautions that apply to the meeting.</p> <p>For further information about the venue, please visit https://www.westsuffolk.gov.uk/contact-us.cfm</p> <p>The Council will endeavour to livestream this meeting and where this is possible, will provide links to the livestream on its website.</p>
Public participation	<p>Members of the public have the right to speak at the Development Control Committee, subject to certain restrictions. Further information is available via the separate link on the agenda's webpage for this meeting.</p>
Accessibility	<p>If you have any difficulties in accessing the meeting, the agenda and accompanying reports, including for reasons of a disability or a protected characteristic, please contact Democratic Services at the earliest opportunity using the contact details provided above in order that we may assist you.</p>
Recording of meetings	<p>The Council may record this meeting and permits members of the public and media to record or broadcast it as well (when the media and public are not lawfully excluded).</p> <p>Any member of the public who attends a meeting and objects to being filmed should advise the Committee Administrator who will instruct that they are not included in the filming.</p>

Personal information	Any personal information processed by West Suffolk Council arising from a request to speak at a public meeting under the Localism Act 2011, will be protected in accordance with the Data Protection Act 2018. For more information on how we do this and your rights in regards to your personal information and how to access it, visit our website: https://www.westsuffolk.gov.uk/Council/Data_and_information/howweuseinformation.cfm or call Customer Services: 01284 763233 and ask to speak to the Information Governance Officer.
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Development Control Committee Agenda notes

Subject to the provisions of the Local Government (Access to Information) Act 1985, all the files itemised in this Schedule, together with the consultation replies, documents and letters referred to (which form the background papers) are available for public inspection.

All applications and other matters have been considered having regard to the Human Rights Act 1998 and the rights which it guarantees.

Material planning considerations

1. **It must be noted that when considering planning applications (and related matters) only relevant planning considerations can be taken into account. Councillors and their officers must adhere to this important principle which is set out in legislation and Central Government guidance.**
2. **Material planning considerations include:**
 - Statutory provisions contained in planning acts and statutory regulations and planning case law
 - Central Government planning policy and advice as contained in circulars and the National Planning Policy Framework (NPPF)
 - Supplementary planning guidance/documents eg. Affordable Housing SPD
 - Master plans, development briefs
 - Site specific issues such as availability of infrastructure, density, car parking
 - Environmental; effects such as effect on light, noise overlooking, effect on street scene
 - The need to preserve or enhance the special character or appearance of designated conservation areas and protect listed buildings
 - Previous planning decisions, including appeal decisions
 - Desire to retain and promote certain uses e.g. stables in Newmarket.
 - The following planning local plan documents covering West Suffolk Council:
 - Joint development management policies document 2015
 - In relation to the Forest Heath area local plan:
 - i. The Forest Heath Core Strategy 2010 as amended by the High Court Order 2011
 - ii. Core strategy single issue review of policy CS7 2019
 - iii. Site allocations local plan 2019
 - In relation to the St Edmundsbury area local plan:
 - i. St Edmundsbury core strategy 2010
 - ii. Vision 2031 as adopted 2014 in relation to:
 - Bury St Edmunds
 - Haverhill
 - Rural

Note: The adopted Local Plans for the former St Edmundsbury and Forest Heath areas (and all related policy documents, including guidance and SPDs) will continue to apply

to those parts of West Suffolk Council area until a new Local Plan for West Suffolk is adopted.

3. The following are **not** material planning considerations and such matters must **not** be taken into account when determining planning applications and related matters:
 - Moral and religious issues
 - Competition (unless in relation to adverse effects on a town centre as a whole)
 - Breach of private covenants or other private property or access rights
 - Devaluation of property
 - Protection of a private view
 - Council interests such as land ownership or contractual issues
 - Identity or motives of an applicant or occupier
4. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission must be determined in accordance with the Development Plan (see section 3 above) unless material planning considerations indicate otherwise.
5. A key role of the planning system is to enable the provision of homes, buildings and jobs in a way that is consistent with the principles of sustainable development. It needs to be positive in promoting competition while being protective towards the environment and amenity. The policies that underpin the planning system both nationally and locally seek to balance these aims.

Documentation received after the distribution of committee papers

Any papers, including plans and photographs, received relating to items on this Development Control Committee agenda, but which are received after the agenda has been circulated will be subject to the following arrangements:

- a. Officers will prepare a single committee update report summarising all representations that have been received up to 5pm on the **Thursday** before each committee meeting. This report will identify each application and what representations, if any, have been received in the same way as representations are reported within the Committee report;
- b. the update report will be sent out to Members by first class post and electronically by noon on the **Friday** before the committee meeting and will be placed on the website next to the committee report.

Any late representations received after 5pm on the **Thursday** before the committee meeting will not be distributed but will be reported orally by officers at the meeting.

Public speaking

Members of the public have the right to speak at the Development Control Committee, subject to certain restrictions. Further information is available via the separate link on the agenda's webpage for this meeting

Development Control Committee

Decision making protocol

The Development Control Committee usually sits once a month. The meeting is open to the general public and there are opportunities for members of the public to speak to the Committee prior to the debate.

Decision Making Protocol

This protocol sets out our normal practice for decision making on development control applications at Development Control Committee. It covers those circumstances where the officer recommendation for approval or refusal is to be deferred, altered or overturned. The protocol is based on the desirability of clarity and consistency in decision making and of minimising financial and reputational risk, and requires decisions to be based on material planning considerations and that conditions meet the tests of Circular 11/95: "The Use of Conditions in Planning Permissions." This protocol recognises and accepts that, on occasions, it may be advisable or necessary to defer determination of an application or for a recommendation to be amended and consequently for conditions or refusal reasons to be added, deleted or altered in any one of the circumstances below.

- Where an application is to be deferred, to facilitate further information or negotiation or at an applicant's request.

- Where a recommendation is to be altered as the result of consultation or negotiation:
 - The presenting Officer will clearly state the condition and its reason or the refusal reason to be added/deleted/altered, together with the material planning basis for that change.
 - In making any proposal to accept the Officer recommendation, a Member will clearly state whether the amended recommendation is proposed as stated, or whether the original recommendation in the agenda papers is proposed.

- Where a Member wishes to alter a recommendation:
 - In making a proposal, the Member will clearly state the condition and its reason or the refusal reason to be added/deleted/altered, together with the material planning basis for that change.
 - In the interest of clarity and accuracy and for the minutes, the presenting officer will restate the amendment before the final vote is taken.
 - Members can choose to;
 - delegate the detailed wording and reason to the Director (Planning and Growth);

- delegate the detailed wording and reason to the Director (Planning and Growth) following consultation with the Chair and Vice Chair(s) of Development Control Committee.
- Where Development Control Committee wishes to overturn a recommendation and the decision is considered to be significant in terms of overall impact; harm to the planning policy framework, having sought advice from the Director (Planning and Growth) and the Director (HR, Governance and Regulatory) (or Officers attending Committee on their behalf);
 - A final decision on the application will be deferred to allow associated risks to be clarified and conditions/refusal reasons to be properly drafted.
 - An additional officer report will be prepared and presented to the next Development Control Committee detailing the likely policy, financial and reputational etc risks resultant from overturning a recommendation, and also setting out the likely conditions (with reasons) or refusal reasons. This report should follow the Council's standard risk assessment practice and content.
 - In making a decision to overturn a recommendation, Members will clearly state the material planning reason(s) why an alternative decision is being made, and which will be minuted for clarity.
- In all other cases, where Development Control Committee wishes to overturn a recommendation:
 - Members will clearly state the material planning reason(s) why an alternative decision is being made, and which will be minuted for clarity.
 - In making a proposal, the Member will clearly state the condition and its reason or the refusal reason to be added/deleted/altered, together with the material planning basis for that change.
 - Members can choose to;
 - delegate the detailed wording and reason to the Director (Planning and Growth)
 - delegate the detailed wording and reason to the Director (Planning and Growth) following consultation with the Chair and Vice Chair(s) of Development Control Committee
- Member Training
 - In order to ensure robust decision-making all members of Development Control Committee are required to attend Development Control training.

Notes

Planning Services (Development Control) maintains a catalogue of 'standard conditions' for use in determining applications and seeks to comply with Circular 11/95 "The Use of Conditions in Planning Permissions."

Members/Officers should have proper regard to probity considerations and relevant codes of conduct and best practice when considering and determining applications.

Agenda

Procedural matters

Part 1 – public

1. Apologies for absence

2. Substitutes

Any member who is substituting for another member should so indicate, together with the name of the relevant absent member.

3. Minutes

1 - 12

To confirm the minutes of the meeting held on 4 August 2021 (copy attached).

4. Declarations of interest

Members are reminded of their responsibility to declare any pecuniary or local non pecuniary interest which they have in any item of business on the agenda, **no later than when that item is reached** and, when appropriate, to leave the meeting prior to discussion and voting on the item.

5. Planning Application DC/21/0152/HYB - Land South of Burwell Road, Exning

13 - 76

Report No: **DEV/WS/21/031**

Hybrid Planning Application - A. Full planning for 205 dwellings, garages, new vehicular accesses, pedestrian/cycle accesses, landscaping and associated open space and B. Outline planning - early years education facility

6. Planning Application DC/19/2155/FUL - Storage Tank, Station Yard, Station Road, Barnham

77 - 100

Report No: **DEV/WS/21/032**

Planning Application - Continued use of heating fuel storage and distribution business (Class B8), retention of 4 storage tanks, 1 storage container, 2 fuel distribution points, 1 office portacabin, associated hard standing, underground interceptor tank, lighting and installation of 5th storage tank

- 7. Planning Application DC/21/1198/FUL - Land North of Green Acre, Thetford Road, Ixworth Thorpe** **101 - 118**
Report No: **DEV/WS/21/033**
Planning application - Three dwellings (following demolition of existing dwellings)
- 8. Planning Application DC/21/0640/HH - 60 The Street, Barton Mills** **119 - 132**
Report No: **DEV/WS/21/034**
Householder planning application - detached double garage with new driveway
- 9. Planning Application DC/21/1536/FUL - West Suffolk Council, College Heath Road, Mildenhall** **133 - 144**
Report No: **DEV/WS/21/035**
Planning application - Installation of two metre high security fencing including personnel and vehicle access gates, to external boundary
- 10. Planning Application DC/21/1366/FUL - West Suffolk House, Western Way, Bury St Edmunds** **145 - 164**
Report No: **DEV/WS/21/036**
Planning application - Installation of battery container, and associated foundations and fencing

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Development Control Committee



Minutes of a meeting of the **Development Control Committee** held on **Wednesday 4 August 2021** at **10.00 am** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present **Councillors**

Chair Andrew Smith

Vice Chairs Mike Chester and Jim Thorndyke

Richard Alecock

Sara Mildmay-White

Carol Bull

Andy Neal

John Burns

David Palmer

Jason Crooks

David Roach

Brian Harvey

David Smith

James Lay

Peter Stevens

In attendance

Stephen Frost (Ward Member: Lakenheath) – observing

155. **Welcome**

The Chair formally commenced the meeting and welcomed all present to the Development Control Committee, with special reference made to Councillor Brian Harvey who was attending his first meeting as a newly appointed member of the Committee.

The Chair also reminded the Committee that item 7 had been withdrawn from the agenda.

156. **Apologies for absence**

Apologies for absence were received from Councillors Roger Dicker, Andy Drummond, Susan Glossop and Ian Houlder.

157. **Substitutes**

The following substitutions were declared:

Councillor Andy Neal substituting for Councillor Roger Dicker;
Councillor James Lay substitute for Councillor Andy Drummond; and
Councillor Sara Mildmay-White substituting for Councillor Susan Glossop

158. **Minutes**

The minutes of the meeting held on 23 June 2021 were confirmed as a correct record, with 13 voting for the motion and with 2 abstentions, and were signed by the Chair.

The minutes of the meeting held on 7 July 2021 were confirmed as a correct record, with 14 voting for the motion and with 1 abstention, and were signed by the Chair; subject to the following additional paragraph being inserted as follows:

Planning Application DC/21/0110/RM - Land NW of Haverhill, Ann Suckling Road, Little Wratting (Report No: DEV/WS/21/022)

Councillor David Smith also addressed the meeting and echoed many of the points made by Councillor Burns. His largest concern was also the 4 storey units and the visual impact they would have.

Councillor Susan Glossop expressed similar concerns regarding the 4 storey units. She also spoke on the importance of developers working with local communities and representatives, and listening to their concerns, in order to create first-rate developments.

Councillor Peter Stevens stressed that the site was former rolling countryside and therefore the design of the roof blocks was important to mitigate the visual impact.

159. **Declarations of interest**

Members' declarations of interest are recorded under the item to which the declaration relates.

160. **Planning Application DC/21/0110/RM - Land NW of Haverhill, Ann Suckling, Little Wratting (Report No: DEV/WS/21/026)**

(Councillors John Burns and David Smith each declared a non-pecuniary interest in this item in light of the fact that they had taken part in Haverhill Town Council's consideration of the application. However, they stressed that they would keep an open mind and listen to the debate prior to voting on the item.)

Reserved matters application - submission of details under outline planning permission SE/09/1283 - the means of access, appearance, landscaping, layout and scale for the construction of 123 dwellings, together with associated private amenity space, means of enclosure, car parking, vehicle and access arrangements together with proposed areas of landscaping and areas of open space for a phase of residential development known as phase 2b (as amended by plans received 14.5.21 and 21.07.2021)

This application was initially referred to the Development Control Committee following call-in from Ward Member (Haverhill North) Councillor Joe Mason. In addition, the Town Council had voiced objections to the application.

The Principal Planning Officer reminded Members that the application was part of the wider North West Haverhill site which was one of two strategic growth sites for Haverhill identified in the adopted Core Strategy. The application before the Committee sought approval of the details for part of the second phase of residential development.

At the meeting of the Development Control Committee on 7 July 2021 Members resolved to defer consideration of the application in order to allow Officers additional time in which to work with the applicant to address some of the concerns raised by the Committee; relating to the four storey units, the density and electric charging point provision.

Since the last meeting amendments had been made to the scheme which the Principal Planning Officer outlined as follows:

- The 4 storey units had been reduced to 3 storey thereby reducing the overall number of dwellings in the application to 123;
- Five additional visitor spaces had been provided (and not 6 as incorrectly referenced in Report No DEV/WS/21/026);
- Electric charging points provision had been enhanced; and
- Some additional soft landscaping was to be provided including two feature trees.

The Committee was advised that following the amendments to the proposal Haverhill Town Council had confirmed that they now withdrew their objections to the application. The Town Council made further comments in respect of space standards and bin collection points which the Officer provided further explanation on.

It was highlighted that the density of the development had now reduced to 42dph and, for the benefit of the meeting, the Principal Planning Officer advised on density tolerances and the way in which it was calculated.

As part of her presentation the Principal Planning Officer showed videos of the site by way of a virtual 'site visit'.

Lastly, the Committee was informed that two related Reserved Matters applications had been submitted by the applicant in respect of the sports pitch/play areas and infrastructure (including highways). Both applications were now subject to consultation.

Officers were recommending that the application be granted, subject to conditions as set out in Paragraph 9.00 of the report.

Speakers: Brad & Anne Strachan (neighbouring objectors) spoke against the application
Stuart McAdam (agent) spoke in support of the application
(The Strachans did not attend the meeting to personally address the Committee and instead the Democratic Services Officer read out a pre-prepared submitted statement on their behalf.)

Councillor John Burns raised questions with regard to standard conditions in relation to construction, drainage etc. In response, the Principal Planning Officer explained that these had been included in the outline permission granted.

Councillors David Roach and Sara Mildmay-White both voiced disappointment that the space standards compliance only applied to the affordable housing and not the market properties.

Following questions/comments concerning the infrastructure, the Officer explained that the trigger for the relief road to be delivered was 500 constructed units or 5 years from commencement. As it stood, approximately 200 units had been constructed and roughly 3 years had passed since the development had commenced.

Councillor Peter Stevens voiced approval of the redesigned (now) 3 storey units. He proposed that the application be approved as per the Officer recommendation. This was duly seconded by Councillor John Burns.

Upon being put to the vote and with the vote being unanimous, it was resolved that

Decision

Planning permission be **GRANTED** subject to the following conditions:

1. Approved Plans and documents
The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
2. Badger check – pre-commencement
Prior to the commencement of the development a further supplementary survey for badger shall be undertaken to inform the preparation and implementation of ecological measures required. The supplementary survey shall be of an appropriate type for the above species and survey methods shall follow national good practice guidelines.
3. Construction Environmental Management Plan for biodiversity– pre-commencement
Prior to the commencement of development, a Construction Environmental Management Plan for biodiversity (CEMP biodiversity) shall be submitted to the local planning authority and agreed in writing.
The CEMP (Biodiversity) shall include the following:
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of “biodiversity protection zones”.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.
 - i) Containment, control and removal of any Invasive non-native species present on siteThe approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.
4. Sensitive lighting strategy – pre-above ground construction

A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

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

5. Precautionary reptile method strategy – adherence during works

All work shall be carried out in accordance with the precautionary methods of working set out in the Reptile Precautionary Method Strategy.

6. Final detailed landscape proposals for plots and open space – pre-above slab level.

Prior to any construction works above slab level taking place, final detailed soft landscaping plans shall be submitted to the local planning authority and agreed in writing. The plans shall include full details of the ecological mitigation and compensation measures and the biodiversity enhancement measures required to address the points set out in the Place Services Landscape and Ecology response dated 30th June 2021.

The details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities. The approved scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

7. Materials and details – pre-above slab level

No development above slab level shall take place until details of the external materials to be used in the construction of the buildings and details of the fenestration (including fenestration colour and depth of reveals), doors, garage doors, porches, balconies and rainwater goods have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

8. Footway protection - pre-above slab level

No above ground construction shall take place until details of a footway protection strategy to prioritise pedestrians and protect the footways from inappropriate parking, has been submitted to the local planning authority and agreed in writing. The development shall be carried out in full accordance with the approved details.

9. Visitor parking - pre-above slab level

No above ground construction shall take place until details of the visitor parking designation and the lining or signage to promote use as well as the future management arrangement where spaces do not form part of the adopted highway. The spaces shall be provided and maintained in accordance with the approved details.

10. Shared surface street details – prior to commencement of that part of the development

Prior to the commencement of the construction of the shared surface streets, final details of the proposed landscaped buildouts and the pedestrian routes shall be submitted to the local planning authority and agreed in writing. The details shall include precise details of the size and form of the buildouts, the materials to be used in construction and the proposed planting.

11. Tree Pit details - prior to installation

Prior to the installation of any tree within 2.5 metres of a highway, the full details of the proposed tree pit for that tree shall be submitted to the local planning authority and agreed in writing. All work shall be carried out in full accordance with the approved details.

12. Cycle storage for the apartments – pre-above slab level for the apartments

Prior to any development above slab level taking place for the apartments, full details of the secure cycle storage for the occupants of those buildings shall be submitted to the local planning authority and agreed in writing. The storage shall accommodate adult and children's cycles and non-standard cycles. Full details of any racking systems shall be provided as part of the scheme. The storage shall be provided in accordance with the approved details prior to the first occupation of the building to which it relates.

13. Designing out crime - pre-above slab level

No construction above slab level shall take place until details of the measures and strategies to design out opportunities for crime have been submitted to and approved in writing by the Local Planning Authority. The measures shall include, but not be limited to:

- Details of the anti-crime features to be provided for each dwelling,
- Details of measures to improve the safety of rear access paths including but not limited to gates and boundary treatments.
- Details of access control to communal areas for flats.

All work shall be carried out in accordance with the approved details.

14. Roof mounted solar– pre-installation

Prior to the installation of any roof mounted solar panels, full details shall be submitted to the local planning authority and agreed in writing. The panels shall be installed in accordance with the agreed details.

15. Noise (internal) – pre-occupation

Prior to occupation of the proposed dwellings, noise mitigation measures shall be implemented, as required, so as to ensure that the internal ambient noise levels within each dwelling, with windows closed, do not exceed an LAeq (16hrs) of 35 dB(A) within bedrooms and living rooms between the hours of 07:00 to 23:00 and an LAeq (8hrs) of 30dB(A) within bedrooms between the hours of 23:00 to 07:00, in accordance with the current guideline levels within BS8233:2014 - Guidance on sound insulation and noise reduction for buildings.

16. Noise (external) – pre-occupation

Prior to occupation of the proposed dwellings, noise mitigation measures shall be implemented, as required, to ensure that the noise level within the external amenity areas of each dwelling do not exceed an LAeq of 50 dB(A), in accordance with the current guideline levels within BS8233:2014 – Guidance on sound insulation and noise reduction for buildings.

17. Street furniture within open spaces – pre-occupation

Prior to the first occupation of the dwellings, the street furniture for the open spaces, to include bins and benches, shall be fully installed in accordance with details previously submitted to the local planning authority and agreed in writing.

161. **Planning Application DC/20/2066/RM - Land at Rabbit Hill Covert, Station Road, Lakenheath (Report No: DEV/WS/21/027)**

Reserved matters application - submission of details approved under outline planning permission F/2013/0345/OUT for access, layout, scale, appearance and landscaping (not EIA) for up to 81 dwellings and associated works (as amended)

This application was referred to the Development Control Committee following consideration by the Delegation Panel.

Members were advised that outline planning permission was granted for up to 81 dwellings at the site in September 2018. The application before the Committee sought approval of matters reserved by condition 2 of the outline planning permission.

The Principal Planning Officer – Major Projects explained the linkage between the application site and that of the adjacent development site which would include Lakenheath’s second primary school.

The lack of play space within the proposed scheme was highlighted to Members. The Officer advised that this was likely to be delivered within the adjacent site, however, provision had been made to secure financial contributions from this scheme if necessary.

Attention was also drawn to the initial comments received from the Council’s waste service in respect of the scheme. A plan was shown to the meeting which outlined waste bin movements, comments in response to this had yet to have been received from the waste service hence a condition had been included in order to address this matter.

Further to comments made by Lakenheath Parish Council regarding the “over engineered” road scheme within the proposal, the Committee were advised of the reasoning behind this which was to ensure the road was officially adopted by the Highways Authority.

Reference was made to the supplementary ‘late papers’ which had been circulated following publication of the agenda and which contained an amended recommendation to the report.

Further to the matters set out in the late papers the Officer also:

- Presented an amended plan which set out the redesign of Plot 40 in order to improve the parking provision. Members were advised that the Highways Authority were in support of the amendments; and
- Highlighted the recent changes to the NPPF, principally in relation to the definition of "beauty" and how this related to the application before the Committee.

Officers were recommending that the application be approved as per the amended recommendation set out in the supplementary late papers.

Speakers: Lakenheath Parish Council spoke against the application
(A representative from the Parish Council did not attend the meeting to personally address the Committee and instead the Democratic Services Officer read out a pre-prepared submitted statement on their behalf.)
 Kevin Jewell (applicant) spoke in support of the application
 Peter McKeown (agent) spoke in support of the application

In response to questions/comments posed by Members during the debate, the Principal Planning Officer – Major Projects responded as follows:

- A condition had been included on the outline planning permission in respect of electric vehicle charging points;
- Air source heat pumps were proposed for the properties' heating, however, there was no policy basis for this to be controlled by conditions; and
- The Committee was advised that off-site highways improvements were required at the Sparkes Farm, Eriswell junction following the Highways Authority's collective assessment of all four major development applications for Lakenheath (one of which being Rabbit Hill Covert).

Councillor David Roach spoke in support of the density level of the scheme and proposed that the application be approved, as per the Officer recommendation. This was duly seconded by Councillor Sara Mildmay-White.

Upon being put to the vote and with 14 voting for the motion and with 1 abstention, it was resolved that

Decision

1. That following i) receipt of satisfactory amendments to address the landscaping/ecology matters discussed in the officer report and the bin collection points discussed in the late papers and, ii) completion of a Deed of Variation to the S106 Agreement (or equivalent) to secure i) developer contributions towards off-site provision of children's play space and equipment and ii) to secure an off-site 10-metre wide 'fall-back' planting belt along the length of the eastern site boundary, reserved matters be approved, subject to the following conditions:
 - As recommended by the Highway Authority (insofar as they i) relate to the reserved matters under consideration and ii) do not already appear as conditions of the outline planning permission).

- To secure protective measures for new trees proposed to be planted in close proximity (within 2.5 metres) of adoptable highway.
2. That the notice of approval of the reserved matters only be issued once the Director (Planning and Growth) is satisfied that all other relevant planning applications (reference DC/21/0079/FUL) and relevant applications to discharge planning conditions which might necessitate amendments being made to the reserved matters have been approved without material amendments to the reserved matters being required; and
 3. If the Director (Planning and Growth) considers that any future changes to the plans required by recommendations 1) and/or 2) are material to the determination of any of the reserved matters, the reserved matters be referred back to the Committee for further consideration and fresh resolution.

162. Planning Application DC/19/2155/FUL - Storage Tank, Station Yard, Station Road, Barnham (Report No: DEV/WS/21/028) (APPLICATION WITHDRAWN FROM AGENDA ON 02/08/21)

The Chair advised earlier in the meeting that this item had been **WITHDRAWN** from the agenda.

163. Planning Application DC/21/1366/FUL - West Suffolk House, Western Way, Bury St Edmunds (Report No: DEV/WS/21/029)

Planning application - Installation of battery container, and associated foundations and fencing

This application was referred to Development Control Committee as West Suffolk Council is the applicant.

The provision of a battery container, associated foundations and fencing was previously considered as part of an application for a Certificate of Lawfulness for proposed development at the site, reference DC/21/0946/CLP however it was withdrawn from that application as it was considered to need planning permission and could not be carried out as Permitted Development under the regulations.

Members were reminded that an amended application DC/21/0946/CLP for the extension to the substation was considered at the Development Control Committee on 7 July 2021 and was granted.

As part of his presentation the Planning Officer showed videos of the site by way of a virtual 'site visit'.

Officers were recommending that the application be approved subject to conditions as set out in Paragraph 25 of Report No DEV/WS/21/029.

The application prompted considerable discussion and debate by the Committee with a number comments being voiced in relation to the proposed location of the battery container plus related safety and visibility concerns.

The Service Manager (Planning – Development) advised Members that she would pass on the concerns raised to the relevant Officers so that they could instruct the contractors accordingly.

Councillor Jim Thorndyke proposed that consideration of the application be deferred in order to allow Officers additional time in which to explore an alternative location for the container. This was duly seconded by Councillor John Burns.

Upon being put to the vote and with the vote being unanimous, it was resolved that

Decision

Consideration of the planning application be **DEFERRED** in order to allow Officers additional time in which to explore an alternative location for the container.

164. **Planning Application DC/21/1214/ADV - 21-27 Menta Business Centre, Hollands Road, Haverhill (Report No: DEV/WS/21/030)**

Application for advertisement consent - one externally illuminated fascia sign

This application was referred to Development Control Committee as West Suffolk Council is the owner of the application premises.

As part of her presentation the Planning Officer showed videos of the site by way of a virtual 'site visit'.

Officers were recommending that the application be approved subject to conditions as set out in Paragraph 19 of Report No DEV/WS/21/030.

Reference was made to the supplementary 'late papers' which had been circulated following publication of the agenda and which contained comments from the Highways Authority who cited no objection to the proposal.

Councillor David Roach proposed that the application be approved, as per the Officer recommendation. This was duly seconded by Councillor Andy Neal.

Upon being put to the vote and with the vote being unanimous, it was resolved that

Decision

Planning permission be **GRANTED** subject to the following condition, plus the standard advertisement conditions:

1. Compliance with plans

The meeting concluded at 12.00pm

Signed by:

Chair

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Development Control Committee 1 September 2021

Planning Application DC/21/0152/HYB – Land South of Burwell Road, Exning

Date registered: 15 February 2021 **Expiry date:** 17 May 2021 - EOT

Case officer: Kerri Cooper **Recommendation:** Approve application

Parish: Exning **Ward:** Exning

Proposal: Hybrid Planning Application - A. Full planning for 205 dwellings, garages, new vehicular accesses, pedestrian/cycle accesses, landscaping and associated open space and B. Outline planning - early years education facility

Site: Land South of Burwell Road, Exning

Applicant: Persimmon Homes

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and associated matters.

Recommendation:

It is recommended that the committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

Kerri Cooper

Email: kerri.cooper@westsuffolk.gov.uk

Telephone: 07971 534102

Background:

The site is allocated in the Site Allocations Local Plan (SALP) 2019 under Policy SA12(a) which was adopted in September 2019. This site is known in the SALP document as Land South of Burwell Road and West of Queens View. Policy SA12(a) of the SALP 2019 document sets out that 15 hectares of land is allocated for residential development, with an indicative capacity of 205 dwellings.

The policy details that a Development Brief should be prepared which will help to determine access arrangements, landscaping and the delivery of a cycle path between the site and the village of Burwell. It then goes on to state that planning applications for the site should only be determined once the Development Brief has been adopted by the Local Planning Authority. A Development Brief was adopted for the site in April 2021, which will be discussed in further detail within officer comment section of the report.

During the course of the application amendments were made to the layout and design of the scheme and additional information was submitted regarding landscaping, air quality, transport, highways and drainage.

At the time of writing this report, a 14-day re-consultation is currently being undertaken with neighbours and the Parish Council to inform them of the latest changes to the footpaths and house types. A later paper or verbal update will be provided to Members with any further comments that are received.

The application is before the Development Control Committee, as the officers' recommendation is one of APPROVAL, contrary to the view of Exning Parish Council.

Proposal:

1. The planning application has been submitted in a 'hybrid' format meaning that full planning permission is sought for some elements of the scheme and outline planning permission is sought for other elements.
2. Full planning permission is sought for a residential development comprising 205 dwellings (61 being affordable), together with associated infrastructure including vehicular and pedestrian accesses, parking and garaging and landscaping. Areas of public open space are proposed to the north of the proposed housing and centrally within the site.

3. The development comprises a mix of dwelling types and sizes, which are set out below:

ACCOMMODATION SCHEDULE			
TYPE	PLOTS	TOTAL	BEDS
Private			
Almouth	8,9,10,39,40,41,48,49,50,118,119,120,170,171,172	15	2
Piccadilly	32,37,54,61,117,121,184,191,192	9	3
Whitehall	6,80,83,90,93,133,136,140,150,165,175,195	12	3
Danbury	17,18,19,69,70,71,72,73,74,124,125,141,142	13	3
Strand	7,14,15,77,95,98,143,173,196,202,204,205	12	4
Mayfair	51,52,55,56,96,97,116,123,165,160,169,179,185,187,198,200,201	17	4
Sherwood	16,42,94,114,115,134,135	7	3
Sherwood Cr	1,13,113,126	4	3
Charnwood Cr	12,31,75	3	3
Knightsbridge	5,57,58,105,166,176,181,182,183,186,197,203	12	4
Marlborough	78,79,87,99,161,162,199	7	4
Marylebone	2,3,38,59,62,138,180,194	8	5
Fenchurch	53,60,84,137,139,190,193	7	5
Oxford	4,86,101,122,164,174,188,189	8	5
Brightstone	103,104	2	5
Bond	89,100,102,163	4	5
Portland	11,76,85,88	4	5
	Total	144	
Rented <input type="radio"/>			
Cannock	20,21,22,23,24,25,26,27	8	1
Heartwood	159	1	1
Wickham	158	1	2
Haldon	167,168,177	3	2
Wareham	28,29,30,3,34,35,36,46,47,63,64,67,68,148,149	15	2
Whinfell	43,44,45,	3	4
Dallington	65,66,109,110,146,147,154,155	8	3
Belmont	157	1	5
	Total	40	
SO <input type="checkbox"/>			
Wareham	81,82,91,92,106,107,111,112,127,128	10	2
Dallington	108,129,130,131,132,151,152,153	8	3
Haldon	144,145,178	3	2
	Total	21	
	TOTAL	205	

4. The application also includes outline planning permission for an Early Years Facility in the eastern corner of the site.

Application supporting material:

5. The application is supported by numerous plans and supporting documents, many of which have been amended during the course of the application.
6. Supporting documents submitted with the application include:
- Planning Statement
 - Design and Access Statement
 - Ecology Reports
 - Environmental Impact Assessment Screening Report
 - Transport Assessment
 - Travel Plan
 - Revised Flood Risk Assessment
 - Sustainability Statement
 - Air Quality Assessment
 - Landscape Details
 - Drainage Details
 - Location Plan
 - Site Layout Plan
 - Elevations, Floor Plans, Sections

7. The full list of plans and documents, which are relevant to the proposed development are detailed in full within Condition 2 in the recommendations section of the report.

Site details:

8. The application site, which measures approximately 14.6 hectares, is located along the southern side of Burwell Road, in the Parish and Ward of Exning. The site, which was formerly agricultural land, is now fallow land.
9. To the west and south of the site is vast agricultural land and to the east is Chancery Park, a recently completed Persimmon residential development which is referred to as Phase 1. The southern boundary of the site is bounded by a tree belt. The site connects to Glebe Drive and the existing open space associated with Phase 1.

Planning history:

10. Relevant planning history on the land which adjoins to the application site:

Reference Number	Description/Proposal	Decision
F/2012/0552/OUT	Outline application for erection of 120 dwellings including associated access arrangements and open space provision (Departure from the Development Plan and Major Development)	Approved 29 April 2014 Permission implemented
DC/14/0942/RM	Submission of details under Outline Planning Permission F/2012/0552/OUT - erection of 120 dwellings including associated access arrangements and open space provision (Departure from the Development Plan and Major Development)	Approved 12 January 2015 Permission implemented
DC/15/0264/FUL	Planning Application - Change of use from agricultural to recreational use and associate landscaping	Approved 12 January 2015 Permission implemented

Consultations:

11. The following consultation responses have been received, which are summarised below. Full consultation responses are available to view online:

12. Waste Team

Comments received 12 March:

- A swept path analysis should be provided.

- In some cases, the distance that householders would have to move their waste appears to be greater than 50 metres, this distance is too far.
- Any designated storage area within the boundaries of the property should not be more than 30 metres distance from the collection point, to minimise the distance householders need to move their waste.

13. Environment Team

Comments received 17 March:

- No objection, subject to conditions.

14. Energy Officer

Comments received 15 April:

- We appreciate that the applicant is moving in the right direction with this development and are glad to see emissions savings from fabric and the use of renewable energy set out. We were also glad that the applicant has made reference to the published changes to Part L of the Building Regulations which are due to come into force next year.
- We do feel the development should be aiming a little higher.

15. Environment Agency

Comments received 14 April:

- No objection subject to a condition and the following comments:
- Anglian Water have provided advice regarding the capacity constraints at Newmarket Water Recycling Centre, in their document 'Planning Applications – Suggested Information Statements and Conditions Report', reference 170564/1/0115760. Anglian Water request a condition requiring a phasing plan and on-site drainage strategy.
- A scheme for improving the sewerage infrastructure in Newmarket has been identified by Anglian Water. To avoid impacting the water environment negatively, the Anglian Water improvement strategy must be completed and operational before dwellings are occupied at this site.

Comments received 19 May:

- No further comments to make.

16. Anglian Water

Comments received 4 March:

- No objection, subject to pre-commencement condition in respect of a scheme to improve the existing sewerage network.

17. Suffolk County Council Highway Authority

Comments received 26 March:

- Holding objection until acceptable details are submitted.
- Revisions to parking, cycle provision, road layout, off site highway works required, transport assessment and travel plan required.

Comments received 17 June:

- From the amended plans that have been submitted I note that the majority of the Highway Authority's comments from response dated 26 March 2020, have not been addressed.

Comments received 2 August:

- Following amendment plans and submission of additional information, no objection, subject to conditions and S106 contributions.

18. Suffolk County Council Travel Plan Officer

Comments received 13 May:

- No further comment to make, as the Travel Plan comments in the SCC Highway response (26 March 2021) have not been addressed.

Comments received 26 July:

- No objection subject to Travel Plan contribution and bus enhancement measures being secured.

19. Natural England

Comments received 12 February:

- Please refer to Natural England's advice regarding consideration of recreational pressure impacts, through relevant residential development, to sensitive Sites of Special Scientific Interest (SSSI).
- Refer to standing advice.

Comments received 21 May:

- No further comments to make.

20. Suffolk Fire and Rescue

Comments received 25 February:

- The provision of fire hydrants is required.

21. Suffolk County Council Archaeology Service

Comments received 26 February:

- The proposed development site lies in an area of high archaeological potential recorded on the County Historic Environment Record. As a result, there is a high potential for the discovery of further below ground heritage assets or archaeological importance within this area. Therefore, a phase of archaeological excavation is required.
- No objection, subject to conditions.

22. Suffolk County Council Planning Obligations Officer

Comments received 1 March:

- Contributions towards pre-school, primary school, secondary school and sixth forms in the catchment area are sought as there is forecast to be surplus capacity to accommodate pupils anticipated from this scheme. A contribution of £44,280 towards the development of library services is sought. Consideration will also need to be given to adequate play space provision, health, supported housing, transport issues, waste management, surface water drainage, fire safety and broadband.
- A site large enough to deliver a 60-place setting will be required to future proof the setting.

Comments received 1 April:

- Clarification and amendments to original contribution figures identified in comments received on 1 March.

Comments received 21 May:

- No further comments to make.

23. Public Health and Housing

Comments received 8 March:

- Public Health and Housing do not object and recommend conditions, however raise comments.
- Concerns regarding means of escape from some of the dwellings proposed and size of the bedrooms in respect of some of the house types.

24. Suffolk County Council Floods and Water

Comments received 8 March:

- SCC Flood and Water Management have reviewed the drainage strategy and recommend a holding objection at the current time. The overall principle of the surface water drainage design is acceptable however SCC require further clarification on the design at this full planning stage.

Comments received 30 July:

- SCC Flood and Water Management have reviewed the latest drainage strategy and have no objections, subject to conditions.

25. West Suffolk CCG

Comments received 11 March:

- West Suffolk Clinical Commissioning Group (CCG) incorporating NHS England Midlands and East (East) (NHS England) request a financial contribution of £123,200 as it has been identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development.

26. Strategic Housing

Comments received 15 March:

- Strategic Housing support this application in principle as it provides 30% affordable housing in line with the S106 agreement. However, I do have a number of concerns with the affordable housing in terms of bedroom sizes and use of study rooms.

Comments received 25 May:

- Some concerns still remain outstanding regarding bedroom sizes and use of study rooms.

Comments received 3 August:

- The applicant has taken on board previous comments in regard to the four bedroom homes, changes are still required to five bedroom homes.
- Support the revised affordable housing layout (02 August 2021) to reflect the recent First Homes guidance that confirms the NPPF paragraph 65 trigger requirement to provide 10% of the overall numbers of dwellings as home ownership.
- A 0.5. off-site contribution/commuted sum is required to ensure 30% overall is provided.

Comments received 9 August:

- No objection following amendments to five-bedroom house type.

27. Design Out Crime

Comments received 16 March:

- Some areas of concern relating to security and surveillance for dwellings within the development.
- The developer should accommodate Secure by Design Principles where possible.

28. Suffolk Wildlife Trust

Comments received 16 March:

- No objection subject to conditions regarding lighting strategy, compliance with recommendations of the ecological reports, a biodiversity enhancement strategy and a landscape ecological management plan.

29. Suffolk County Council PROW

Comments received 18 March:

- We accept this proposal subject to the Applicant providing a safe walking and cycling route to ensure safe access alongside the B1103 to access services in Burwell.

30. Place Services – Landscape and Ecology Officer

Comments received 26 March:

- Prior to determination the Landscape Officer recommends that consideration is given to how the SUDs can improve biodiversity further, gaps should be provided in the post and rail fences to ensure access to open space and Landscape and Ecological Management Plan needs to be carefully considered to ensure protection of hedgerow and shrub planting.
- The Ecology Officer has no objection subject to securing mitigation and enhancement measures in accordance with the LPA's Habitats Regulation Assessment.

31. East Cambridgeshire District Council

Comments received 18 May:

- We are having continuing detailed discussions regarding the provision of a cycle path link between Burwell and Exning which is to be part funded by the above scheme and part funded by the scheme at Newmarket Road, Burwell. We confirm that the provision of the cycle path remains necessary.
- No other comments to make.

Representations:

Parish Council:

32. Exning Parish Council object to the application for 205 dwellings as it is the policy of the Parish Council to support only small-scale developments of up to ten dwellings. The following summarised comments have been made by Exning Parish Council:

- S106 – request that village hall is upgraded as Exning requires further space for social activities, a cycle path to Burwell is provided and a piece of land to use as a Community Orchard;
- SUDs – existing SUDs associated with Phase 1 are not working as hoped to provide ecological enhancements. This site should provide ecological enhancements and the SUDs should be designed around this. Concerns over location of SUDs next to Early Years provision;
- School – provision must be made to extend the existing primary school or help to create a new one;
- On-site cycle/pedestrian routes – on the southern eastern side, the footpath diverts north and around the nursery provision rather than in a straight line route to the rest of Exning;
- Building for life assessment – do not consider this has been applied correctly. The scheme does not provide wider connectivity and community facilities;
- Consultation – we are concerned that none of the issues raised prior to the application being submitted previously have been addressed;
- Is it one development or two developments? The S106 agreement should reflect this;
- Houses – there are no bungalows proposed for private purchase. There is no 'green agenda', no provision of play and no charging points.

Ward Member:

33. No comments received from local Ward Member Councillor Cole during the course of the planning application.

Neighbours:

34.275 nearby addresses were notified of the application via post and three site notices were displayed.

35. Representations have been received by the owners/occupiers of 15 properties, which are summarised as follows:

65 Burwell Road

- If similar housing developments are considered unnecessary in Newmarket, it defies logic that a Planning Authority would agree such a sized development in Exning;
- Impact on highway safety – existing highway network is inadequate, high volume of traffic which will be further increased by development.
- There is already low water pressure in the area and this has got worse since the new houses were built on the estate adjacent to Burwell Road.
- Impact from disruption and damage to our property during the construction of Phase 1.

73 Burwell Road

- Impact on highway safety – volume of traffic that will be generated from the proposed development and do not consider that the traffic report undertaken took account of the developments being built and was carried out during the pandemic.

89 Burwell Road

- Impact on highway safety as a result of increase in volume of traffic.

109 Burwell Road

- The new development is a nice idea in theory, but there is already a lack of infrastructure to support it;
- Impact on highway - high volumes of traffic through the village at present, will be increased further by 205 houses. Increase traffic, noise and pollution;
- Existing school is already at capacity and no provision is made to increase this;
- There is already low water pressure in the area and this has got worse since the new houses were built on the estate adjacent to Burwell Road.

117 Burwell Road

- Insufficient amenities, school space in the village to justify an additional 200 houses;
- Impact on highway - Traffic is already becoming unbearable on Burwell Road as it is.

149 Burwell Road

- Holding objection on a number of grounds;
- Impact on parking;
- How are the new bus shelters going to be accessed, will it impact the existing parking strip along Burwell Road;
- Noise impact;
- Concerns in respect of the construction process – how will noise and vibration be mitigated, who will be the contact at West Suffolk Council during construction, what will the hours of work be?
- Potential impact to foul and surface water;
- Agree with comments made by statutory consultees;
- The Construction Design Management (CDM) Risk Assessment highlights a 'High' risk that there is damage to services during tree pit excavation, potentially impacting local residents. How will the developers mitigate against this risk?
- What boundary treatment is proposed around the entire site;

- How long will hoardings be in place?
- Lack of educational space and other amenities

163 Burwell Road

- Object for many reasons;
- Concerned regarding the lack of developments at the nearby town of Newmarket;
- There is a more suitable site in Exning along Windmill Hill, opposite Ben Burgess;
- Amount of housing is too large;
- Impact on highway safety – volume of traffic;
- Pressure on health services and schools in the area;
- When will the Burwell to Exning link be delivered?
- Who will be responsible for open space areas?
- Early Years facility is not appropriate;
- Lighting needs to be carefully considered in respect of ecology;
- There is already low water pressure in the area and this has got worse;
- Concerns in respect of the construction process – how will noise and dust be mitigated, where will the construction compound be, what will the hours of work be?
- What assurances will be provided from the proposed development, that will ensure that the boundary to my garden will be secured from their side?
- The new walkway along the boundary of the site will pose a security risk to my property.

4 Wild Acres

- Impact on highway safety – no suitable and safe cycle links in the village.
- The provision of cycle links should be provided between the pedestrian crossing at Ducks Lane/Church St to the A14 bridge corner alongside the B1103 and route from Phase 2 and 1 directly to Chapel Street.

2 Glebe Drive

- Impact on highway – concerns about the volume of traffic that will be coming through the entrance to glebe drive and the speed of the traffic and the potential accidents that could be caused. The infrastructure of the roads and pavements are just not adequate for the size of development.

24 Glebe Drive

- Impact on highway – no details on Early Years facility as to where people will park and this is likely to cause an impact to Glebe Drive and extra traffic proposal will generate;

26 Glebe Drive

- Construction traffic access needs to be via the proposed new access road from Burwell Road;
- The proposed road layout clearly conflicts with the aspirations of the Travel Plan submitted;
- Impact on highway safety;

2 Icen Way

- Impact on highway safety – existing volume of traffic and proposal will increase this further.

37 Queensway

- Strongly object;
- Existing development has caused issues as Exning can't take this level of development;
- Impact on highway;
- Anti-social behaviour in the area has risen.

Willowbrook, 1 Brookside

- There is no infrastructure to support the additional people and transport that it will create. The primary school is already oversubscribed, all the local GPs are full and the village dental surgery is non-NHS;
- Impact on highway safety- roads are at capacity, particularly at the junction of Windmill Hill and A142 and the parking throughout the village also creates additional challenges. Volume of traffic and insufficient on site parking;
- The 'school site' reserved on the Eastern parcel of land is only about 950sqm (smaller than the current Stepping Stones (Pre-school village playgroup) and the plot is only 'reserved';
- The planning layout highlights a section on the western parcel of land as 'area for future development' – why?
- The proposed cycle route between Exning and Burwell (along the Burwell Road) is not going to be developed in full by the developer – just a short section;
- The proposed housing development would negatively impact the life of the village of Exning, both during construction and in the longer term
- Unsuitable development in Exning

99 Falcon Way

- We strongly support all of the proposals from Senior Planning and Infrastructure Peter Freer, especially when it comes to schooling;
- Concerns regarding impact on highway safety - there is already a problem with not enough parking leading to paths being blocked. Glebe Drive should not be extended into the new development;
- Construction traffic access needs to be via the proposed new access road from Burwell Road;
- Construction hours need to be controlled;
- I would ask the Persimmon team to reconsider the location for the early years school. Such a facility would be welcomed by residents but we think its location within the development is not well thought out. We think it should be sited nearer the entrance to the development.

36.All representations can be viewed online in full.

Policy:

37.On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved Forest Heath District Council.

38.The following policies of the Joint Development Management Policies Document, the Forest Heath Core Strategy 2010, Single Issue Review 2019 and Site Allocations Local Plan 2019 have been taken into account in the consideration of this application:

Forest Heath Core Strategy 2010

Core Strategy Policy CS1 - Spatial Strategy

Core Strategy Policy CS2 - Natural Environment

Core Strategy Policy CS3 - Landscape character and the historic environment

Core Strategy Policy CS4 - Reduce emissions, mitigate and adapt to future climate change

Core Strategy Policy CS5 - Design quality and local distinctiveness

Core Strategy Policy CS9 - Affordable Housing Provision

Core Strategy Policy CS10 - Sustainable rural communities

Core Strategy Policy CS12 - Strategic transport improvement and sustainable transport

Core Strategy Policy CS13 - Infrastructure and developer contributions

Joint Development Management Policies Document 2015

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM4 Development Briefs

Policy DM6 Flooding and Sustainable Drainage

Policy DM7 Sustainable Design and Construction

Policy DM8 Low and Zero Carbon Energy Generation

Policy DM10 Impact of Development on Sites of Biodiversity and Geodiversity Importance

Policy DM11 Protected Species

Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity

Policy DM13 Landscape Features

Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards

Policy DM15 Listed Buildings

Policy DM17 Conservation Areas

Policy DM20 Archaeology

Policy DM22 Residential Design

Policy DM42 Open Space, Sport and Recreation Facilities

Policy DM44 Rights of Way

Policy DM45 Transport Assessments and Travel Plans

Policy DM46 Parking Standards

Site Allocations Local Plan 2019

Site Allocations Local Plan 2019 (former Forest Heath area) SA1 - Settlement boundaries

Site Allocations Local Plan 2019 (former Forest Heath area) SA12 - Housing allocation in Exning

Single Issue Review 2019

Policy CS7 – Overall Housing Provision

Other planning policy:

- National Planning Policy Framework (NPPF)
39. The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given.
- West Suffolk Affordable Housing Supplementary Planning Document (SPD) (November 2019)
 - Forest Heath Open Space, Sport and Recreation (SPD) (October 2011)
 - Exning Development Brief (Exning - land south of Burwell Road (site SA12a Chancery Park (phase 2)) (April 2021)

Officer comment:

Legislative Context

40. This section of the report begins with a summary of the main legal and legislative requirements before entering into a discussion about whether the development proposed by this planning application can be considered acceptable in principle in the light of national planning policy, local plan designations and other local planning policies. It then goes on to analyse other relevant material planning considerations (including site specific considerations) before reaching conclusions on the suitability of the proposals.

The Conservation of Habitats and Species Regulations 2010

41. Given the location of the various designated nature sites in the District (including the Devils Dyke Special Area of Conservation (SAC) and Newmarket Heath Site of Special Scientific Interest (SSSI)) consideration has been given to the application of these Regulations. If a plan or project is considered likely to give rise to significant effects upon a European site, Regulation 61 requires the decision maker to make an 'appropriate assessment' of the implications for that site before consenting the plan or project.
42. The application site is in the close vicinity of designated (European) sites of nature conservation. The proposals, in combination with other plans and projects, are likely to give rise to significant effects on the conservation objectives of the European sites. The application proposals also include measures to mitigate potential effects to the designated sites. It is therefore concluded that the requirements of Regulation 61 are relevant to these proposals and 'appropriate assessment' of the project will be required in the event that a decision maker is of mind to grant planning permission.
43. The potential impacts of the development on designated European nature conservation sites are discussed later in this section of the report.

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations)

44. The planning application proposals were screened under the provisions of these Regulations and it was concluded that the development is 'EIA Development'. The proposed development is a residential scheme of 205 dwellings and early years facility which is above the thresholds set out in Schedule 2 of the EIA Regulations 2017. The site is an allocated site in the Local Plan.
45. The characteristics of the development have been considered having regard in particular to the size of the development, waste, transport, physical land use changes, landscape, archaeology, ecology, pollution and nuisances, environmental risks and public health.
46. Through appropriate mitigation, it is considered that it is unlikely that the proposal will have significant environment effects and an Environmental Statement is therefore not required.

Natural Environment and Rural Communities Act 2006

47. The Natural Environment and Rural Communities (NERC) Act (2006) Section 40(1) places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. The duty applies to all local authorities and extends beyond just conserving what is already there to carrying out, supporting and requiring actions that may also restore or enhance biodiversity.
48. The potential impact of the application proposals upon biodiversity interest is discussed later in this report.

Equality Act 2010

49. Consideration has been given to the provisions of Section 149 of the Act (public sector equality duty) in the assessment of this application. The proposals do not raise any significant issues in this regard.

Crime and Disorder Act 1998

50. Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998 (impact of Council functions upon crime and disorder), in the assessment of this application and the comments of the Design Out Crime Office have been considered in assessing the design and layout.

Planning (Listed Buildings and Conservation Areas) Act 1990

51. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states;

52. 'In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority (LPA)... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

53. Section 72(1) of the same Act states; '...with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

54. These statutory duties and the impact on heritage assets are discussed further in this report.

55. The issues to be considered in the determination of the application are:

- Development Brief
- Principle of Development
- Layout and Design
- Amenity
- Highways Impact, Sustainable Transport and Connectivity
- Public Open Space, Landscape, Ecology and Drainage
- Devils Dyke Special Area of Conservation (SAC) and Newmarket Heath Site of Special Scientific Interest (SSSI)
- Contamination
- Air Quality and Sustainability
- Affordable Housing
- Heritage Impacts
- Planning Obligations
- Other Matters

Development Brief

56. Policy SA12(a) details that a Development Brief should be prepared which will help to determine access arrangements, landscaping and the delivery of a cycle path between the site and the village of Burwell. It then goes on to state that planning applications for the site should only be determined

once the Development Brief has been adopted by the Local Planning Authority.

57. A Development Brief was prepared by the landowners, Persimmon Homes Suffolk, in accordance with the Council's adopted protocol. The Development Brief was adopted for the site in April 2021.
58. The Development Brief sets out a framework that would guide any planning application submitted on the site. The site is to be accessed via three vehicular accesses; one off Burwell Road and two off Glebe Drive (an earlier phase delivered by Persimmon Homes Suffolk). A minimum of a 15 metre landscape buffer will be provided along the western and southern boundary of the site, with further opportunities for strong landscaping within the site. The Development Brief highlights the opportunities for pedestrian and cycle links throughout the site and how these are going to connect to the surrounding development, including the dog walking routes which surround the boundaries of the site. Furthermore, it confirms that the applicant/landowner will provide an off-site contribution via a S106 agreement associated with any planning application for the delivery of the cross-boundary cycle link between Exning and Burwell.
59. The site is split into two sections, with approximately half of the development to be accessed via Burwell Road and the other remaining part of the development to be accessed via Glebe Drive. Through the initial consultations with Suffolk County Council (SCC), it was confirmed from the outset that an Early Years facility may be required, and the applicant/landowner needed to safeguard land for if the provision was needed in the future. Suffolk County Council, the Local Planning Authority and Persimmon Homes Suffolk worked together on this during the Development Brief process and space is to be provided for an early Years facility on the site.
60. The Development Brief has established the areas within the site where the dwellings are to be located, areas of open space and where the area of land reserved for the Early Years facility is to be situated within the site. The adopted Development Brief is informal planning guidance and a material consideration in the determination of any planning applications, including future reserved matter applications.

Principle of Development

61. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The West Suffolk Development Plan comprises the policies set out in the Joint Development Management Policies Document (2015), the Forest Heath Core Strategy Development Plan Document (2010), Single Issue Review (2019) and the Site Allocations Local Plan (2019). National planning policies set out in the National Planning Policy Framework (NPPF) (2021) are also a key material consideration.
62. The site is allocated in the Site Allocations Local Plan (SALP) 2019 under Policy SA12(a) for residential development, with an indicative capacity of 205 dwellings. Policy SA12(a) sets out that the following specific requirements should be met;

- 63.A) The amount of land available for development, access arrangements, design, open space and landscaping will be informed by a Development Brief for the whole 15 ha. site. The Development Brief should set out how the cycle path between Burwell and the site will be delivered. Applications for planning permission will only be determined once the Development Brief has been adopted by the local planning authority. Any application for planning permission should be in accordance with the approved Development Brief.
- 64.B) Strategic landscaping and open space must be provided to address the individual site requirements and location.
- 65.C) There is an identified need for a dedicated cross county boundary cycle route between Burwell and the site. Land shall be provided within the site for a cycle path and an appropriate off-site contribution shall be provided for the delivery of the cycle path.
- 66.D) Adequate access should be provided to the satisfaction of the Highways Authority. Sustainable travel provision including facilities for pedestrians and cyclists should be made with links to existing networks.
- 67.E) In advance of determination, initial archaeological field evaluation must be carried out in order to identify the significance of any archaeological assets.
68. The proposed development comprises 205 dwellings and associated infrastructure, along with an area of land reserved for an Early Years Facility. Areas of public open space are proposed to the north of the proposed housing and centrally within the site.
69. Given the allocation, the principle of the proposed development is an acceptable one. The acceptability or otherwise of the application therefore rests on the detail of the proposal as assessed against the relevant Development Plan policies and national planning guidance, taking into account relevant material planning considerations.

Layout and Design

70. The NPPF stresses the importance the Government attaches to the design of the built environment, confirming good design as a key aspect of sustainable development (paragraph 126). The Framework goes on to reinforce this in paragraph 130, stressing the importance of developments that function well and add to the overall quality of the area, that are visually attractive, sympathetic to local character and history and that establish or maintain a strong sense of place. It also confirms at paragraph 134 that 'permission should be refused for developments, especially where it fails to reflect local design policies and government guidance on design, taking into account any local designs.'
71. Policy DM2 requires development proposals to recognise and address the key features and characteristics of an area and to maintain or create a sense of place and/or local character.

72. Policy DM22 states that all residential development proposals should maintain or create a sense of place and/or character by basing design on an analysis of existing buildings and landscape and utilising the characteristics of the locality to create buildings and spaces that have a strong sense of place and distinctiveness.
73. The development proposes a mix of 1, 2, 3, 4 and 5 bedroom dwellings. The majority of the dwellings are of a two storey scale, however some are two and a half storey dwellings, and some three storey dwellings as well as two of the affordable units being single storey in nature. The proposed dwellings incorporate a mix of design and architectural features drawn from the local area, forming three character areas within the development; Main Avenue, Parkland Edge and Tertiary Street. Each character area proposes different architectural features and specific pallet of materials. The Main Avenue dwellings incorporate lean to porches, single brick banding details and three panel horizontal bar windows with stone cill and brick arch. The Parkland Edge include open pitched porches, Georgian style windows and four panel front doors, with the Tertiary Street having a mix of features from the other character areas with casement windows.
74. The scheme has evolved since the application was submitted, with house types being amended and changes made to the layout to improve the appearance and form of the development and to increase permeability throughout the site. The development is split into two parts, with approximately half of the development served by Burwell Road and the remainder by Glebe Drive and Mallard Way. The main accesses terminate within the centre of the site, with a footpath/cycle path linking the two together. This layout has allowed for a substantial area of centralised open space.
75. The buildings are of a scale, form and position so as to command and address the street scene in a positive manner. This feature creates a visually interesting development when appreciated from the entrances of the site, with strong and meaningful landscaping in key areas of the site. The proposal is designed to be outwardly looking to the east and west towards the green spaces. The purpose of the green spaces is to provide important recreational routes through and around the wider site to encourage sustainable modes of travel. These routes also connect through to the wider area and an important link across the front of the site, which is discussed in further detail in the below sections of the report.
76. An area of land in the south west corner of the site is to be left undeveloped and has been described as green space by the applicant and which is an area for possible future development. This area does not form part of the formal areas designated as open space across the site. If the applicant seeks to propose development on this area at a later date, this would be subject to a further planning application and would be assessed on its own merits.
77. The Development Brief identified the need to reserve a parcel of land within the site for an Early Years facility as a result of the consultations with Suffolk County Council. The 0.1 hectare of land is situated in the eastern corner of the site, immediately adjacent to the access road and the earlier Persimmon development known as Phase 1/Chancery Park. It is

considered that the location is compatible within the proposed development and in how it relates to the existing development. The land which Suffolk County Council have secured for the Early Years facility is of a standard size which the County are confident will allow them to deliver a building of the necessary size, along with the appropriate amount of landscaping and car parking.

78. Design Out Crime Officer comments were received in relation to the first iteration of the plans raising some concerns with the proposals including some specific concerns with certain aspects of the design and layout. There is a balance to be struck between the principles of secure by design and other design requirements and considerations of the scheme. The concerns raised related to security and surveillance and the amount of permeability throughout the site. It has not been possible to address some of the concerns raised due to the need for good connectivity throughout the site. However, as a result of changes to a large proportion of the house types, the designs of dwellings have been revised to incorporate additional fenestration in order to offer better surveillance.
79. It is considered as a matter of balance therefore that the revised layout and design of the scheme results in an attractive and well-designed development, and which creates a strong sense of place. The development is therefore considered to be in accordance with policies DM2 and DM22 of the Joint Development Management Policies Document 2015, CS3 and CS5 of the Core Strategy 2010 and the NPPF.

Amenity

80. Policies DM2 and DM22 of the Joint Development Management Policies Document also seek to safeguard residential amenity from the potentially adverse effects of new development and to ensure that new developments provide sufficient levels of amenity for future users. The protection of residential amenity is key aspect of good design, endorsed within the NPPF, which seeks a high standard of amenity for existing and future users.
81. The properties benefit from a sufficient amount of outdoor amenity space, which in the context of the size of the properties and the location is considered to be positive. This is further enhanced by the areas of accessible open space throughout the development. The orientation and position of the dwellings, along with their designs ensures that the relationship between the properties is one that is satisfactory with no unacceptable or overbearing impacts.
82. Plots 160-163 and plots 156-159 are located adjacent to the land which is subject to outline planning permission for an Early Years facility. The access road through the site and private driveways serving those properties are located in between the front of the dwellings and the land. The position and scale of the Early Years facility would be subject to a reserved matters application, however it is considered that the relationship between these properties and the land dedicated for the facility is acceptable and an appropriate scheme can be accommodated without raising negative impacts to residential amenity.

83. The Council's Public Health and Housing Officer raised some concerns in terms of the bedroom sizes of some of the units. There have been some changes to the house types during the amendments which have removed the majority of the units that were highlighted. There is no statutory requirement in terms of the minimum size of bedroom within new dwellings and no specific size is required by any current development plan policies. Policy DM22 (k) requires that new dwellings are fit purpose and function well, providing adequate space, light and privacy. It is considered that the proposed dwellings would meet the requirements of this policy.
84. The most sensitive areas of the site, when considering the potential impact on residential amenity of existing dwellings, are the north and east of the site, given the existing residential development that adjoins on Burwell Road, The Drift and Mallard Way and Glebe Drive. The majority of the properties which are immediately adjacent to the site on these roads face rear or side onto the site, with some fronting the site to the east.
85. Along the north-east boundary of the site, adjacent to the properties along Burwell Road and The Drift, are the areas of land within the site that are designated as Public Open Space (POS). The POS extends from the north of the site along Burwell Road, across to the east, connecting in with the existing open space associated with Phase 1. A footpath within the site runs along the entire north-eastern boundary of the site. This is located approximately 10 metres off the closest residential property (169 Burwell Road) to the north of the site. An area of proposed landscaping is sited here, providing a soft boundary treatment and buffer between the properties and the path along the entire stretch of the boundary until the access road connecting into Glebe Drive. The reasoning for the footpath is set out in the next section, however it will provide a direct pedestrian and cycle route from and to the development and to wider connections. Any lighting along the footpaths would be controlled via a planning condition and subject to careful consideration as to ensure no light spill to the residential properties in the near vicinity. As a result of the location and nature of the footpath and its relationship with the surrounding development, officers' consider that there would not be an unacceptable level of disturbance to the owners/occupiers along Burwell Road, The Drift and Mallard Way and Glebe Drive.
86. Given the layout of the scheme, the majority of the dwellings are set a substantial distance in from the boundaries of the site which adjoin existing residential development. Plot 102 is the closest residential property to the boundary of the site and has a stand-off distance of approximately 22.5 metres between the side elevation of the property and boundary of The Conifers, The Drift. The house type Bond is of a design where no windows are located at first floor level in the side elevation of the property. The separation and relationship between these properties is considered acceptable.
87. A modest pumping station serving the development is proposed within the central area of POS. It is sited approximately 58 metres from the north-eastern boundary of the site. To ensure that the appropriate attenuation measures are installed to protect the amenity of the properties within the site and adjacent to it, Public Health and Housing recommend that a condition is imposed if planning permission is granted to prevent the transmission of noise and vibration to neighbouring residential properties.

88. In the eastern corner of the site, adjacent to the properties on Glebe Drive and Plovers Way is the area of land, measuring approximately 0.1 hectares which is to be reserved for an Early Years Facility. As detailed above, this area of the site is in outline form with all matters reserved, and therefore the position and scale of the building is not known at this time. The closest residential properties to this boundary of the site are 61 and 63 Glebe Drive and 6 Plovers Way. Both 61 and 63 Glebe Drive front onto the site and 6 Plovers Way side faces on. Between the boundary of the site and the elevations of the properties is a private driveway serving two of the properties, landscaping and footpath. Although it is not known exactly where the building is to be sited within this area of the site, or the height of the building or the associated parking and landscaping, it is considered that an Early Years facility can be accommodated on this area of the site without having an adverse impact on the residential amenity of the adjacent properties by virtue of overlooking, overbearing impact or unacceptable level of disturbance.
89. During the course of the application, concerns have been raised by residents regarding the potential noise and disturbance that will be generated during the construction period of the proposed development. A Construction Method Statement will be required to be submitted and approved by the Local Planning Authority prior to any development commencing on site to protect the amenity of existing occupiers from noise and disturbance.
90. Therefore, it is considered that the proposal complies with policies DM2 and DM22 as the proposal does not result in adverse impact as to cause significant harm to the residential amenities of surrounding properties, nor will the layout proposed negatively affect future users of the proposed development.

Highways Impact, Sustainable Transport and Connectivity

91. The NPPF advises that development should provide for high quality walking and cycling networks (paragraph 106), and also emphasises in paragraph 110 that in assessing applications for development, it should be ensured that:
92. a) appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;
b) safe and suitable access to the site can be achieved for all users;
c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46; and
d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
93. It further goes on to advise that the development should not be prevented or refused on transport grounds, unless there would be an unacceptable impact on highway safety, or the residual cumulative impacts of development would be severe.

94. Policy DM2 of the Joint Development Management Policies Document also requires that new development should produce designs that accord with standards and maintain or enhance the safety of the highway network, along with Policy DM46 which promotes more sustainable forms of transport.
95. Points C and D of Policy SA12(A) requires the development on this site to provide and ensure the following:
96. C) There is an identified need for a dedicated cross county boundary cycle route between Burwell and the site. Land shall be provided within the site for a cycle path and an appropriate off-site contribution shall be provided for the delivery of the cycle path.
- D) Adequate access should be provided to the satisfaction of the Highways Authority. Sustainable travel provision including facilities for pedestrians and cyclists should be made with links to existing networks.
97. The adopted Development Brief identified three access points which the development would be accessed from; one from Burwell Road and two connecting into Glebe Drive and Mallard Way. It was identified that the layout creates an opportunity for a number of pedestrian and cycle routes to serve the whole development and open up new links to Phase 1 and the existing village amenities/facilities. The applicant, Persimmon Homes Suffolk has committed to providing an off-site contribution for the delivery of a cycle path between the application site and Burwell.
98. The proposed development is served by three accesses. The site is split into two, with approximately half of the development being served by the new access off Burwell Road and the other half of the development by two existing access points off Glebe Drive and Mallard Way. The Highway Authority were satisfied with the primary accesses into the site, however they raised some concerns with the detail of the scheme and in response a number of changes have been made to the internal layout of the development. This included ensuring all footpaths and cycle paths complied with the new adopted LTN01 2020 guidance, amendments to the parking and bin collection points. In addition, further information and evidence was required to support the transport assessment data and travel plan details.
99. One of the main concerns raised in third party representations is the impact of the proposed development on the highway network from a volume of traffic perspective. The Highway Authority has assessed the application in detail, including all of the supplementary information in relation to the transport assessment and travel plan and has concluded that the development will not give rise to an unacceptable level of traffic that would be detrimental to Exning or to the surrounding area.
100. Policy SA12(a) sets out a requirement for an off-site contribution to provide a cross boundary cycle link from the application site in Exning to Burwell. This has been an aspiration of the Parish Council and Ward Member in the consideration of any further development in Exning. Extensive work and discussions have been carried out between West Suffolk District Council, East Cambridgeshire District Council and Suffolk and Cambridgeshire County Councils, with regard to the delivery of this. The details and the arrangements of cycle link are currently being

considered by both Suffolk and Cambridgeshire County Councils. Recently, the adjacent Strategic Site in Burwell, which is within East Cambridgeshire District Council secured 63% of the funding for the link, and within this application the developer will provide the remaining 37%, to be secured within a Section 106 Agreement. This sum would be transferred to Suffolk County Council at an agreed reasonable trigger point, for them to then deliver their piece of infrastructure. Suffolk County Council have surveyed the route along Burwell Road to ensure that a footpath and cycle link can be delivered and the preferred route is the southern side of Burwell Road. The funding for the link, incorporates a crossing in Burwell to enable residents on the northern side of the road to safely access the new cycle and footpath route.

101. The scheme has evolved since the adoption of the Development Brief and initial plans submitted, into the plans that are currently being considered, to create strong permeability throughout the site, maximising connectivity to and from the site to the adjacent residential developments, open space and the wider area. A 3 metre wide footpath/cycle path is provided along the entire frontage of the site (northern boundary), all the way to the eastern corner of the development. An informal footpath then runs the complete stretch of the southern and western boundary, with it connecting centrally within the site to the adopted footpath/cycle path.

102. All properties within the site are provided with the required amount of on-site parking or dedicated parking in the form of parking courts, in accordance with Suffolk Parking Standards. Properties that had triple parking directly upon the primary access road have been re-configured to remove the triple parking onto the highway which is to be adopted by Suffolk County Highways. In addition, the visitor parking has been re-distributed within the site, following concerns from the Highway Authority in regard to the accessibility and location of the spaces. Residents have raised concerns regarding the existing parking situation along Burwell Road and at Phase 1. Planning law does not allow a Local Planning Authority to resolve an existing problematic parking situation under a new application, which itself provides the appropriate and policy compliant level of on-site parking.

103. In regard to the Early Years facility, the details of how this area of the site will be accessed and the quantum of parking has not yet been determined. This element of the proposal has been considered by the Highway Authority and included in the transport assessments that have been undertaken by the applicant. It has been concluded that subject to the detail and layout of the facility, a scheme can be provided that will not lead to any adverse impact on highway safety, subject to appropriate and necessary conditions at reserved matters stage.

104. Following the amendments to the scheme, the Highway Authority's concerns have been addressed. Subject to appropriate conditions as recommended by the Highways Officer, and which are considered reasonable, the application has demonstrated that the proposed development can be successfully accommodated within the highway network without significant harm in respect of highway safety and that safe and suitable access can be achieved for all users.

105. In light of the above, the development is considered to be in accordance with policies DM2, DM44, DM45 and DM46 of the Joint Development Management Policies Document, CS12 of the Core Strategy and the NPPF.

Public Open Space (POS), Landscape and Trees, Ecology and Drainage

106. The NPPF confirms that the planning system should contribute to and enhance the natural environment by minimising impacts on biodiversity and providing net gains where possible (paragraphs 179 and 180). This is reflected in policies DM11 and DM12 which seek to safeguard protected species and state that measures should be included in the design of all developments for the protection of biodiversity, the mitigation of any adverse impacts and enhancements commensurate with the scale of the development.

107. Policy DM13 states that proposals will be permitted where they will not have an unacceptable adverse impact on the character of the landscape, landscape features, wildlife, or amenity value.

108. Paragraph 131 of the NPPF states that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible.

POS

109. The application site adjoins the existing area of POS associated with Chancery Park/Phase 1. The scheme has been designed to provide a footpath along the boundary between the POS and the application site, which then connects into the large central area of informal green POS, measuring approximately 28,000sqm. Along the entire western and southern boundary is areas of natural green space which totals approximately 25,000sqm. The parcel of open space creates an effective use of the land from the continuation of the natural green space that has been designed to allow and encourage wider use of the POS.

Landscape and Trees

110. In terms of the landscaping the adopted Development Brief sets out that a minimum of a 15 metre landscape buffer will be provided along the western and south-western boundary of the site, with further opportunities for strong landscaping within the site.

111. Along the western boundary of the site, leading round to the south-western corner of the site is a dense landscaping buffer which frames the boundary of the site and responds to the adjoining open space and footpath alongside it. The landscape buffer in this location is organically formed and planted, with some areas of the buffer measuring as wide as 22 metres in parts. An area of approximately 30 metres (out of a total of 185 metres) of the landscape buffer along the western measures between

10-13 metres. It is acknowledged that there is a conflict with the Development Brief which requires a minimum 15 metre buffer in this location. Given that there is only a small area which is below this and this is to facilitate to the informal footpath in the open space, and that there are areas that provide a deeper level of landscaping along this boundary, the reduction in landscaping does not result in harm to the visual landscape and this is therefore a factor which does not weigh heavily against the scheme in the overall planning balance.

112. A landscape feature has been created through the development from west to east, to the north of plots 63-68. This enables a strong green link to be carried through the development, which creates an interesting and attractive focal point within the development. As a result of the distribution of the open space and the substantial planting along the boundaries of the site, landscaping forms a key characteristic of the development. The proposed soft landscaping across the site is sympathetic and is considered to positively contribute to the development and wider setting, as well as providing a biodiversity enhancement.

Ecology

113. There are no designated wildlife sites and sites of local interest within the red line application site and no sites of international or national importance within or directly adjacent. However, there are other habitats within the application site including agricultural land, field margins, hedgerows along the northern and southern boundary, plus trees and ditches, all of which contribute to the biodiversity of the site and have the potential to support protected species.

114. The Development Brief was supported and informed by a range of Ecological Surveys. The application has been accompanied by an Updated Ecology Report (Wild Frontier Ecology, September, 2020), relating to the likely impacts of development on designated sites, Protected & Priority habitats and species, particularly Skylarks and Corn Bunting and identification of proportionate mitigation.

115. There are sites that are of special importance (Devils Dyke Special Area of Conservation (SAC) and Newmarket Heath Site of Special Scientific Interest (SSSI) that require careful consideration as to the recreational pressure put on these sites as a result of any new residential schemes. This is covered in detail in the next section of the report.

116. The mitigation measures identified in the Updated Ecology Report should be secured and implemented in full. This is necessary to conserve and enhance protected and Priority Species. This will include the provision of the off-site skylark nest plots and grassland for corn bunting. It is recommended by the Ecology Officer that mitigation measures should be collated in a Construction Environmental Management Plan for Biodiversity and secured as a condition of any consent.

117. A further mitigation measure, identified by the Suffolk Wildlife Trust is that a sensitive lighting strategy is required to ensure no light spill from external lighting on the dark corridors, which have the potential to benefit nocturnal species such as foraging and commuting bats. As such, it is recommended that a lighting strategy be agreed with the Local Planning

Authority prior to construction works and this could be secured by condition.

118. The incorporation of swift nest bricks is an established way to enhance biodiversity within a development and provide net gain. The provision of integral swift nest bricks should be incorporated into buildings that are of minimum two storeys. There are records of Hedgehog, a UK and Suffolk Priority Species, in the surrounding area. To maintain connectivity for this species, it is recommended that hedgehog permeable boundaries (with gaps of 13x13cm at ground level) are incorporated as part of this development. To control this, the details for the precise location can be secured by condition.

119. Provided that the recommendations and precautionary methods are carried out, it is considered that all significant impacts upon biodiversity, including any potential adverse impacts upon specific protected species will likely be able to be wholly mitigated and appropriate enhancements secured, in accordance with policies DM11 and DM12 of the Joint Development Management Policies Document, the guidance contained in the NPPF and in line with relevant wildlife legislation.

Drainage

120. In order to demonstrate that the proposed layout would allow for an acceptable drainage and landscaping scheme, whilst preserving biodiversity, detailed landscaping drawings have been produced and drainage details have been prepared. It is important for these three elements to be considered together as the location of drainage infrastructure within the development will have an impact on the delivery of the proposed trees, other planting and ecological mitigation and enhancements.

121. Suffolk County Council as the Lead Local Flood Authority has reviewed the submitted details and is satisfied that the latest drainage layout is acceptable, subject to detailed and appropriate conditions. It is therefore considered in principle that sufficient spaces have been dedicated to drainage infrastructure and an appropriate scheme can be achieved.

122. Anglian Water has no objection to the proposed development, subject to detailed conditions regarding foul water drainage to ensure that there is sufficient treatment capacity and measures put in place, due to the existing capacity constraints at Newmarket Water Recycling Centre. This is further echoed by the Environment Agency within their comments. Anglian Water comments in respect of Assets Affected, are as follows:

123. 'The development site comprises a sewage pumping station and is close to an existing pumping station. This asset requires access for maintenance and will have sewerage infrastructure leading to it. For practical reasons therefore it cannot be easily relocated. Anglian Water consider that dwellings located within 15 metres of the pumping station would place them at risk of nuisance in the form of noise, odour or the general disruption from maintenance work caused by the normal operation of the pumping station. The site layout should take this into account and

accommodate this infrastructure type through a necessary cordon sanitaire, through public space or highway infrastructure to ensure that no development within 15 metres from the boundary of a sewage pumping station if the development is potentially sensitive to noise or other disturbance or to ensure future amenity issues are not created.'

124. The proposed dwellings are located more than 15 metres away from the sewage pumping station and located adjacent to the public open space and highways infrastructure in accordance with the site layout comments they make above.

Devils Dyke Special Area of Conservation (SAC) and Newmarket Heath Site of Special Scientific Interest (SSSI)

125. Devils Dyke (SAC) is 2.9 km to the south of this development site. Devil's Dyke is an ancient linear earthwork. It is important as one of the few remaining areas still supporting the relict chalkland vegetation communities. It holds one of the best and most extensive area of species-rich chalk grassland in the area, of a type characteristic of south, central and eastern England and represents a habitat now very restricted in distribution and extent throughout its British range. The section of Devil's Dyke SSSI adjacent to Newmarket Racecourse (also a SSSI, Newmarket Heath), Unit 3 of the SSSI, is designated a SAC. A Public Right of Way runs along the top of the Dyke bank for the whole of its length and is very popular for the dramatic effect of the elevated route, extensive views across the gently rolling countryside and the rare plants and animals to be found. The qualifying features are H6211 Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (*important orchid sites).

126. The Habitats Regulation Assessment (HRA) of the Sites Allocations Local Plan considered the potential for effects on other Habitats sites in the vicinity and was able to conclude that there would be no likely significant effects. However, the Impact Risk Zone notes for this development site indicate that housing developments will require an assessment of recreational pressure on relevant SSSIs, in this case the Devils Dyke SAC, and measures to mitigate adverse impacts e.g., alternative open space provision. As such, an Appropriate Assessment is therefore required.

127. It was concluded in the HRA associated with the Development Brief that such a scheme can be successfully designed and implemented, and that the additional information required can be secured at that more detailed stage. Therefore, that Impacts on integrity of the SAC can be ruled out. A project level HRA of the development and an Appropriate Assessment is required at planning application stage.

128. Persimmon provided a report titled Supporting Evidence for Appropriate Assessment Wild Frontier Ecology December 2020. This assessment partly relied on the provision of new green space on this site. The concept masterplan included in the Development Brief had been reflected in the proposed layout of the development. The main features of note are:

- The circular walking route around the site, which would be approximately 1.8km - this also links to the newly completed residential housing which

also delivered a 2ha central open space, and links through to the village centre.

- The proposals will deliver a cycle/walking route to Burwell
- The open space provision is generous when compared to the policy requirement as calculated by the Open Space Supplementary Planning Document Calculator. The open space is central to the development and well connected to provide a new green infrastructure network.

129. A phasing plan has supported the application, detailing which areas of open space are to be delivered alongside each stage of the development with a temporary dog walking route being created during the construction phase of the development. The development is to be built out in five phases and the phasing proposed ensures that an area of open space comes forward during each phase. The open space and green infrastructure are part of the mitigation package. It has been concluded via the Appropriate Assessment that there will be no adverse effect on the integrity of the SAC during construction and as a result of the proposed development. The phasing plan, along with further mitigation measures are to be secured via condition.

Contamination

130. The application is supported by a Site Investigation Report undertaken by Harrison Geotechnical Ltd, reference GC19624_SI dated November 2017. The report contains both a desk study assessment and an intrusive investigation (including chemical analysis of soils) to assess the contamination status of the site. The report does not identify any significant risks associated with land contamination and confirms that remediation is not necessary. The Environment Team are satisfied with the scope and technical content of the report and are satisfied the risk from land contamination is low.

131. The application contains sufficient information on the risk posed by potential contamination at the site and therefore accords with the National Planning Policy Framework (NPPF), Policy CS2 (Sustainable Development) of the Core Strategy and Policy DM14 of the Joint Development Management Policies Document.

Air Quality and Sustainability

132. The EPUK document Land-Use Planning & Development Control: Planning for Air Quality (January 2017(v1.2)) recommends major developments are subject to measures to help reduce the impact on Local Air Quality. All major developments should be targeted as there very few developments which will show a direct impact on local air quality, but all developments will have a cumulative effect.

133. Paragraph 107 of the NPPF states that 'local parking standards for residential and non-residential development, policies should take into account... e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.' Paragraph 112 of the NPPF states that 'applications for development should... be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.'

134. Policy DM14 of the Joint Development Management Policies Document states that proposals for all new developments should minimise all emissions and ensure no deterioration to either air or water quality. Section 3.4.2 of the Suffolk Parking Standards also has requirements for electrical vehicle charging infrastructure, including the installation of a suitable consumer unit capable of providing 7.4kW charge all in new dwellings. It also states that commercial developments must provide suitable charging systems for a number of the parking spaces, with ducting and infrastructure in place to install additional charging systems when future demand dictates.

135. Therefore, to enhance the local air quality through the enabling and encouraging of zero emission vehicles in accordance with policy, all dwellings with off street parking should be provided with an electrical vehicle charging point, as well as at least 15% of car parking spaces shall be equipped with working electric vehicle charge points for the Early Years provision.

136. The NPPF states that the planning system should support the transition to a low carbon future in a changing climate and should help to (inter alia) shape places in ways that contribute to radical reductions in greenhouse gas emissions.

137. The importance the Government places on addressing climate change is reflected in policy DM7 of the Joint Development Management Policies Document which requires adherence to the broad principles of sustainable design and construction (design, layout, orientation, materials, insulation and construction techniques), but in particular requires that new residential proposals to demonstrate that appropriate water efficiency measures will be employed (standards for water use or standards for internal water fittings).

138. Given the provisions of Policy DM7 of the Joint Development Management Policies Document (2015) requires developers to demonstrate water efficiency measures (and one of the options is 110 litres water use per person, per day).It is considered reasonable to require the more stringent water efficiency measures set out in the Building Regulations be applied to this development by way of condition.

139. Within the adopted Development Brief, Persimmon set out that they would be incorporating photovoltaic panels into the construction of some the dwellings which will reduce CO2 emissions by at least 14%, exceeding what is required under Building Regulations. The supporting Sustainability Statement sets out the following proposed measures:

- Persimmon Homes will operate a robust Sustainable Procurement Policy which emphasises the legal and sustainable sourcing of timber and other building materials;
- The construction specification for the site achieves A+ and C ratings when assessed against the Building Research Establishments Green Guide;
- A comprehensive, efficient and robust Surface Water Management Plan will be implemented. This plan will adhere to the waste hierarchy of reduce, re-use and diversion from landfill;
- Recycling facilities will be provided to each home;

- Pollution during the construction phase will be minimised through the adoption of best practice measures with respect to waste, dust and air pollution;
- Measures will be incorporated into the design of each property to achieve a water consumption lower than 110 litres per person per day;
- The construction and services specification proposed at Phase 2 achieves robust energy efficiency standards;
- Each home will be constructed to a specification capable of achieving the exceeding the energy efficiency requirements of the Building Regulation Part L1A. An area weighted average saving of 8.95% is forecasted;
- Solar PV arrays capable of offsetting 34,259.87kg/year of CO2 will be installed across the development; and
- The sites forecasted emission rate of 308,338.81kg/year represents a saving of 14.08% over the Building Regulations.

140. The Energy Officer and the Local Planning Authority welcome the emissions savings from fabric and the use of renewable energy set out.

Affordable Housing

141. Policy CS9 of the Council's Core Strategy requires developers to integrate and provide affordable housing within sites where housing is proposed. Where a site is 0.3 hectares and above 10 or more dwellings, 30% affordable housing shall be provided.

142. The affordable housing requirement for this proposal for 205 dwellings equates to 61.5 dwellings. 61 dwellings are to be provided on site along with a 0.5 dwelling commuted sum, to be secured within the S106 agreement.

143. Further to discussions with our Strategic Housing team, triggered by the recent First Homes guidance that confirmed NPPF paragraph 65 expects 10% of proposed development will be a form of home ownership. As such, the required tenure split has been amended and following is to be provided:

40 affordable/social rent

9 x 1beds

19 x 2 beds

8 x 3 beds

3 x 4beds

1 x 5bed

21 shared ownership

13 x beds

8 x 3 beds

144. The Strategic Housing Team raised concerns initially regarding the room sizes of some the units as these were below National Space Standards and it is the Council's recommendation that accommodation should at least be the minimum. The National Space Standards provide guidance to Local Authorities when considering developments, but this is not a formal development plan policy at present. However, since the

comments were made the house types have been revised and all of the Affordable Housing units comply with National Space Standards.

145. The Affordable Housing SPD states that affordable dwellings shall not exceed clusters of 15 or more. It is considered that the affordable dwellings are distributed evenly throughout the site with no cluster of more than 15 dwellings. Furthermore, the introduction of a better mix of units following amendments to the house types, has also reduced the extent to which the proposed affordable units are visually distinguishable.

146. Accordingly, the proposal meets the requirements of Policy CS9 to deliver 30% affordable housing.

Heritage Impacts

147. As set out in the NPPF, heritage assets should be conserved in a way that is appropriate to their significance. Heritage assets include an extensive range of features that include archaeological remains, Scheduled Ancient Monuments, Listed Buildings and Conservation Areas.

148. There are no Listed Buildings in close proximity of the application site, with the nearest Listed Building located approximately 0.5 miles away on Chapel Street. The site is situated approximately 350 metres from the boundary of Exning Conservation Area. Therefore, it is considered that there will be no impact to the character and appearance of the Conservation Area as a result of the proposed development.

149. Policy DM20 states that on sites of archaeological interest, or of potential archaeological importance, provided there is no overriding case against development, planning permission will be granted subject to satisfactory prior arrangements being agreed.

150. The proposed development affects an area of archaeological potential, as defined by information held by the County Historic Environment Record (HER). During the previous evaluation phase of archaeological works Neolithic features were identified in the south eastern corner of the proposed development area. As a result, there is high potential for the discovery of further 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. Therefore, a phase of archaeological excavation is required in this area.

151. As the proposed development would cause significant ground disturbance that has potential to damage any archaeological deposits that exist, Suffolk County Council Archaeological Service has confirmed that conditions are necessary to secure appropriate investigation and recording, in accordance with NPPF and Policy DM20.

Planning Obligations

152. The NPPF sets out how conditions and planning obligations can be secured for a development to make an unacceptable impact to one which is acceptable. 'Planning obligations must only be sought where they meet all of the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.'

153. Suffolk County Council as the Highway Authority are named in the Travel Plan. As part of the monitoring and engagement process a £1,000 per annum Travel Plan Evaluation and Support Contribution will be required through a Section 106 agreement, from first occupation for a minimum of five years, or one year after occupation of the final dwelling (whichever is the longest duration).
154. As required by Policy SA12(a), an appropriate off-site contribution shall be provided for the delivery of the cycle path between the application site and Burwell. Following extensive work and discussions between West Suffolk District Council, East Cambridgeshire District Council and Suffolk and Cambridgeshire County Council, the adjacent Strategic Site in Burwell, which is within East Cambridgeshire District Council secured 63% of the funding, resulting in 37% being required to be secured within this application. A contribution of £162,430 to Suffolk County Council is required to deliver the cycle path.
155. Suffolk County Council as the education authority has also identified a shortfall in the number of available early years, primary, secondary and sixth form places and requests a financial contribution of £2,217,442 in total. A contribution of £44,280 towards the library provision within the area is requested.
156. The District Council seeks an off-site contribution of £60,000 to be spent on the provision, improvement/enhancement or maintenance of open space and play within the vicinity of the development.
157. In its capacity as the healthcare provider, West Suffolk Clinical Commissioning Group (CCG) incorporating NHS England Midlands and East (East) (NHS England) request a financial contribution of £123,200 as it has been identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development.
158. Policy CS9 of the Council's Core Strategy and the National Planning Policy Framework requires scheme of more than 10 units to provide up to 30% affordable housing. As set out in the affordable housing section, the proposed development is policy compliant.
159. The contributions sought, which have been agreed by the applicant are considered reasonable and necessary to mitigate the impact of the proposed development.

Other Matters

160. Initially, concerns had been raised by our Waste Team over the positioning of waste collection points in some locations within the site. Some of these concerns relate the distances that refuse workers would need to travel to collect the bins, and some relate to the distances that occupants would need to take their bins for collection. A revised waste strategy has been submitted which demonstrates that the maximum

distance of travel has been reduced to 25 metres in those areas of the site. It is considered that this is a reasonable distance for collection crews to travel in a limited number of locations across the site.

161. The area of the site being considered under the outline planning application element is for an Early Years Facility, which falls under use Class E(f). The Use Class Order was amended in September 2020 and as a result of the changes the new use Class E (Commercial, Business and Service) covers a wide range of uses. It includes uses such as shops, restaurants and offices. It is considered necessary to control the use of the land reserved for the Early Years Facility to ensure that the land is used for this purpose and that an alternative Class E use is not located on the site that could adversely impact residential amenity and highway safety, without the careful consideration of the Local Planning Authority.

Planning balance and conclusion:

162. Section 38(6) of the 2004 Planning Act states planning applications should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The Framework reinforces the approach set out in Section 38(6). It emphasises the importance of the plan-led system and supports the reliance on up-to-date development plans to make decisions.

163. As a result of the amendments made to the scheme and the additional information, it is considered that the proposed development creates a well laid out and visually attractive scheme which provides key and important features throughout the development. The layout of the scheme allows for meaningful and strategic landscaping to be provided, large areas of open space and strong connectivity throughout the whole development.

164. The proposed development is considered to reflect the parameters, aims, objectives and opportunities set out in the adopted Development Brief. Whilst it is acknowledged that there is a slight conflict with the width of the landscape buffer along the western boundary, there is only a modest area which is below 15 metres and this is to facilitate to the informal footpath. No visual harm is generated as a result of this.

165. The development can be successfully accommodated within the highway network without significant harm in respect of highway safety and safe and suitable access can be achieved for all users, whilst providing an off-site contribution to deliver a footpath/cycle link between Exning and Burwell.

166. It is considered that the development would offer a good level of amenity to future occupants and would not adversely affect the amenity of the existing residents of Burwell Road, Glebe Drive, The Drift and Mallard Way.

167. Additional information submitted in respect of drainage has also demonstrated that there would be no adverse impacts in this regard subject to appropriate.

168. With regard to ecology, provided that the recommendations and precautionary methods are carried out, it is considered that all significant impacts upon biodiversity, including any potential adverse impacts upon specific protected species will likely be able to be wholly mitigated and appropriate enhancements secured.

169. In conclusion, subject to the use of conditions and a S106 agreement, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

170. It is recommended that planning permission be **APPROVED** subject to the following conditions and S106 agreement:

Conditions:

IN RESPECT OF THE FULL PLANNING APPLICATION FOR 205 DWELLINGS AND ASSOCIATED INFRASTRUCTURE:

- 1 The development hereby permitted shall be begun not later than three years from the date of this permission.

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

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents, unless otherwise stated below:

Drawing/Document Title	Reference Number	Revision	Date Received
Planning Layout Overview	203-20-0100	P9	28.07.2021
Planning layout Sheet 1 of 2	976-P-101	P1	28.07.2021
Planning layout Sheet 2 of 2	976-P-102	P2	28.07.2021
Site Location Plan	203-20-0150	P2	16.07.2021
Affordable Housing Layout Sheet 1 of 2	203-20-0200	P8	28.07.2021
Affordable Housing Layout Sheet 2 of 2	203-20-0201	P8	28.07.2021
Parking Allocation Layout Sheet 1 of 2	203-20-0205	P8	28.07.2021
Parking Allocation Layout Sheet 2 of 2	203-20-0206	P8	28.07.2021
Housing Distribution Layout Sheet 1 of 2	203-20-0210	P8	28.07.2021
Housing Distribution Layout Sheet 2 of 2	203-20-0211	P8	28.07.2021
Storey Heights Plan Sheet 1 of 2	203-20-0215	P8	28.07.2021

Storey Heights Plan Sheet 2 of 2	203-20-0216	P8	28.07.2021
Character Areas Plan Sheet 1 of 2	203-20-0220	P8	28.07.2021
Character Areas Plan Sheet 2 of 2	203-20-0221	P8	28.07.2021
Details Sheet 1 - Area 1 Main Avenue Character	203-20-0222	P5	16.07.2021
Details Sheet 2 - Area 2 Parkland Edge Character	203-20-0223	P5	16.07.2021
Details Sheet 3 - Area 3 Tertiary Street Character	203-20-0224	P4	16.07.2021
Boundary Treatments Plan Sheet 1 of 2	203-20-0230	P7	28.07.2021
Boundary Treatments Plan Sheet 2 of 2	203-20-0231	P8	28.07.2021
Refuse and Waste Strategy Plan Sheet 1 of 2	203-20-0235	P8	28.07.2021
Refuse and Waste Strategy Plan Sheet 2 of 2	203-20-0236	P8	28.07.2021
Materials Plan Sheet 1 of 2	203-20-0240	P8	28.07.2021
Materials Plan Sheet 2 of 2	203-20-0241	P8	28.07.2021
Materials Schedule	976-P-151	/	16.07.2021
Street scene A-E Sheet 1 of 3	976-P-115	/	23.07.2021
Street scene F-I Sheet 2 of 3	976-P-116	/	23.07.2021
Street scene Sheet 3 of 3	976-P-117	/	23.07.2021
Belmont	203-20-A-BEL1	P8	05.08.2021
Haldon	203-20-SO-HAL1	/	28.07.2021
Haldon	203-20-A-HAL1	P8	28.07.2021
Alnmouth	203-20-ALN1	P6	16.07.2021
Alnmouth	203-20-ALN2	P7	16.07.2021
Alnmouth	203-20-ALN3	P7	16.07.2021
Alnmouth	203-20-ALN4	P3	16.07.2021
Danbury	203-20-DAN1	P7	16.07.2021
Danbury	203-20-DAN2	P7	16.07.2021
Danbury	203-20-DAN3	P7	16.07.2021
Fenchurch	203-20-FEN1	P7	16.07.2021
Fenchurch	203-20-FEN2	P7	16.07.2021
Fenchurch	203-20-FEN3	P7	16.07.2021

Knightsbridge	203-20-KNIGHT1	P6	16.07.2021
Knightsbridge	203-20-KNIGHT2	P7	16.07.2021
Knightsbridge	203-20-KNIGHT3	P7	16.07.2021
Knightsbridge	203-20-KNIGHT4	P8	20.07.2021
Knightsbridge	203-20-KNIGHT5	P4	20.07.2021
Marlborough	203-20-MARL1	P7	16.07.2021
Marlborough	203-20-MARL2	P7	16.07.2021
Marlborough	203-20-MARL3	P7	16.07.2021
Marylebone	203-20-MARY1	P7	16.07.2021
Marylebone	203-20-MARY2	P7	16.07.2021
Marylebone	203-20-MARY3	P7	16.07.2021
Mayfair	203-20-MAYFAIR1	P6	16.07.2021
Mayfair	203-20-MAYFAIR2	P7	16.07.2021
Mayfair	203-20-MAYFAIR3	P7	16.07.2021
Mayfair	203-20-MAYFAIR4	P3	16.07.2021
Mayfair	203-20-MAYFAIR5	P3	16.07.2021
Mayfair	203-20-MAYFAIR6	P3	16.07.2021
Oxford	203-20-OXF1	P7	16.07.2021
Piccadilly	203-20-PICC1	P6	16.07.2021
Piccadilly	203-20-PICC2	P6	16.07.2021
Piccadilly	203-20-PICC3	P6	16.07.2021
Piccadilly	203-20-PICC4	P7	16.07.2021
Sherwood	203-20-SHE1	P7	16.07.2021
Sherwood	203-20-SHE2	P7	16.07.2021
Sherwood	203-20-SHE3	P7	16.07.2021

Strand	203-20-STR1	P6	16.07.2021
Strand	203-20-STR2	P7	16.07.2021
Strand	203-20-STR3	P7	16.07.2021
Strand	203-20-STR4	P7	16.07.2021
Whitehall	203-20-WHITE1	P7	16.07.2021
Whitehall	203-20-WHITE2	P7	16.07.2021
Whitehall	203-20-WHITE3	P7	16.07.2021
Whitehall	203-20-WHITE4	P3	16.07.2021
Whitehall	203-20-WHITE5	P3	16.07.2021
Whitehall	203-20-WHITE6	P3	16.07.2021
Whitehall	203-20-WHITE7	P2	16.07.2021
Bond	203-20-BOND1	P2	16.07.2021
Portland	203-20-PORT1	P3	16.07.2021
Portland	203-20-PORT2	P3	16.07.2021
Brightstone	203-20-BRI1	P3	16.07.2021
Sherwood Cr	203-20-SHE-C1	P3	16.07.2021
Sherwood Cr	203-20-SHE-C2	P3	16.07.2021
Charnwood Cr	203-20-CHA-C1	P3	16.07.2021
Charnwood Cr	203-20-CHA-C2	P3	16.07.2021
Cannock	203-20-A-CAN1	P3	16.07.2021
Cannock with Binstore	203-20-A-CAN2	/	16.07.2021
Dallington	203-20-A-SO-DALL1	P2	16.07.2021
Dallington	203-20-SO-DALL1	P2	16.07.2021
Dallington	203-20-A-DALL1	P2	16.07.2021
Dallington	203-20-A-DALL2	P3	16.07.2021

Heartwood	203-20-A-HRT1	P3	16.07.2021
Wareham	203-20-A-WAR1	P2	16.07.2021
Wareham	203-20-A-WAR2	P2	16.07.2021
Wareham	203-20-SO-WAR1	P2	16.07.2021
Wareham	203-20-SO-WAR2	P3	16.07.2021
Wickham	203-20-A-WICK	/	16.07.2021
Whinfall	203-20-A-WHIN1	/	16.07.2021
Single and Double Garages	203-20-GAR1	P2	16.07.2021
Triplex Garage	203-20-GAR2	/	20.07.2021
Pumping Station Floor Plans and Elevations	0110	P1	16.07.2021
Sub Station Floor Plans and Elevations	0120	P2	16.07.2021

Reason: To define the scope and extent of this permission.

- 3 No development shall take place on 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. Timetable for the site investigation to 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 DM20 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 16 of the National Planning Policy Framework

and all relevant Core Strategy Policies. This condition is required to be agreed prior to the commencement of any development to ensure matters of archaeological importance are preserved and secured early to ensure avoidance of damage or loss due to the development and/or its construction. If agreement was sought at any later stage there is an unacceptable risk of loss and damage to archaeological and historic assets.

- 4 No building shall be occupied or otherwise used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 3 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

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 DM20 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 16 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 5 Prior to commencement of development details of the strategy for the disposal of surface water on the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained, in accordance with policy DM6 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies. The condition is pre-commencement as it may require the installation of below ground infrastructure and details should be secured prior to any ground disturbance taking place.

- 6 Prior to commencement of development details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site 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 water drainage, in accordance with policy DM6 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies. The condition is pre-commencement as it may require the installation of below ground infrastructure and details should be secured prior to any ground disturbance taking place.

- 7 Within 28 days of practical completion of the last dwelling or unit, a surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of

all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and to ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk., in accordance with policies DM6 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 8 Prior to commencement of development 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) shall be 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 and shall include:

a. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-

1. Temporary drainage systems
2. Measures for managing pollution / water quality and protecting controlled waters and watercourses
3. 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, in accordance with policies DM6 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 14 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 9 Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

Reason: To prevent environmental and amenity problems arising from flooding, in accordance with policy DM6 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 10 Prior to construction above damp proof course a Phasing Plan setting out the details of the phasing of the development shall be submitted to, and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in complete accordance with the

approved Phasing Plan.

Reason: To ensure the development is phased to avoid an adverse impact on drainage infrastructure, in accordance with policy DM6 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 11 No occupation of dwellings approved by this permission shall occur until the agreed scheme for improvement and/or extension of the existing sewage system has been completed.

Reason: To protect and prevent pollution of the water environment, in accordance with policy DM6 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 14 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 12 No other part of the development hereby permitted shall be commenced until the new vehicular access complete with footways and cycleways has been laid out and completed in broad accordance with drawing number 203-20 0101 P1. Thereafter the access shall be retained thereafter in its 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 accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement since it relates to highway safety and it is necessary to secure details prior to any other works taking place.

- 13 No part of the development shall be commenced until details of the proposed access link into Glebe Drive and Mallard Way have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to any occupation of the development. Thereafter the access shall be retained in its approved form. The details shall show how the two cycle links will safely link to each other giving cyclists a safe and sustainable link.

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement since it relates to highway safety and it is necessary to secure details prior to any other works taking place.

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

Reason: In the interests of highway safety to ensure that roads/footways are constructed to an acceptable standard, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement since it relates to highway safety and it is necessary to secure details prior to any other works taking place.

- 15 No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least base 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, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 16 No development shall be commenced until an estate road phasing and completion plan has been submitted to and approved in writing by the local planning authority. The estate road phasing and completion plan shall set out the development phases and the standards of construction that the estate roads serving each phase of the development will be completed to and maintained at.

Reason: In the interests of highway safety, to ensure that the estate roads serving the development are completed and thereafter maintained during the construction phase to an acceptable standard, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement since it relates to highway safety and it is necessary to secure details prior to any other works taking place.

- 17 The new estate road junction(s) as shown on Drawing No. 203-20 0101 P1, inclusive of cleared land within the sight splays to this junction, must be formed prior to any other works commencing on site or delivery of any other materials.

Reason: In the interests of highway safety, to ensure a safe access to the site is provided before other works commence, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 18 Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan. The Construction Management Plan shall include the following matters:
- a) parking and turning for vehicles of site personnel, operatives and visitors
 - b) loading and unloading of plant and materials

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

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase., in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement since it relates to highway safety and it is necessary to secure details prior to any other works taking place.

- 19 The dwellings hereby permitted shall not be occupied until the area(s) within the site shown on drawing numbers 203-20 0101 P1 and 203-20 0102 P1 for the purpose of loading, unloading, manoeuvring and parking of vehicles shall be provided. Thereafter the area(s) shall be retained and used for no other purpose.

Reason: To ensure that sufficient space for the on-site parking of vehicles is provided, in accordance with policy DM2 and DM46 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 20 Before the development is occupied details of the areas to be provided for the storage and presentation of refuse and recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in its entirety before the dwellings are occupied and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 21 Before the new access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled

carriageway at the centre line of the access point (X dimension) and a distance of 215 metres in a direction towards the village of Burwell and 43m in the direction of Exning village centre, along the edge of the metalled carriageway from the centre of the access (Y dimension) [or tangential to the nearside edge of the metalled carriageway, whichever is the more onerous]. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure vehicles exiting the access have sufficient visibility to enter the public highway safely and vehicles on the public highway have sufficient warning of a vehicle emerging to take avoiding action in the interests of road safety, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 22 The development hereby permitted shall not be first occupied until cycle storage details have been submitted to and approved in writing by the Local Planning Authority. Thereafter these facilities shall be retained in accordance with the approved details and continue to be available for use unless the prior written consent of the Local Planning Authority is obtained for any variation to the approved details.

Reason: To encourage the use of sustainable forms of transport and reduce dependence on the private motor vehicle, in accordance with policy DM2 and DM45 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 23 Before any dwelling is first occupied, a cycle signing and lighting strategy should be submitted to and approved in writing by the Local Planning Authority and Highway Authority which include:
- a) signing strategy to and from the site to local amenities
 - b) types of signs to be provided
 - c) location of signs and posts
 - d) methodology of lighting the routes.

Reason: In the interest of Highway Safety, to encourage sustainable transport modes and to ensure the routes are useable and desirable at all times, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 24 All ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the Updated Ecology Report (Wild Frontier Ecology, September 2020) and Landscape and Ecological Management and Maintenance Plan (James Blake Associates, Nov 2020) for Phase 2 as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person

e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and to secure biodiversity enhancements commensurate with the scale of the development, in accordance with policy DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

25 Prior to commencement of development (including demolition, ground works, vegetation clearance) a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- a. Risk assessment of potentially damaging construction activities
- b. Identification of "biodiversity protection zones"
- c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- d. The location and timing of sensitive works to avoid harm to biodiversity features
- e. The times during construction when specialist ecologists need to be present on site to oversee works
- f. Responsible persons and lines of communication
- g. The role and responsibilities on site of an ecological clerk of works (ECoW) or 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 safeguard the ecological and nature conservation value of the area, in accordance with policy DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement to ensure that appropriate protection measures etc. are put into place to avoid harm and disturbance to local wildlife and the ecological value of the area.

26 Prior to development commencing above ground level, a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;

d) persons responsible for implementing the enhancement measures;
e) details of initial aftercare and long-term maintenance (where relevant).
The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter."

Reason: To enhance Protected and Priority Species/habitats, in accordance with policies DM11 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement to ensure that an appropriate strategy is in place prior to any disturbance to wildlife and the ecological value of the area.

27 Prior to occupation, a "lighting design strategy for biodiversity" 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 bats and that are likely to be disturbed by lighting;
- b. Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) to demonstrate 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. No other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To safeguard the visual amenities of the locality and the ecological value of the area, in accordance with policies DM2 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

28 Prior to development commencing, a Farmland Bird Mitigation Strategy shall be submitted to and approved by the local planning authority to compensate the loss or displacement of any Farmland Bird territories identified as lost or displaced. This shall include provision of offsite compensation measures to be secured by legal agreement, in nearby agricultural land, prior to commencement.

The content of the Farmland Bird Mitigation Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed compensation measure e.g. Skylark nest plots;
- b) detailed methodology for the compensation measures e.g. Skylark nest plots must follow Agri-Environment Scheme option: 'AB4 Skylark Plots';
- c) locations of the compensation measures by appropriate maps and/or plans;
- d) persons responsible for implementing the compensation measure.

The Farmland Bird Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained for a minimum

period of 10 years.

Reason: To allow the Local Planning Authority to discharge its duties under the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species). This condition requires matters to be agreed prior to commencement to ensure that appropriate protection measures etc. are put into place to avoid harm and disturbance to local wildlife and the ecological value of the area.

- 29 Prior to occupation, on site measures to avoid impacts from the development alone to the Stour and Orwell Estuaries SPA and Ramsar site shall be submitted to, and be approved in writing by, the local planning authority prior occupation of the development.
The content of the of the onsite measures will be in line with the approved Habitats Regulations Assessment and shall include the following:
- a) Purpose and conservation objectives for the proposed measures;
 - b) Detailed designs of the interpretation board to promote circular dog walking routes within 3km of at least 2.7km¹ in length;
 - c) Timetable for implementation demonstrating that measures are aligned with any proposed phasing of development;
 - d) Locations of proposed interpretation boards by appropriate maps and plans; and
 - e) details of initial aftercare and long-term maintenance.

The measures shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To avoid Adverse Effects to Site Integrity from the development alone to the Stour and Orwell Estuaries SPA and Ramsar and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended).

- 30 All planting comprised in the approved details of landscaping shall be carried out in the first planting season following the commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

Reason: To enhance the appearance of the development and ensure a satisfactory environment, in accordance with policies DM2, DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 31 No development above ground level shall take place until, a landscape and ecological management plan (LEMP) has been submitted to and be approved in writing by the Local Planning Authority. 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 organization 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 identify and ensure the protection of important species and those protected by legislation, in accordance with policies DM11 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 32 No development above ground level shall take place until details of the treatment of the boundaries of the site have been submitted to and approved in writing by the Local Planning Authority. The details shall specify the siting, design, height and materials of the screen walls/fences to be constructed or erected and/or the species, spacing and height of hedging to be retained and / or planted together with a programme of implementation.

All boundary treatments shall include hedgehog highway gaps.

Any planting removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by soft landscaping of similar size and species to those originally required to be planted. The works shall be completed prior to first use/occupation in accordance with the approved details.

Reason: To safeguard the residential amenity of neighbouring occupiers and enhance Protected and Priority Species/habitats, in accordance with policy DM2, DM11 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 33 No development above ground level shall take place until a Public Open Space (POS) Management Plan has been submitted to and approved in writing by the Local Planning Authority. The POS shall be implemented in accordance with the approved POS Management Plan prior to each

phasing and retained thereafter in perpetuity.

Reason: To ensure that sufficient open space is provided and maintained on the development site for the future occupiers of the dwellings, in accordance with policy DM42 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 8 and 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 34 No development above ground floor slab level of any part of the development hereby permitted shall take place until the travel arrangements to and from the site for residents of the dwellings, in the form of a revised Travel Plan in accordance with the mitigation measures identified in the submitted Transport Assessment (dated October 2020), Interim Residential Travel Plan (dated October 2020) and Technical Note [DATED] shall be submitted for the approval in writing by the local planning authority in consultation with the highway authority. This Travel Plan must contain the following:
- o Baseline travel data based upon the information provided in the Transport Assessment, with suitable measures, objectives and targets identified targets to reduce the vehicular trips made by residents across the whole development, with suitable remedial measures identified to be implemented if these objectives and targets are not met
 - o Appointment of Travel Plan Coordinator to implement the Travel Plan in full and clearly identify their contact details in the Travel Plan
 - o A commitment to monitor the vehicular trips generated by the residents using traffic counters and resident questionnaires and submit a revised (or Full) Travel Plan one year after occupation of the first dwelling
 - o A further commitment to monitor the Travel Plan annually on each anniversary of the approval of the Full Travel Plan and provide the outcome in a revised Travel Plan to be submitted to and approved in writing by the Local Planning Authority for a minimum of five years, or one year after occupation of the final dwelling (whichever is the longest duration) using the same methodology as the baseline monitoring
 - o Detail and timescales on the improvements that are to be made to the bus services on Exning Road
 - o A suitable marketing strategy to ensure that all residents on the site are engaged in the Travel Plan process
 - o A Travel Plan budget that covers the full implementation of the Travel Plan
 - o A copy of a residents travel pack that includes a multi-modal voucher to incentivise residents to use sustainable travel in the local area

No dwelling within the site shall be occupied until the Travel Plan has been agreed. The approved Travel Plan measures shall be implemented in accordance with a timetable that shall be included in the Travel Plan and shall thereafter adhered to in accordance with the approved Travel Plan.

Reason: In the interest of sustainable development, in accordance with policy DM45 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 35 Prior to commencement of development a scheme for the provision of fire hydrants within the application site shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied or brought into use until the fire hydrants have been provided in accordance with the approved scheme. Thereafter the hydrants shall be retained in their approved form unless the prior written consent of the Local Planning Authority is obtained for any variation.

Reason: To ensure the adequate supply of water for firefighting and community safety, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 8 and 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 36 Prior to commencement of development, including any works of demolition, a Construction Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- a. The parking of vehicles of site operatives and visitors
 - b. Loading and unloading of plant and materials
 - c. Site set-up including arrangements for the storage of plant and materials used in constructing the development and the provision of temporary offices, plant and machinery
 - d. The erection and maintenance of security hoarding including external safety and information signage, interpretation boards, decorative displays and facilities for public viewing, where appropriate
 - e. Wheel washing facilities
 - f. Measures to control the emission of dust and dirt during construction
 - g. A scheme for recycling/disposing of waste resulting from demolition and construction works
 - h. Hours of construction operations including times for deliveries and the removal of excavated materials and waste
 - i. Noise method statements and noise levels for each construction activity including piling and excavation operations
 - j. Access and protection measures around the construction site for pedestrians, cyclists and other road users including arrangements for diversions during the construction period and for the provision of associated directional signage relating thereto.
 - k. monitoring and auditing facilities
 - l. complaints response procedures and community liaison procedures

Reason: To ensure the satisfactory development of the site and to protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement to ensure that appropriate arrangements are put into place before any works take place on site that are likely to impact the area and nearby occupiers.

- 37 The site preparation and construction works including deliveries to the site and the removal of excavated materials and waste from the site shall not take place outside the hours of 8am to 6pm hours Mondays to Fridays and 8am to 1:30pm hours on Saturdays and at no time on Sundays, public holidays or bank holidays.

Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 38 No plant or equipment associated with the development shall be installed until details thereof have first been submitted to and approved in writing by the Local Planning Authority. The details shall include specifications of the design, location and screening of the proposed plant or equipment. The plant or equipment shall be installed in complete accordance with the approved details before being first brought into use. Following installation the plant or equipment shall be retained in accordance with the approved details unless the prior written consent of the Local Planning Authority is obtained for any variation of the approved details or specifications.

Reason: To protect the amenities of occupiers of properties in the locality, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 39 No generators shall be used in external areas on the site shall be used outside of the hours of 8am to 6pm on Monday to Friday and 8am to 1:30pm Saturdays and at any time on Sundays, Bank or Public Holidays.

Reason: To ensure the appropriate use of the site and to protect the amenities of occupiers of properties in the locality , in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 40 No floodlights or other means of external lighting shall be erected on the site until details have been submitted to and agreed in writing by the Local Planning Authority. Such details shall include the position, height and illumination levels of all lighting.

Reason: To prevent light pollution and protect the amenities of occupiers of properties in the locality, in accordance with policy DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 41 Prior to first occupation, all dwellings with off street parking shall be provided with an operational electric vehicle charge point at reasonably and practicably accessible locations, with an electric supply to the charge point capable of providing a 7kW charge.

Reason: To promote and facilitate the uptake of electric vehicles on the

site in order to minimise emissions and ensure no deterioration to the local air quality, in accordance with Policy DM14 of the Joint Development Management Policies Document, paragraphs 105 and 110 of the National Planning Policy Framework paragraphs 105 and 110 and the Suffolk Parking Standards.

- 42 The dwelling(s) hereby approved shall not be occupied until the requirement for water consumption (110 litres use per person per day) in part G of the Building Regulations has been complied with and evidence of compliance has been obtained.

Reason: To ensure that the proposal meets with the requirements of sustainability, in accordance with policy DM7 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies. The higher standards for implementation of water efficiency measures set out in the Building Regulations are only activated if they are also a requirement of a planning condition attached to a planning permission.

- 43 The development hereby approved shall be carried out in accordance with the approved Sustainability Statement and achieve a reduction of CO2 emissions by at least 14%.

Reason: To ensure that the proposal meets with the requirements of sustainability, in accordance with policy DM7 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 44 No development above slab level shall take place until samples/details of the facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the area, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

IN RESPECT OF THE OUTLINE PLANNING APPLICATION FOR EARLY YEARS FACILITY:

- 45 Application for the approval of the matters reserved by conditions of this permission shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun not later than whichever is the latest of the following dates:-

- i) The expiration of three years from the date of this permission; or
- ii) The expiration of two years from the final approval of the reserved matters; or,

In the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To conform with the requirements of Section 92 of the Town and

Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 46 Prior to commencement of development details of the access, appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended) and to enable to the Local Planning Authority to exercise proper control over these aspects of the development.

- 47 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents, unless otherwise stated below:

Drawing/ Document Title	Reference Number	Revision	Date Received
Planning layout Sheet 2 of 2	976-P-102	P2	28.07.2021
Site Location Plan	203-20-0150	P2	16.07.2021

Reason: To define the scope and extent of this permission.

- 48 No development shall take place on 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:
- The programme and methodology of site investigation and recording.
 - The programme for post investigation assessment.
 - Provision to be made for analysis of the site investigation and recording.
 - Provision to be made for publication and dissemination of the analysis and records of the site investigation.
 - Provision to be made for archive deposition of the analysis and records of the site investigation.
 - Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
 - Timetable for the site investigation to 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 DM20 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 16 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition is required to be agreed prior to the commencement of any development to ensure matters

of archaeological importance are preserved and secured early to ensure avoidance of damage or loss due to the development and/or its construction. If agreement was sought at any later stage, there is an unacceptable risk of loss and damage to archaeological and historic assets.

- 49 No building shall be occupied or otherwise used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 48 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

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 DM20 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 16 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 50 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 (LPA). The scheme shall be in accordance with the approved FRA and include:
- a. Dimensioned plans and drawings of the surface water drainage scheme;
 - b. 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;
 - c. 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;
 - d. 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;
 - e. 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 rainfall event including climate change, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
 - f. Topographical plans depicting all exceedance flow paths 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;
 - g. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.
 - h. 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 and shall include: 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

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. To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage. In accordance with policy DM6 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies. The condition is pre-commencement as it may require the installation of below ground infrastructure and details should be secured prior to any ground disturbance taking place.

- 51 Within 28 days of practical completion of the Early Years Facility, a Sustainable Drainage System (SuDS) verification report shall be submitted to the LPA, detailing that the SuDS have been inspected, have been built and function in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks have been submitted, in an approved form, to and approved in writing by the LPA for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and to ensure all flood risk assets and their owners are recorded in accordance with the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act, policy DM6 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 52 All ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the Updated Ecology Report (Wild Frontier Ecology, September 2020) and Landscape and Ecological Management and Maintenance Plan (James Blake Associates, Nov 2020) for Phase 2 as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and to secure biodiversity enhancements commensurate with the scale of the development, in accordance with policy DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 53 Concurrent with the first reserved matters application(s) A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
- i) Risk assessment of potentially damaging construction activities.
 - j) Identification of "biodiversity protection zones".
 - k) 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).
 - l) The location and timing of sensitive works to avoid harm to biodiversity features.
 - m) The times during construction when specialist ecologists need to be present on site to oversee works.
 - n) Responsible persons and lines of communication.
 - o) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - p) 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 safeguard the ecological and nature conservation value of the area, in accordance with policy DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement to ensure that appropriate protection measures etc. are put into place to avoid harm and disturbance to local wildlife and the ecological value of the area.

- 54 Concurrent with the first reserved matters application(s), a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- f) Purpose and conservation objectives for the proposed enhancement measures;
- g) detailed designs to achieve stated objectives;
- h) locations of proposed enhancement measures by appropriate maps and plans;
- i) persons responsible for implementing the enhancement measures;
- j) details of initial aftercare and long-term maintenance (where relevant).

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

Reason: To enhance Protected and Priority Species/habitats, in accordance

with policies DM11 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement to ensure that an appropriate strategy is in place prior to any disturbance to wildlife and the ecological value of the area.

- 55 No development above ground level shall take place until a scheme of soft landscaping for the site drawn to a scale of not less than 1:200, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include accurate indications of the position, species, girth, canopy spread and height of all existing trees and hedgerows on and adjacent to the site and details of any to be retained, together with measures for their protection during the course of development. Any retained trees removed, dying or becoming seriously damaged or diseased within five years of commencement shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation. The works shall be completed in accordance with the approved plans and in accordance with a timetable to be agreed with the Local Planning Authority.

Reason: To enhance the appearance of the development and to ensure that the most vulnerable trees are adequately protected during the periods of construction, in accordance with policies DM2, DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 56 Prior to first operational use of the site, at least 15% of car parking spaces shall be equipped with working electric vehicle charge points, which shall be provided for staff and/or visitor use at locations reasonably accessible from car parking spaces. The Electric Vehicle Charge Points shall be retained thereafter and maintained in an operational condition.

Reason: To promote and facilitate the uptake of electric vehicles on the site in order to minimise emissions and ensure no deterioration to the local air quality, in accordance with Policy DM14 of the Joint Development Management Policies Document, paragraphs 105 and 110 of the National Planning Policy Framework paragraphs 105 and 110 and the Suffolk Parking Standards.

- 57 The site preparation and construction works including deliveries to the site and the removal of excavated materials and waste from the site shall not take place outside the hours of 8am to 6pm hours Mondays to Fridays and 8am to 1:30pm hours on Saturdays and at no time on Sundays, public holidays or bank holidays.

Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 58 No plant or equipment associated with the development shall be installed

until details thereof have first been submitted to and approved in writing by the Local Planning Authority. The details shall include specifications of the design, location and screening of the proposed plant or equipment. The plant or equipment shall be installed in complete accordance with the approved details before being first brought into use. Following installation the plant or equipment shall be retained in accordance with the approved details unless the prior written consent of the Local Planning Authority is obtained for any variation of the approved details or specifications.

Reason: To protect the amenities of occupiers of properties in the locality, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 59 No floodlights or other means of external lighting shall be erected on the site until details have been submitted to and agreed in writing by the Local Planning Authority. Such details shall include the position, height and illumination levels of all lighting.

Reason: To prevent light pollution and protect the amenities of occupiers of properties in the locality, in accordance with policy DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 60 No development above ground level shall take place until details of the treatment of the boundaries of the site have been submitted to and approved in writing by the Local Planning Authority. The details shall specify the siting, design, height and materials of the screen walls/fences to be constructed or erected and/or the species, spacing and height of hedging to be retained and / or planted together with a programme of implementation. Any planting removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by soft landscaping of similar size and species to those originally required to be planted. The works shall be completed prior to first use/occupation in accordance with the approved details.

Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 61 No development above slab level shall take place until samples/details of the facing and roofing material have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the area, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 62 The opening hours of the Early Years Facility hereby approved shall be restricted to the following hours:

8am-6pm Monday to Friday

The premises shall not be open at any time on Saturdays, Sundays, Bank or Public Holidays

Reason: To minimise the impact of the development on the locality in the interests of amenity in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 63 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 as amended (or any Order revoking and re-enacting that Order) and the Town and Country Planning (General Permitted Development) Order 2015, as amended, the use shall be only as an Early Years Facility and for no other purpose.

Reason: To safeguard the character and appearance of the area, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

S106:

DC/21/0153/FUL – Land South of Burwell Road, Exning – S106 Heads of Terms			
Item	Detail	Provision	Contribution
Affordable Housing	On-site dwellings and off-site contribution	30% Mix - 40 rented & 21 shared ownership 0.5commuted sum	£51,708
Education	Early Years Primary School Secondary School Sixth Form	-	£389,652 £846,132 £832,125 £166,425
Library	Enhancement of local provision	-	£44,280
Open Space	Off-site contribution to improve existing facilities	-	£60,000
Travel Plan	Monitoring and engagement process	Travel Plan Evaluation and Support Contribution	£1,000 per annum - from first occupation for a minimum of five years, or one year after occupation of the final dwelling (whichever is the longest duration).

NHS	Health care capacity	-	£123,200
Cross Boundary Cycle Link – Burwell to Exning	Off-site cross boundary cycle link contribution required as set out in SALP.	-	£162,430

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/0152/FUL](#)



DC/21/0152/HYB – Land South of Burwell Road, Exning



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BIN COLLECTION POINT SCHEDULE	
BCP/BSP	PLOTS SERVED
A	2-4
B	5-6
C	17-19
D	43-47
E	63-68
F	69-74
G	84-86
H	87-89
J	90-101
K	102-104
L	116-122
M	123 & 138-139
N	137
P	140-143
Q	144
R	157-159
S	161-163
T	164-166
U	174-176
V	186-188
W	189-194
X	204-205
BSP1	20-27

ACCOMMODATION SCHEDULE			
TYPE	PLOTS	TOTAL	BEDS HT PARKING
Private			
Armour	8,9,10,39,40,41,48,49,50,118,119,120,126,127,122	15	2 2 2 spaces
Procedity	12,17,24,61,112,121,188,193,192	9	3 2 2 spaces
Whitehall	4,8,9,10,93,133,136,140,140,145,175,195	12	3 2 2 spaces
Barbury	17,18,19,69,70,71,72,73,74,103,104,143	13	3 2 2 spaces
Strand	17,14,15,17,75,88,143,173,190,202,204,205	12	4 2 3 spaces
Harler	16,13,15,26,95,97,116,121,185,186,190,195,179,185,187,198,200,201	17	4 2 2 spaces
Sharnwood	16,47,94,114,115,134,135	7	3 2 2 spaces
Sharnwood G1	11,13,128	3	3 2 2 spaces
Sharnwood G2	12,17,73	3	3 2 2 spaces
Knightsbridge	5,7,58,105,106,116,181,182,183,186,197,203	12	4 2 2 spaces
Marlborough	75,76,83,99,161,162,194	9	2 2 2 spaces
Marylebone	2,3,8,9,63,138,160,164	6	5 2 2 spaces
Fenchurch	15,16,64,117,139,160,163	7	5 2 2 spaces
Oxford	4,8,6,101,122,164,174,188,189	6	5 2 2 spaces
Brightstone	103,104	2	2 2 2 spaces
Bond	89,100,102,163	4	5 2 2 spaces
Portland	11,76,85,88	4	5 2 2 spaces
Total		144	
Rented (R)			
Canwood	20,21,22,23,24,25,26,27	6	1 2 2 spaces
Heathwood	158	1	1 2 2 spaces
Wickham	158	1	2 1 2 spaces
Haddon	142,168,177	3	2 2 2 spaces
Wareham	28,29,30,33,34,35,36,46,47,63,64,67,68,148,149	15	2 2 2 spaces
Winflet	49,42,44	3	4 2 2 spaces
Dallington	65,66,109,110,146,147,154,155	6	3 2 2 spaces
Bemont	157	1	5 2 2 spaces
Total		40	
SG 11			
Wareham	81,82,91,92,106,107,111,112,127,128	10	2 2 2 spaces
Dallington	106,125,130,131,132,151,152,153	6	3 2 2 spaces
Haddon	144,165,178	3	2 2 2 spaces
Total		21	
TOTAL		205	



- Key
- Landscape Buffer
 - Proposed Tree - Indicatively Shown
 - Proposed Shrubs & Plantings (IS)
 - Existing Tree and Hedge Planting
 - Footpath
 - Footpath and Cycle Path



All dimensions to be verified on site by Main Contractor before the start of any shop drawings or work whatsoever either on their own behalf or that of sub-contractors. Report any discrepancies to the Contract Administrator at once. This drawing is to be read with all relevant Architect's and Engineer's drawings and other relevant information.

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NOTES:
 Indicative Landscaping
 Indicative Roof Colours

P9	28-07-21	Updated Land & Accommodation schedule to reflect the reduction of 3 rented flats and the increase of 3 Shared Ownership flats from 144 to 157	AH	GL
P8	16-07-21	Added road data for cycle crossings at junctions crossing the site. Amended cycle paths to be shared. Amended cycle path linking to Plower road. Moved internal path along eastern boundary from east to move away from proposed fence. Footpath along south and west boundary. Reduced 10m wide path to 6m to align to make internal layout. Updated ponds.	AH	GL
PI	05-05-21	Amendments following client comment	LR	WT
PI	21-04-21	Amendments following client comment	LR	WT
PI	16-01-21	Minor amendments following client comment	AC	DG
PI	05-12-20	Accommodation schedule updated	DG	WT
PI	23-10-20	Minor amendments following client comment	DM	WT
PI	09-10-20	Amended following client comment	DM	WT
PI	30-09-20	First issue	AC	WT
Rev:	Date	Description	Col:	App:

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Project:
Land South of Burwell Road, Exning, Suffolk

Drawing Title:
Planning Layout

Client:
Persimmon

Scale @A1: **1:1250** Date: **09-2020**

Project Number: 203-20	Drawing Number: 0100	Revision: P9
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Purpose of Issue:
Information

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Development Control Committee 1 September 2021

Planning Application DC/19/2155/FUL – Storage Tank, Station Yard, Station Road, Barnham

Date registered:	29 October 2019	Expiry date:	24 December 2019 EOT to 03 September 2021
Case officer:	Britta Heidecke	Recommendation:	Approve application
Parish:	Barnham	Ward:	Bardwell
Proposal:	Planning Application - Continued use of heating fuel storage and distribution business (Class B8), retention of 4 storage tanks, 1 storage container, 2 fuel distribution points, 1 office portacabin, associated hard standing, underground interceptor tank, lighting and installation of 5th storage tank		
Site:	Storage Tank, Station Yard, Station Road, Barnham		
Applicant:	Mr Peter Kitchen - Oil NRG Ltd		

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and associated matters.

Recommendation:

It is recommended that the committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

Britta Heidecke

Email: britta.heidecke@westsuffolk.gov.uk

Telephone: 07812 509938

Background:

1. The application was considered at the Council's Delegation Panel meeting on 14 January 2020. Additional noise information was requested and the application was referred to Committee.
2. This report combines the details provided within the August report and associated late paper (note: the item was withdrawn from the agenda and not considered at the August meeting).
3. The original proposal description stated '*Continued use of heating fuel storage and distribution business (Class B8)*'. The description has subsequently been amended reflect the structures already installed and a fifth tank which is proposed. A 14 day re-consultation on the change in description was undertaken.

Proposal:

4. The application proposes the retention of 4 fuel tanks, installation of a fifth tank and the continued use of the site as a heating fuel storage and distribution business (Class B8), a portacabin office, storage container, interceptor tank and associated plant and lighting.

Site details:

5. The application site is outside any settlement boundary and as such is in the countryside in planning policy terms. It forms part of Gorse Industrial Estate Rural Employment Area (site reference E under policy RV4 of the Rural Vision) off Station Road and comprises of approx. 0.46ha hardstanding served by an existing vehicular access off Station Road. Four fuel storage tanks, with space allocated for a fifth, and an office container are located along the western side boundary with parking and turning space to the front. The site is enclosed by existing palisade fencing. A row of mature trees subject to a recent TPO lines the eastern side boundary. A large utilitarian building with pitched corrugated roofs abuts the site to the south-west. The surrounding land is predominantly agricultural, used for arable and grazing, with a few dwellings interspersed opposite and east of the site. The Gorse Industrial Estate lies some 1.2km south-west off Elveden Road on the opposite site of the C633. In the vicinity are also North Farm (approx. 300m south-west) and a waste recycling storage plant some 1.5km south of the application site which are accessed via a separate access just west of Station Yard, some 124m west of the application site access. The village of Barham is some 0.5km to the east.

Planning history:

6. There is extensive history in relation to the wider Station Yard employment site going back to the 1970s for distribution and industrial uses. The more recent and relevant applications on the wider site and off the adjacent access are listed below:
7. E/92/2427/H: Hazardous Substances - Deemed Consent - Industrial gas filling and the distribution of both industrial, special and cryogenic gases. Grant, 30.09.1992
8. DC/17/1487/FUL: Planning Application - 1no. industrial storage building (B8). Grant, 06.02.2018
9. DC/20/0571/CR3: Application (application on behalf of Suffolk County Council) - Continued use of the site for a recycled glass bulking facility,

including storage facilities, haulage depot and ancillary parking. No objection.
20.04.2020

10.DC/21/0907/CR3: Regulation 3 planning application (application on behalf of Suffolk County Council) - Variation of condition 11 (Waste Types) of permission SCC/0014/20SE to allow storage of paper onsite. No objections, 07.05.2021

11.DC/21/0017/FUL: Planning application - Installation of two ambient vaporiser units, silencer skid, concrete plinth and ancillary infrastructure: Grant 30.03.2021

Consultations:

12.Natural England (NE)

No objection. Advise that a Habitats Regulations Assessment (HRA) is required and refer to advice provided previously in relation to 1 new industrial building (DC/17/1487/FUL) in 2017.

'In advising your authority on the requirements relating to Habitats Regulations Assessment, and to assist you in screening for the likelihood of significant effects, based on the information provided, Natural England offers the following advice:

- the proposal is not necessary for the management of the European site
- that the proposal is unlikely to have a significant effect on any European site providing mitigation is included to address potential disturbance during the construction period. If this is included, we consider that the application can be screened out from any requirement for further assessment.'

Natural England further advice that 'it is possible that stone curlew will be disturbed during construction and therefore we advise that works should not take place within the stone curlew breeding season (March to the end of August). If it is proposed to carry out works during this period, we would expect the applicant to carry out a search of the RSPB nest records up to 500m from the site to assess whether birds are likely to be nesting within the distance where they may be disturbed.'

A condition in this respect can be attached to any consent granted.

13.Environment Team

No objection but suggest the Environment Agency is consulted due to the risk of land contamination through fuel spillages or leakages.

In the interest of air quality an electric vehicle charge point should be secured by condition.

14.Suffolk County Council - Highways

1st September 2019: Raised a number of queries with regards to:

- visibility splays following the installation of the acoustic fence,
- damage to the highway surface at eastern section and potential need for improvements to the access
- requirement to meet industrial access specifications
- Transport statement
- pedestrian/cycle route into the site

Subsequently a Highways Statement was submitted on 05 Mar 2021 to address the points raised. An amended visibility Splay Plan with realigned acoustic fence was submitted on 08 April 2021

24 May 2021 Re-consultation: The information submitted demonstrates that a safe access onto and off the highway can be achieved. The realigned acoustic fence and subsequent improved visibility splays in both directions are acceptable.

The Highway Authority notes that this is an existing access that was being used for the purposes of fuel distribution before the planning application was submitted. It is noted that the access gate is 6.3 metres wide at its narrowest and that the entrance gate is now at least 14.6 metres back from the highway edge. No intensification of use of the access is proposed and there is no accident history in the vicinity of the site in the last five years (2016 to 2020).

Sufficient manoeuvring space is available for all vehicles to be able to complete on-plot turns and return to the carriageway in forward gear. It is acknowledged that the drivers operating at the site will be experienced tanker drivers and that no visits by the public are required. Also acknowledged is that there are no highway footways in the vicinity of the site so the absence of a dedicated pedestrian access into this site is acceptable.

Overall, the proposal would not have any severe impact on the highway network in terms of vehicle volume or highway safety. Therefore, Suffolk County Council does not wish to restrict the grant of permission.

15. Ecology and Landscape Officer

HRA conclusion: Likely significant effect on Breckland SAC can be screened out and taking into account the imposition of a planning condition, adverse effects on integrity of Breckland SPA can be ruled out alone and in-combination with other plans and projects.

Landscape: The planting details in the landscaping plan are not adequate to provide additional screening along the eastern boundary of the site. It is recommended that the density of plants is significantly increased in the areas where there are gaps in the trees.

16. Environment Agency (EA)

25 Feb 2020 - Holding objection: ‘...because the risks to groundwater from the development are unacceptable. The applicant has not supplied adequate information to demonstrate that the risks posed to groundwater can be satisfactorily managed. (...) No details regarding the tank construction details, their capacity, the wider fuel storage and distribution system, or assessment of the potential risks associated with the development, have been provided. The storage of fuel must comply with The Control of Pollution (Oil Storage) (England) Regulations 2001 (as amended).’

07 April 2021 Re-consultation response:

Additional documents reviewed:

- Phase I & II Geo-Environmental Assessment, EPS ref: UK21.5251 Issue 1, 19 February 2021; and

- Fuel Storage Feasibility Assessment, EPS ref: UK21.5251b Issue 1, 19 February 2021.

The EA withdrew their holding objection to the proposed development as submitted subject to 1) details to be submitted for a scheme to dispose of surface water and install oil separators and 2) a scheme to improve the existing and proposed fuels storage. These can be secured by condition.

17. Public Health And Housing

29 November 2019 - Holding objection:

Consider the noise report and proposed mitigation acceptable and suggest a condition to secure implementation in accordance with the specifications.

However, consider the proposed operation hours excessive. Although the noise barrier will mitigate noise from the vehicles while they are unloading, there is still the issue of noise generated from vehicles arriving and leaving the site. It is therefore suggested that more reasonable operating hours are negotiated with the applicant.

20 December 2019:

Subsequently, taking into account hours agreed on the adjacent site, the following was suggested:

- HGV movements to and from the site will only take place between 7am - 7pm daily
- Operation hours between 6am to 9pm weekdays and 6am to 5pm Saturdays.

No objection. PHH confirmed that these hours are more acceptable and are in line with what they would normally suggest.

18. Tree Officer

Concerns were raised verbally about the potential impact of the proposed development, particularly the acoustic fence, within the root protection areas of the line of mature trees along the eastern boundary. Subsequently a Tree Preservation Order was served, and an Arboricultural Impact Assessment requested.

Following the submission of the Arboricultural Impact Assessment on 05 March 2021, the Tree Officer confirmed that 'the 'Tree Survey Report' dated Jan 2021 sufficiently demonstrates that the proposal can be achieved without resulting in a significant detrimental impact on the line of trees along the eastern boundary. There is construction proposed within the Root Protection Areas (RPA) of these trees, however, the recommended construction methodology should provide adequate mitigation to minimise harm to an acceptable level. The details of which are broad and preliminary in nature and a pre-commencement condition for a detailed arboricultural method statement should be applied to safeguard the affected trees.'

A condition to secure an Arboricultural Method Statement prior to any works in relation to the acoustic fence and within the RPA of the TPO trees has been included below.

19. **Ward Councillor**

No formal comments received however the application was referred by Delegation Panel for consideration at Committee.

20. **Ramblers Association**

No comments received.

21. **Parish Council**

The Parish Council (PC) object to the application for the following summarised reasons (19.11.2019):

Noise: The PC are of the opinion that the noise mitigation measures will not adequately mitigate the noise levels for residential properties on Station Road as the noise assessment has not captured the 'noisier' operations.

Light pollution: Overhead flood lights and vehicle headlights are causing considerable light pollution to adjacent residents.

Operating hours:

Operating hours for this site should be restricted to be from 0700 to 1900 Mon to Fri and 0700 to 1300 Sat. No operations on a Sun. Request that there should be no exceptions to these hours irrespective of any commercial justification.

Highways:

'The C633 has a Traffic Regulating Order, introduced in 1999 which restricts vehicles over 7.5T to travelling in an easterly direction only. It does not make exception for access. This restriction was imposed to facilitate a temporary diversion for HGVs around Thetford until the link route was built. This link was never constructed and the re- routing of vehicles along the C633 has continued to this day. The C633 is not suitable for the demands of the high volume of traffic that now use the road and there has been a marked increase in the number of HGVs using this road from the sites adjacent to C633. These HGVs are using the road to travel in a westerly direction. Due to the narrowness of the road, opposing HGVs must leave the road in order to pass one another and this is causing damage to the verges and highway edges. The verges from Elveden Road to the Junction at Elveden are Roadside Conservation Areas which are being destroyed by these westbound vehicles. This situation was recognised during the consideration of the planning application for the site neighbouring the NRG site. The result was a restriction on the number of daily movements allowed from this site. If the movement restriction imposed on this neighbouring site is relevant, then any increase in HGV traffic onto this road from the NRG site must be questionable. In any case, because SCC Highways Authority have stated that the TRO is not enforceable for vehicles using sites adjacent to C633, if this application is approved then a condition of this approval must be a restriction to HGV traffic to an easterly direction only.'

18.08.2021 re-consultation response:

The PC re-submitted their previous comments and add that the parish council is very concerned about the additional traffic/movement/stress on the C633 that a fifth storage tank would incur. (Officer note: the fifth tank was shown on the original submission and the proposal was considered by consultees on this basis, the only amendment that occurred was a change to the proposal description)

Representations:

22. Two objections have been received from properties opposite the application site, raising the following summarised concerns:
- Inappropriate use in residential area
 - Noise from oil pumps, often late at night
 - Noise from lorry idling in the early hours and from leaving the site
 - Floodlighting throughout the night causing a nuisance
 - Lorry headlights
 - Highways / Traffic volume: the C633 can't cope with the large volume of HGV's
 - Existing residential properties along the C633, a 40mph zone, proves difficult
 - Walking is not safe
 - Noise from passing HGVs
 - Reference to the adjacent speculative warehouse approved under DC/17/1487/FUL, which has a restrictive condition to limit HGV movements to 42 per day from the approved development
 - HGVs cause broadband issues
 - Damage to carriage way and roadside nature reserve from passing HGVs overriding
 - Detrimental impact on visual amenity from acoustic fence
 - Reduced visibility from acoustic fence

Policy:

23. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.

24. The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy 2010 & Vision 2031 have been taken into account in the consideration of this application:

Vision Policy RV1 - Presumption in favour of Sustainable Development

Vision Policy RV4 - Rural Employment Areas
(site ref E – Gorse Industrial Estate (Barnham))

Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy

Core Strategy Policy CS2 - Sustainable Development

Core Strategy Policy CS3 - Design and Local Distinctiveness

Core Strategy Policy CS4 - Settlement Hierarchy and Identity

Core Strategy Policy CS9 - Employment and the Local Economy

Core Strategy Policy CS13 - Rural Areas

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM5 Development in the Countryside

Policy DM6 Flooding and Sustainable Drainage

Policy DM10 Impact of Development on Sites of Biodiversity and Geodiversity Importance

Policy DM11 Protected Species

Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity

Policy DM13 Landscape Features

Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards

Policy DM30 Appropriate Employment Uses and Protection of Employment Land and Existing Businesses

Policy DM45 Transport Assessments and Travel Plans

Policy DM46 Parking Standards

Other planning policy:

25. National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2021 NPPF that full weight can be attached to them in the decision-making process.

Officer comment:

Principle of development

26. The application site lies outside of the defined settlement and is thus in the countryside from a land use perspective. However, the site is specifically

allocated under policy RV4(e) as an area of general employment where the LPA will, subject to other relevant planning considerations, support proposals for B1, B2 and B8 use classes.

27. In this instance, the proposed use for a fuel storage and distribution business falls within the B8 use Class of the Town and Country Planning (Use Classes) Order 1987 (as amended).

28. Accordingly, the principle of development is acceptable, subject to relevant planning considerations as set out below.

Design, form and scale

29. The storage tanks are set back from the road and the site seen against a backdrop of existing larger scale development along the western boundary and mature Oak trees along the eastern side boundary. Based on the details as submitted in the supporting plans and as evidenced during the site visit the scale and form of the development is considered appropriate for the site and would not appear intrusive, dominating or unduly large. The application requires the installation of a 2.5m high acoustic fence to the front and sides, the frontage being the shortest of the boundaries. This being an existing rural employment site the siting of utilitarian and commercially designed equipment behind a close boarded acoustic fence is something which is to be expected in such a locality. On this basis the proposal is not considered to conflict with policy CS3 and DM2 in this respect.

Amenity impacts

30. Policy DM2 of the Joint Development Management Policies Document and paragraph 130 of the NPPF provide that the LPA must, when considering proposals, seek to ensure existing amenity is not unduly threatened.

31. In this instance, whilst the site is allocated for employment purposes, there are some residential properties in close proximity to the site and complaints have been received by the LPA since the operations started.

32. The noise survey submitted in support of the application was undertaken over 2 days unattended and the unattended noise monitoring data was supplemented with attended noise measurements at several positions taken on 27/09/19. The survey included roadside attended measurements and other measurements were taken of specific sources at the respective source locations.

33. The report also sets out the measures to mitigate the noise impacts. In this case a 2.5m acoustic fence is proposed along the front and side boundaries. This screen must be constructed from a material with a minimum surface mass of 10kg/m².

34. Concerns from the Parish Council with regards to the noise assessment not having been undertaken during the noisiest operations are noted. However, the noise consultant has confirmed and provided evidence on 12.02.2020 that the noise report has captured the 'noisier deliveries of one of the lorries with on-board pump'.

35. The ambient noise captured was between 42 and 81dB and the noise level at the receiver without screening was between 44 and 51 dB. The acoustic fence would reduce this noise level to 33 and 42dB. The noise report explains that

'the only site-related source that will exceed the recommended rating level at the receiver location is noise from trucks pulling out of the site. However, this is still lower than the measurement of ambient noise around the site, i.e. non-site-related road traffic (45 dB(A) due to a truck pulling away compared to 49 dB(A) as the ambient noise level) and within the context of the noise environment (HGVs on the main road).'

36. Public Health and Housing confirmed in their subsequent comments that the proposed mitigation screen would provide adequate noise mitigation against this level of noise. Subject to the installation and maintenance of the noise screen, which can be secured by condition, the proposal is not considered to unacceptably impact on residential amenities by reason of noise, in accordance with policy DM2 and DM14.
37. Lighting from the site also raises concerns with regards to adverse impacts on residential amenity from glare from the sites flood lights and HGV headlights. It is reasonable to assume that the disturbance from headlights from trucks would be reduced by the installation of a 2.5m solid acoustic fence. However, a detailed light assessment and lighting scheme can be secured by condition, to be submitted to the LPA for approval within 1 month of any permission, to ensure a lighting environment of low district brightness at residential properties. Any lighting not approved within 3 months, or within a period agreed otherwise, shall not be operated. It is considered that lighting issues can be adequately dealt with by condition.
38. In relation to HGV movements, in order to maintain operations (allowing for movements between fleets and reserve vehicles for example), the applicant has advised that tankers may need to arrive to commence filling ahead of 07:00 or arrive back at the depot past 19:00. The applicant considers the originally proposed hours of 07:00 – 19:00 (as imposed on the adjacent site) would unduly restrict operations, noting in particular the unrestricted proximity of HGV's utilising the A134 and eastbound Station Road (the C633). Following further consultation with Public Health and Housing, they recognise the operational constraints that a 7am start time could bring. The installation of the acoustic fencing will also significantly improve noise impacts at the site. On balance they do not consider a 6am start time for HGV movements to be so unreasonable to justify refusal. On this basis, the requested condition times are considered acceptable.
39. On the basis of the above and subject to conditions to secure operating hours, implementation in accordance with the details submitted in the noise report and subject to the submission of details of a lighting scheme to ensure appropriate light levels at residential properties, the proposal is considered to comply with policy DM2 and DM14 with regards to amenity and minimising pollution.

Highways considerations

40. The proposal is for the continued use of the site for a fuel storage and distribution business. The business has been operating from the site for almost 4 years since at least October 2017.
41. Vehicular access to the application site is off the C633 Station Road which runs east/west between Elveden and Euston. The road is subject to a 40mph speed restriction and a Traffic Regulation Order (TRO) restricting the HGV

movements along this road to eastward movements other than to access sites along Station Road.

42. Therefore, any HGV movements at this site must be in accordance with this TRO. However, whilst the road is a rural C class road and only suitable for HGVs in one direction, it is principally a road accepted for use by HGVs.
43. Policy DM45 requires the submission of a Transport Assessment for major developments appropriate to the scale of development and the likely extent of transport implications. The footnote in the policy refers for thresholds to Appendix B, Department for Transport Guidance March 2007, Guidance on Transport Assessment. Whilst this Guidance has now been withdrawn the advice was that for B8 development no assessment is required for a floor area under 3000sqm. Between 3000-5000sqm floor area would require a Transport Statement and over 5000sqm a Transport Assessment. A Transport Assessment was therefore not reasonably required.
44. The site operates with a permit (outside of the planning regime) for a fleet of 9 tankers, but only currently operates 8 tankers. In addition, deliveries occur from 2 further third-party tankers. The applicant supplies private residences, nursing homes and rural businesses. These premises rely on a secure supply, especially in the colder months given the corresponding increase in demand serviced by the applicant. Given the above and the constraints of the site it is considered reasonable to include a condition to restrict the fleet to 9 tankers (in line with the permit).
45. To reflect the additional licenced tanker and fluctuations in seasonal demand; where HGVs might be making two return trips (going out and coming back twice) in a working day, the total HGV movements per day is also requested by the applicant to be no less than 30. They consider this to be wholly appropriate given the requirement of the applicant to ensure deliveries to customers, the lack of any reported highways impacts associated with the Oil NRG site and the NPPF being clear at paragraph 111; 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'. Restricting the operation to 30 HGV movements per day (for example, 15 movements out of the site and 15 returning) will ensure the LPA retains control over any significant intensification of the use of the site. The Highways Authority raised no concerns in this regard and have no objections to the proposed restrictions.
46. The site has been used in association with the wider employment site before and has been in its current use for almost 4 years. No accidents have been recorded in the last 5 years in the vicinity of the site and there would be no intensification of the use of the access as a result of the grant of permission.
47. The operation and delivery hours will be restricted in the interest of residential amenity as set out above. On this basis it is not considered that the residual cumulative impacts on the road network would be severe to justify refusal in line with paragraph 111 of the NPPF.
48. Concerns were raised by the Highways Authority about the acoustic fence potentiality effecting visibility upon leaving the site. The highway statement subsequently submitted demonstrates on plan and in photos that visibility in accordance with current standards would be achieved. To further improve

visibility the required acoustic fence has subsequently been moved back from the line of the existing fence by an additional 0.5m. This will increase the verge and visibly along Station Road. On this basis the proposal is considered to comply with policies CS2, DM2 and DM46 in this respect.

Ecology, Habitats Regulation Assessment (HRA) and Landscape Impacts

49. The site is 250m from Breckland Special Protection Area (SPA) at its closest point and within the 1500m buffer around component parts of the SPA designated for Stone Curlew. The site is approximately 400m from Breckland Special Area of Conservation (SAC) and 500m from the Roadside Nature Reserve which runs along Elveden Road.

50. The local planning authority, as the competent authority, is responsible for the Habitats Regulation Assessment (HRA) as required by The Conservation of Habitats and Species Regulations 2017 (as amended). The regulations require a competent authority, before deciding to give any consent to a project which is likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and is not directly connected with or necessary to the management of that site, to make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives. The applicant has not submitted any information to inform the HRA.

51. The project is not directly connected with or necessary to the management of Breckland SPA or Breckland SAC.

52. Natural England commented in relation to this proposal most recently on 18 December 2019 and previous to that on 3 November 2017. In the most recent consultation response NE states that there is no objection to the continued use of the site. They go on to require that if any works need to be undertaken then the previous advice is followed namely that construction works should not be carried out within the bird breeding season. A condition is required as follows:

'Construction works must not take place within the stone curlew breeding season (March to the end of August). If it is proposed to carry out works during this period, an assessment of the impact on stone curlew should be undertaken and submitted to the LPA for approval prior to commencement of works. This should include a search of the RSPB nest records up to 500m from the site to assess whether birds are likely to be nesting within the distance where they may be disturbed.'

53. The Council's Ecology officer has assessed the proposal and noted the following:

'The continued operation of the site is unlikely to have a significant effect on any European site. This is because there are similar industrial buildings and hardstanding present in this location, and the level of traffic proposed is unlikely to create significant disturbance to stone curlew, or to lead to significant air quality impacts on Breckland SPA or Breckland SAC.'

'Projects that are likely to act in-combination will be those located around or adjacent to this part of the SPA, in particular those within the SPA itself where there is likely to be construction or operational noise or that are likely to

increase avoidance on otherwise suitable habitat within the SPA. There are few other extant planning permissions and current planning applications in the vicinity. Those that are registered are either so minor or are remote from this location that they would be unlikely to have an in-combination effect.'

54. 'Based on the above, likely significant effect on Breckland SAC can be screened out and taking into account the imposition of a planning condition, adverse effects on integrity of Breckland SPA can be ruled out alone and in-combination with other plans and projects.'

55. The Local Planning Authority also has to have regard to conserving biodiversity as part of policy or decision making under Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC). The site is part of an established employment site with similar commercial uses in the vicinity. Moreover, the site is mostly hard standing with limited biodiversity value or habitat for protected species. No works are proposed to the trees along the eastern boundary which would have the potential to support roosting bats. On this basis the proposal is not likely to have an adverse impact on protected species in accordance with policy DM11.

56. The trees along the eastern boundary are of high amenity and screening value. Subsequently a Tree Preservation Order was served to ensure the long-term retention of these trees. Due to concerns about the potential impact from the erection of an acoustic fence within the root protection areas of the trees a tree survey and Arboricultural Impact Assessment was requested from the applicant.

57. Following the submission of the Arboricultural Impact Assessment the Tree Officer confirmed the information 'sufficiently demonstrates that the proposal can be achieved without resulting in a significant detrimental impact on the line of trees along the eastern boundary. There is construction proposed within the Root Protection Areas of these trees, however, the recommended construction methodology should provide adequate mitigation to minimise harm to an acceptable level. The details of which are broad and preliminary in nature and a pre-commencement condition for a detailed arboricultural method statement should be applied to safeguard the affected trees.'

58. A condition to secure an Arboricultural Method Statement prior to any works in relation to the acoustic fence and within the RPA of the TPO trees has been included below.

59. The Councils Landscape and Ecology Officer considers the planting details in the landscaping plan are not adequate to provide additional screening along the eastern boundary of the site. It is therefore recommended that the density of plants is significantly increased in the areas where there are gaps in the trees. Additional native planting would serve as an enhanced screen and would also provide biodiversity enhancements in accordance with policy DM12. This can be secured by condition.

Conclusion:

60. The continued use is an appropriate use in accordance with policy RV4 on this rural employment site. The level of traffic proposed is unlikely to create significant disturbance to European protected sites (DM10) or have a severe impact on the local highway network (DM2; NPPF para 111) to justify refusal.

Subject to conditions to secure improvements to the existing and proposed oil storage as requested by the EA in accordance with policies DM6 and DM14, appropriate noise mitigation in the form of a 2.5m tall acoustic fence as set out in the noise report, conditions to secure on site operational hours and HGV movement hours, a lighting scheme to ensure low district brightness at residential properties in accordance with policies DM2 and DM14 and enhancement to biodiversity and soft landscaping in accordance with policies DM2, DM12 and DM13, the proposal is considered to be acceptable and in compliance with the relevant development plan policies and the National Planning Policy Framework.

Recommendation:

61. It is recommended that planning permission be **APPROVED** subject to the following conditions:

- 1 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents, unless otherwise stated below:

Reference number	Plan type	Date received
1534/LP1	Location plan	29 October 2019
30-002 A	Block Plan	5 August 2021
1534/VP3	Visibility splays	8 April 2021
tank elevation	Elevations	5 August 2021

Reason: To define the scope and extent of this permission.

- 2 Within 3 months of the date of this permission a scheme to improve the existing oil storage and proposed new oil storage shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved, within 6 months of the planning permission being granted, or prior to the additional tank (tank number 5) being installed, whichever is sooner.

The details shall demonstrate that the tanks meet the standards equivalent to those laid out in 'The control of Pollution (Oil Storage) (England) Regulations 2001' and include but not be limited to evidence that:

- The existing tanks and proposed tank have secondary containment that is impermeable to both the fuel and water, with no opening used to drain the system.
- There is a minimum volume of secondary containment at least equivalent to the capacity of the tank plus 10%.
- All fill points, vents and gauges are located within the secondary containment.
- All fill points and tank vent pipe outlets are designed to discharge downwards into the bund.
- Associated above ground pipework is protected from accidental damage.
- Impact protection is provided around the tanks and pipework, to prevent accidental impact from moving vehicles on the site.
- Overfill protection mechanism and alarms are in place.
- Leak detection and an alarm system is in place with a mechanism to

- alert the operator remotely if a spill occurs when the site is unmanned.
- Timeframe for implementation of the approved scheme.

Reason(s): To protect and prevent the pollution of controlled waters from potential pollutants associated with the current and proposed land use in line with National Planning Policy Framework (NPPF) and Environment Agency's Groundwater Protection Position Statements, in accordance with policy DM6 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 14 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 3 Within 6 months of planning permission being granted, or prior to the additional tank (tank number 5) being installed, whichever is sooner, a scheme to dispose of surface water and install oil separators, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved within the agreed timescales. The scheme shall include the following details:

- A surface water drainage and oil separator plan;
- Oil separator specifications including details of how the interceptor can be shut off to prevent discharges in the event of a pollution incident;
- Information to show that the loading/unloading areas and the existing and proposed oil storage tank are/will be situated on an impermeable surface that drains to the separator;
- Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. Infiltration through contaminated land has the potential to impact on groundwater quality; and
- Timeframe for implementation of the approved surface water disposal and oil separators scheme.

Reason(s): To protect and prevent the pollution of controlled waters from potential pollutants associated with the current and proposed land use in line with National Planning Policy Framework (NPPF) and Environment Agency's Groundwater Protection Position Statements, in accordance with policy DM6 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 14 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 4 Prior to any works in relation to the installation of the acoustic fence or works within the RPA of the trees shown to be retained an Arboricultural Method Statement (including any demolition, groundworks and site clearance) shall be submitted to and approved in writing by the Local Planning Authority. The Statement should include details of the following:

- a. Measures for the protection of those trees and hedges on the application site that are to be retained,
- b. Details of all construction measures within the 'Root Protection Area' (defined by a radius of $dbh \times 12$ where dbh is the diameter of the trunk measured at a height of 1.5m above ground level) of those trees on the application site which are to be retained specifying the position, depth, and method of construction/installation/excavation of service trenches, building foundations, hardstandings, roads and footpaths,
- c. A schedule of proposed surgery works to be undertaken to those trees and hedges on the application site which are to be retained.

The development shall be carried out in accordance with the approved Method Statement unless agreed in writing by the Local Planning Authority.

Reason: To ensure that the trees and hedges on site are adequately protected, to safeguard the character and visual amenity of the area, in accordance with policies DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to installation of the fence to ensure that existing trees are adequately protected prior to any ground disturbance.

- 5 Within three months of the date of this permission a noise screen must be installed around the northern end of the site at a height of 2.5m in accordance with the details set out in the SRL Noise Report (Ref. 42908A-SRL-RP-YA-01-S2-P01 P01, dated 25.10.2019) and shown in Figure 3 of the report, unless agreed otherwise in writing with the Local Planning Authority. Within 1 month of the noise screen being installed the existing metal palisade fence along the site front shall be removed. All noise mitigation measures shall be maintained thereafter in accordance with the approved details.

Reason: To protect the amenities of occupiers of properties in the locality, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 6 The site shall operate a maximum fleet of 9 HGV tankers.

Reason: In the interest of highway safety, residential amenities and amenities of the area, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 7 The total number of HGV movements to and from the site shall not exceed 30 per day.

Reason: In the interest of highway safety, residential amenity and the amenities of the area, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 8 HGV movements to and from the site shall only take place between 6am - 8pm daily.

Reason: To protect the amenities of occupiers of properties in the locality, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 9 No loading or unloading shall take place and no plant or machinery shall

be used on the site except between the hours of 6am on 9pm Monday to Friday and 6am to 5pm Saturdays and at no time on Sundays, Bank or Public Holidays.

Reason: To ensure the appropriate use of the site and to protect the amenities of occupiers of properties in the locality, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 10 From two weeks after the date of this permission the owners/operators of the site shall commence and keep an up-to-date log of all HGVs movements associated with the site which shall include the times and registration of the vehicles entering/leaving the site each day. The Register shall be made available for inspection by the Local Planning Authority within 24 hours of request.

Reason: To ensure that the Local Planning Authority retains control of the HGV movements associated with the site hereby approved due to the constraints of the local road network and the potential impact on residential amenity from significant increase in HGV movements from the development hereby approved.

- 11 Within one month of the date of this permission lighting details shall be submitted to and approved in writing by the Local Planning Authority to ensure a lighting environment of low district brightness at residential properties. Any lighting not approved within 3 months of this permission, or within a period agreed otherwise, shall not be operated at any time.

Reason: To safeguard the amenity of the area, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 12 Visibility splays shall be provided as shown on Drawing No. 1534 VP3 with an X dimension of 2.4 metres and a Y dimension of 120 metres and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the access have sufficient visibility to enter the public highway safely and vehicles on the public highway have sufficient warning of a vehicle emerging, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 13 Construction works including the installation of the acoustic fence must not take place within the stone curlew breeding season (March to the end of August). If it is proposed to carry out works during this period, an assessment of the effects of the proposals which must include review of RSPB nest records up to 500m from the site to assess

whether birds are likely to be nesting within the distance where they may be disturbed. The assessment should be submitted and agreed in writing prior to commencement of development and any mitigation measures implemented in full.

Reason: To avoid the potential to disturbance of Stone Curlew during construction, in accordance with policies DM11 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 14 Within 3 month of this permission details of biodiversity enhancement measures to be installed at the site, including details of the timescale for installation, shall be submitted to and approved in writing by the Local Planning Authority. Any such measures as may be agreed shall be installed in accordance with the agreed timescales within 12 months of the date of this permission and thereafter retained as so installed.

Reason: To secure biodiversity enhancements commensurate with the scale of the development, in accordance with policies DM11 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 15 Within three months of the date of the permission a scheme of soft landscaping for the site drawn to a scale of not less than 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include accurate indications of the position, species, girth, canopy spread and height of all existing trees and hedgerows on and adjacent to the site and details of any to be retained, together with measures for their protection during the course of development. The works shall be completed in accordance with the approved plans and in accordance with a timetable to be agreed with the Local Planning Authority.

Reason: To enhance the appearance of the development and to ensure that the most vulnerable trees are adequately protected during the periods of construction, in accordance with policies DM2, DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 16 Within 6 months of the date of this permission, at least 1 electric vehicle charge point shall be provided at reasonably and practicably accessible locations within the site. One additional parking space shall be provided with the infrastructure in place for future connectivity. The Electric Vehicle Charge Points shall be retained thereafter and maintained in an operational condition. Charge points shall be Fast (7-22KW) or Rapid (43KW) chargers.

Reason: To promote and facilitate the uptake of electric vehicles on the site in order to minimise emissions and ensure no deterioration to the local air quality, in accordance with Policy DM14 of the Joint Development Management Policies Document, paragraphs 105 and 110 of the National Planning Policy Framework paragraphs 105 and 110 and the Suffolk

Parking Standards.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/19/2155/FUL](#)

Case officer: Britta Heidecke Phone: 07812 509938

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DC/19/2155/FUL - Storage Tank Station Yard Station Road Barnham Suffolk



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DRAWING NOTE
 - This drawing must not be reissued, loaned or copied without the written consent of Durrants.
 - All errors, omissions, discrepancies should be reported to Durrants immediately.
 - All dimensions to be checked before site fabrication by the contractor, his sub-contractor or supplier.
 - Any deviation from the drawing to be reported to Durrants immediately.
- This drawing is only to be used for the purpose identified in the boxes below.
 DO NOT SCALE FROM DRAWING

CDM 2015 DESIGNER RISK INFORMATION
 In addition to the hazards/risks normally associated with the type of construction work detailed on this drawing which a competent contractor should be able to control using normal good practice and procedures.
NOTE THE FOLLOWING UNUSUAL AND EXTRAORDINARY RISKS TO HEALTH AND SAFETY:-
CONSTRUCTION

MAINTENANCE/CLEANING

DECOMMISSIONING/DEMOLITION

 Further information can be found on designer risk assessment number / document ref:-

 It is assumed that all works will be carried out by a contractor competent under CDM 2015 working to an approved method statement and that unless otherwise advised a principle designer has been appointed

DRAWING LEGEND

 EXISTING CONCRETE HARD STANDING

 EXISTING STONE CHIPPINGS



Rev.	Date	Details	Drawn	Checked
A	16.10.19	drawing updated to client comments		

Issued for: **PLANNING**

Client/Project:
OIL NRG LIMITED
OIL STORAGE DEPOT & STATION YARD
BARNHAM, THETFORD, IP24 2PT

Drawing Title:
BLOCK PLAN

Drawn	Checked	Sta.	Scale	Date
DJR	TM	A1	1:250	SEP 19
Project No.	Drawing No.		Revision.	
303292	30-002		A	

DURRANTS BUILDING CONSULTANCY
 Pump Hill House,
 2b Market Hill,
 Diss, Norfolk, IP22 4JZ

Tel: 01379 446603
 Mail: buildingconsultancy@durrants.com
 Website: www.durrantsbuildingconsultancy.com



 EXISTING BLOCK PLAN
 Scale 1:250

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Development Control Committee 1 September 2021

Planning Application DC/21/1198/FUL – Land North of Green Acre, Thetford Road, Ixworth Thorpe

Date registered:	28 June 2021	Expiry date:	23 August 2021 EOT to 03 September 2021
Case officer:	Jo-Anne Rasmussen	Recommendation:	Refuse application
Parish:	Ixworth & Ixworth Thorpe	Ward:	Ixworth
Proposal:	Planning application - Three dwellings (following demolition of existing dwellings)		
Site:	Land North of Green Acre, Thetford Road, Ixworth Thorpe		
Applicant:	Frederick Hiam Ltd		

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and associated matters.

Recommendation:

It is recommended that the committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

Jo-Anne Rasmussen

Email: Jo-Anne.Rasmussen@westsuffolk.gov.uk

Telephone: 01284 757609

Background:

This application is presented to the Development Control Committee following consideration at Delegation Panel on the 27 July 2021. It was presented to the Delegation Panel due to the support from the Parish Council. This is a resubmission of a previously refused proposal determined at a previous Development Control Committee. The application is recommended for REFUSAL.

Proposal:

1. Full planning permission is sought for three dwellings. There are currently three dwellings on site and it is proposed that these will be demolished following completion of the development. The development relates to a pair of semi-detached two storey dwellings and a detached bungalow. The total floorspace for the proposed dwellings would be 435sqm².
2. The existing dwellings form a terrace of three. The dwellings are two-storey and relatively modest in size. The total floor space for the existing dwellings is 232sqm².
3. The dwellings would be built within the residential curtilage of the existing cottages, but pulled forward of their current siting to be closer to the highway and eastern boundary of the site.
4. An outline application for five dwellings, replacing the existing three, was refused by committee in 2019, planning reference DC/18/0544/HYB. The decision was appealed, (reference AP/21/0010/STAND) and the Council's decision was upheld and the appeal was dismissed.

Site details:

5. The site is located to the west of the A1088 in the village of Ixworth Thorpe, which for planning purposes does not have a settlement boundary and is therefore considered to be countryside. The site consists of a terrace of three two storey dwellings. On the northern boundary of the site, running along east to west, is a public foot path.

Planning history:

Reference	Proposal	Status	Decision date
DC/18/0544/HYB	Hybrid application – (i)full planning application – demolition of 3no.existing dwellings and (ii) outline planning application (means of access to be considered) for up to 5no dwellings.	REFUSED	4/12/2019

Consultations:

7. **Town/Parish Council comment:** No Objections, however the Parish Council have stated they would like the methods of heating the properties considered.
8. **Public Health and Housing:** No Objections, subject to conditions
9. **Environment Team:** No Objections subject to condition relating to Electric vehicle charging point.
10. **Waste Management:** No comments
11. **Highways:** No Objections, Subject to conditions relating to access, refuse collection, cycle storage and parking
12. **Natural England:** No Comments

Local member comment:

13. No comments received

Representations:

14. One letter of representation was received from Green Ixworth, 39 Micklesmere Drive, Ixworth. Their comments are summarised below;
 - Similar to previous refusal.
 - Site is within the countryside and should therefore abide by the replacement dwelling policy and should be of a similar size to the existing property/conflict with policy
 - Sustainability/ Minimum services within the locality/Will create more car use.
 - The existing properties should be renovated and refurbished rather than demolished.
 - Would remove smaller more affordable dwellings from the hamlet/ could be a rural exception site.
 - Concern over heating arrangements/ insufficient details/ solar panels likely to be ineffective.
 - No garages or outside storage provided
 - Poorly designed dwellings/ access to garden and bins

Policy:

15. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in

place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.

16. The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy 2010 & Vision 2031 have been taken into account in the consideration of this application:

Joint Development Management Policies Document:

DM1 Presumption in Favour of Sustainable Development.
DM2 Creating Places – Development Principles and Local Distinctiveness
DM5 Development in the Countryside
DM10 Impact of development on sites of biodiversity and geodiversity importance
DM11 Protected Species
DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
DM13 Landscape Features
DM22 Residential Design
DM27 Housing in the Countryside
DM46 Parking standards

St Edmundsbury Core Strategy December 2010

Policy CS2 Sustainable Development
Policy CS3 Design and Local Distinctiveness
Policy CS4 Settlement Hierarchy and Identity
Policy CS13 Rural Areas

Other planning policy:

17. National Planning Policy Framework (NPPF)

The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2021 NPPF that full weight can be attached to them in the decision making process.

Officer comment:

18. The issues to be considered in the determination of the application are:

- Principle of Development
- Previous refusal and appeal
- Impact upon the form and character
- Neighbour amenity
- Highways

- Biodiversity
- Other planning considerations

Principle of Development

19. Decisions on planning applications are required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 to be made in accordance with development plans unless there are material considerations that indicate otherwise.
20. West Suffolk Council is able to demonstrate at least a five year supply of housing land for the period 2017 – 2022, plus necessary buffer, as detailed in the council's report "Assessment of a five year supply of housing land taking a baseline date of 31 March 2017". The relevant policies for the supply of housing are therefore considered to be up-to-date. The starting point for all proposals is therefore the development plan.
21. The Council's settlement strategy derives from a detailed understanding of the character of the area and the requirement to accommodate growth sustainably. The local policy framework seeking to deliver that strategy has been subject to a rigorous process of evidence gathering, consultation, and examination. It accords with the basic principles of the NPPF, which seeks to secure sustainable development and reduce the need to travel.
22. Ixworth Thorpe does not have a settlement boundary and is identified in the Core Strategy as countryside. Policy CS4 identifies these areas as unsustainable due to the reliance on motor cars to access shops, other facilities or employment. Policy CS13 further states that development permitted in such locations will only be so much as is necessary, reflecting the need to maintain the sustainability of services in the community they serve, and the provision of housing for local needs. Development outside defined areas will be strictly controlled.
23. Policy DM5 sets out the specific instances of development that are considered appropriate in the countryside, section g) of this policy states; the replacement of an existing dwelling on a one for one basis where it can be demonstrated that the proposed dwelling respects the scale and floor area of the existing dwelling and that extensions to existing curtilages are fully justified.
24. The existing dwellings on site are relatively modest, traditional workers cottages which have a combined floor space of 232sqm. The proposed dwellings are significantly larger with a combined floorspace of 435sqm. A floorplan of the existing dwellings was requested however this has not been provided.
25. There are no policies within the local plan which would protect or save the existing dwellings and in principle their demolition and replacement would be acceptable. However, DM5 is clear in stating that any such replacement should respect the scale and floor area of the existing dwelling. Given the significant size increase, nearly doubling that of the existing dwellings, it is not considered the proposed dwellings would be respectful or in-keeping and would therefore fail to comply with DM5 and as such would represent the introduction of unjustified and unsustainable form of housing within the countryside.

26. Further, whilst it is noted there may be enhancements in the construction of the dwellings in terms of sustainability, this would not be sufficient to outweigh the conflict with policy for replacement dwellings and the significant harm to the character of the settlement.
27. Policy DM27 was considered extensively during the previous application. Policy DM27 sets out additional criteria for new market dwellings in the countryside. Proposals will only be permitted on small undeveloped plots where they are within a closely knit cluster and front a highway. A small undeveloped plot is one that could be filled by either one detached dwelling, or a pair of semidetached dwellings, where plot sizes and spacing between dwellings is similar and respectful of the rural character and street scene of the locality.
28. The proposal is not within a closely knit cluster. It is located in a generally very loose collection of dwellings, which in themselves sit approximately 1.4km south from the closest settlement boundary which is at Honington Village which itself has limited services. The proposal is not for a single dwelling or pair of semi-detached dwellings, but a total of three dwellings. As such, the proposal does not accord with the provisions set out within DM27.
29. This proposal does not comply with policies CS4, CS13, DM5 or DM27 that all seek to protect the countryside from inappropriate and unsustainable development. DM5 specifically sets out when a replacement dwelling is acceptable and whilst the size of the replacement dwelling does not have to be an exact replica it does have to respect the size and scale of the original dwelling. In this case there is a very clear and significant increase in floorspace (87.5 percent) which cannot be considered to reflect the modest proportions of the traditional cottages. There is, consequently, an unequivocal policy conflict and this failure to meet the provisions of the Development Plan indicate that significant weight should be attached to this conflict against the scheme as a matter of principle.

Previous refusal and appeal

30. The previous application, planning reference DC/18/0544/HYB was refused by Committee in December 2019. The application proposed five dwellings, three being considered replacement dwellings and two being new development. The reason for refusal stated;

'The broad overall aim of paragraphs 77 and 78 of the National Planning Policy Framework (NPPF) is to promote sustainable development in rural areas by locating housing where it will enhance or maintain the vitality of rural communities, by supporting its three dimensions - economic, social and environmental. This approach is also set out in the St Edmundsbury Core Strategy (CS), and the Joint Development Management (DM) Policy DM1 and DM5 which aims to protect the countryside from unsustainable and unjustified housing. In addition to this the Council's settlement strategy is derived from a detailed understanding of the character of the district and the requirement to accommodate growth sustainably.

The proposal is for dwellings outside the settlement boundary and would therefore fall within the remit of policies DM5 and DM27. It is not an infill plot within a cluster, being sited generally within a very loose collection of

dwellings, and therefore, as a result of its conflict with Policies DM5 and DM27 cannot be supported as a matter of principle.

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require decisions to be made in accordance with the development plan unless there are material considerations that indicate otherwise.

The application site lies outside of the defined Housing Settlement Boundaries and is therefore classified as countryside where rural area policies of restraint apply. There is a presumption against residential development in such locations as set out in Policies CS4, CS13 and DM5.

Given the remote location of the site it follows that the occupiers of the proposed dwellings would have to travel by car to access shopping, education, recreation, and social facilities. The dwellings would also create demand for additional trips by visitors and service vehicles. There are no local shops, services or other facilities within a reasonable walking distance of the site that would appropriately cater for the day to day needs of any future occupiers of the proposed dwellings. The nearest reasonable range of day to day facilities are in Ixworth or Honington Airfield, both of which are over 2.5km from the site. In view of the limited options for travel other than by private car, which is exacerbated by the lack of a continuous formal pedestrian foot path linking the site to those settlements, the proposal would not contribute to sustainable travel patterns.

Policy DM5 states that areas designated as countryside will be protected from unsustainable development. Residential development within the countryside is only permitted where it is for affordable housing for local needs, a dwelling for a key worker essential to the operation of agriculture in accordance with the requirements of Policy DM26, infill development within existing clusters in accordance with Policy DM27, or the replacement of an existing dwelling on a one for one basis.

The NPPF represents up-to-date Government planning policy and is a material consideration when determining planning applications. The Framework reiterates that proposals that conflict with the development plan should be refused permission unless material considerations indicate otherwise.

Policy DM2 requires development proposals to recognise the character and appearance of the area in which they are proposed. By reason of the location, but in particular from the expansive layout, the regular spacing of the buildings, and the visually prominent frontage car parking and driveway, the proposal would create a visual intrusion, having an unwelcome and highly urbanising effect on public views of the locality, creating a significant impact so as to cause material harm to the surrounding loosely grained rural character, contrary to the provisions of Policy DM2.

The proposal would not provide any substantial contributions to the locality in terms of economic, social and environmental dimensions of sustainable development. The proposal would be contrary to the pattern of development established in the Core Strategy, and would not respect the character and context of the countryside setting.

The proposal therefore fails to accord with policies DM2, DM5, DM13, DM27, DM33 of the Joint Development Management Policies Document 2015, policies CS2, CS3, CS4 and CS13 of the St Edmundsbury Core Strategy 2010 and paragraphs 77 and 78 in particular of the NPPF, which seek to tightly constrain development in the countryside to that which supports local services and is in appropriate locations. The proposal is in clear and significant conflict with local and national policies.'

31.The refusal was appealed, (reference APP/F3545/W/20/3245658) however this was dismissed in August 2020, with the inspector stating;

"The appeal proposal which would provide a net gain of up to 2 dwellings, would be situated in the countryside where development is strictly controlled and subject to JDMPD Policies DM5 and DM27. The proposed development does not meet any of the defined circumstances for development in the countryside as set out in Policy DM5 and therefore conflicts with that Policy. I saw at my site visit that the appeal site is not situated within a closely knit cluster of 10 or more dwellings. Rather, Ixworth Thorpe consists of a number of dwellings in a dispersed pattern, with significant gaps between individual and groups of dwellings. The appeal site, consisting of the 3 existing dwellings and an area of open land, does not constitute a small undeveloped plot and the proposal conflicts with Policy DM27.

To conclude on this matter, the proposal is not in a suitable location having regard to policies for housing development in rural areas, and of the development plan policies cited by the Council it is contrary to JDMPD Policies DM5, DM27 and to Policy DM33 which is concerned with the re-use or replacement of buildings in the countryside and to CS Policies CS4 and CS13."

The inspector stated that the "proposal would harm the character and appearance of the area, contrary to JDMPD Policy DM2 which sets development principles including, amongst other things, that development recognises and addresses key features, characteristics and local distinctiveness and Policy DM13 which includes that development proposals should demonstrate their location, scale, design and materials, will protect, and where possible enhance the character of the landscape including the setting of settlements and the significance of gaps between them. It is also contrary to CS Policy CS3 which is concerned with design and local distinctiveness."

32.Whilst the previous refusal related to the addition of two dwellings, rather than just the three replacement dwellings, given the proposed siting of the dwellings, on what is currently open frontage, similarities can be drawn between the previous refusal and the proposed application in relation to the urbanising impact and harm the development would have upon the open character of the settlement.

Impact upon the form and character

33.Policy CS3 of the Core Strategy requires new development to create and contribute to a high quality, safe and sustainable environment. Proposals will be expected to address an understanding of the local context and demonstrate how it would enhance an area. This requirement is detailed further in Policy DM13 (Landscape Features) which states that development will be permitted where it will not have an unacceptable adverse impact on

the character of the landscape, landscape features wildlife or amenity value. DM2 seeks development to recognise and address the character of the area.

34. The settlement of Ixworth Thorpe has a small number of dwellings scattered along the highway, there is no defined building line with properties having a loosely grained settlement pattern, with the hamlet retaining an open, rural feel.
35. The proposal would look to re-site the replacement dwellings further to the front of the site, closer to the highway. The existing dwellings are small, traditional workers cottages, with the terrace almost appearing as one dwelling when viewed within the wider landscape, they are set back within the site and are relatively discreet and unobtrusive. Given the scale and design of the proposed properties, combined with the layout, the development would have an urbanising impact upon the site, with the dwellings being significantly more intrusive within the landscape and visible within the street scene.
36. The siting of the dwellings further to the front of the site is similar to that proposed indicatively within the previous application DC/18/0544/HYB. This application was refused and appealed. When referring to the re-positioning of the dwellings in this location the inspector noted;
- “The appeal scheme would erode the openness of the settlement through the development of the open grassed area and front gardens of the dwellings to be demolished. Whilst there are existing hedges which it is suggested are to be retained, this loss of openness would nevertheless harm the character and appearance of the area.”
37. The small terrace of modestly sized dwellings is typical of the surrounding built character of the locality. There is a more modern bungalow neighbouring the site, however given the loose grain and separation distance between the dwellings this is not considered to be the dominant character of the locality. The design and more specifically the width and span of the new dwellings across the frontage of the site, eroding the open grassed area and front gardens of the dwellings to be demolished results in a more dominant and visually intrusive development, harmful to the character and appearance of the area.
38. The existing dwellings have a total width of approximately 14.5 metres and set at an angle and are between 34.6 metres and 42.6 metres from the eastern boundary of the site. The proposed dwellings have a cumulative width of 31.4 metres (plot 3 is 13.2 metres, plots 1 and 2 are 18.2 metres) and are set at varying points between approximately 6 metres and 13 metres from the frontage of the site. The significant increase in the width and scale of the properties does not respect the size of the existing dwellings or indeed reflective of their modest character. As such, the design of the dwellings which serves to elongate their width increases the urbanising impact upon the site. The relocation of the dwellings onto what is currently an open grassed garden area, significantly closer to the public highway, would have an unsympathetic, intrusive and visually harmful urbanising effect on public views of the locality.
39. Para 174 of the NPPF states that development proposals ‘should contribute to and enhance the natural and local environment by recognising the intrinsic

character and beauty of the countryside'. The proposal fails in this regard. The proposal would create a significant level of visual intrusion in this rural location. The siting of the dwellings combined with their scale and design would not be in-keeping with or respectful of the loosely grained and open nature of the settlement of Ixworth Thorpe and would have a materially detrimental impact upon the character and appearance of the area. As such the proposal would not accord with policies CS3, DM2 and DM13.

Biodiversity

40. Bats are protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and Wildlife & Countryside Act 1981 (as amended). The Conservation of Habitats and Species Regulations (2017, as amended) requires that competent Authorities (of which the Local Authority is one) have regard to biodiversity in carrying out its statutory duties, for example through the determination of planning applications.
41. The Local Planning Authority also has to have regard to conserving biodiversity as part of policy or decision making under Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC). Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006) sets out a list of habitats and species that are of principal importance for the conservation of biodiversity in England.
42. Policy DM10 requires that when considering development proposals which may have an adverse impact on nature conservation sites or interests, the local planning authority will have regard to the expert nature conservation advice provided by Natural England, the Suffolk Wildlife Trust and other specialist sources.
43. The applicant has submitted a nocturnal bat survey, dated October 2019 which found that;
 - Evidence of bats was recorded during the initial inspection and further surveys recommended.
 - The nocturnal surveys recorded maximum counts of four Brown Longeared and two Common Pipistrelle roosting in the cottages.
 - The demolition will result in the loss of the roosts and a Natural England licence will therefore be required.
 - The licence will need to be supported by appropriate mitigation.
44. The submitted bat survey report advises that a full mitigation package will be required with a Natural England Licence; the conservation significance is very low using a scale of very low to very high and the proportionate mitigation recommended in the Bat Mitigation Guidelines (2004) says for small numbers of common species there should be the following:
 - No timing constraints
 - Provision of bat boxes
 - No conditions about monitoring.
45. In this case there will be the provision of bat boxes, comprising of one Integrated Eco Crevice Bat Box and two Integrated Eco Cavity Bat Boxes; these boxes are readily used by the species recorded. The exact location of the bat boxes is yet to be determined but can be agreed by condition if necessary. They would be installed in the new cottages in south facing positions at a height not less than three metres from the ground. The boxes

will be complemented by bat friendly lighting; avoiding lighting of the boxes and generally directing light downwards through the use of hoods and cowls as appropriate which will also benefit those species using the site for foraging and commuting. Again this is a matter that could be agreed through the imposition of a condition if required.

46. The report indicates that the preferred work period is October to April; this will have minimal impact on bats as the buildings are thought to be unsuitable for hibernating bats. Again, this is a matter which can be controlled through the imposition of a planning condition.
47. Prior to work commencing an inspection of the buildings will be carried out by the licenced bat worker. Any works to the roof must be carried out by hand and supervised by the licenced bat worker; all other works with the potential to impact on roosting bats will be supervised by the licenced bat worker as required. Prior to commencement of works on site workers will be given a 'tool box' talk on the brief ecology of bats, how to remove materials carefully, what to look for and what to do if a bat is found. Should a bat be found, works will immediately cease and if the bat has not already flown away it will be removed by the ecologist wearing a glove. It will be placed in a cloth bag before being placed into one of the onsite bat boxes which will have already been suitably located. The ecologist will be on call for the duration of the works and workers will have been informed to stop works and call should a bat be found. The ecologist will then visit the site immediately, or instructions provided verbally if bat appears injured and needs instant help. These matters can all be secured through a condition which requires compliance with the provisions of the submitted ecological survey report.
48. Accordingly, with appropriate conditions in relation to mitigation and enhancement works, the proposal is considered to comply with Policies DM10, DM11 and DM12 of the Joint Development Management Policies as well as with the provisions of the NPPF in relation to biodiversity.

Neighbour Amenity

49. Policy DM2 seeks to ensure that new development does not have a detrimental impact on residential amenity.
50. Plot 1 has a first floor window on the north-west elevation which would serve a hallway. Given the separation distance between the proposed dwelling and the neighbouring property it is not considered this would give rise to overlooking or loss of privacy. Plot two has a first floor window on the south-east elevation which would serve a bathroom, a condition could be attached to ensure this is obscure glazed. Windows on the south-west elevation and north-east elevations of the properties would overlook the highway and countryside.
51. Given the relationship to neighbouring dwellings, design and layout, it is not considered the proposal would result in a harmful impact upon the amenity of the occupiers of the neighbouring dwellings.

Highways

52. Policies DM2 and DM46 both state that proposals for all development should produce designs that are in accordance with standards that maintain or

enhance the safety of the highway network and provide appropriately designed and sited car parking.

53. The development would utilise the existing access. Highways have not objected to the proposal but have requested conditions, as stated above. The plans illustrate that two parking places could be achieved for each property and given the level of accommodation this is sufficient and compliant with policy DM46.

Other planning considerations

54. The Parish Council has stated they would like the type of heating of the proposed dwellings taken into account. Details of the sustainability of building techniques to be used on the dwellings is not given, nor is there any comparison or details given as to the sustainability and or/heating of the existing dwellings or what could be achieved through renovation of the existing dwellings. However, even if the proposed dwellings could offer benefits in terms of heating methods this would not outweigh the clear conflict with policy identified above.

Conclusion:

55. Policy DM5 seeks to resist inappropriate and unsustainable development within the countryside and as such sets out criteria for acceptable forms of development. A replacement dwelling is one such form of development, which in principle could be acceptable, however policy DM5 is clear that any replacement dwelling should respect the floorspace and scale of the existing dwelling. The proposed replacement dwellings have a significant increase in terms of their floorspace and scale, they are in no way respectful or in-keeping of the character of the traditional terrace of dwellings and their modest proportions. As such it is considered the proposal does not accord with the provisions of DM5 and as such represents an unjustified form of development within the countryside.

56. Further to this the re-siting of the replacement dwellings within what is currently an open, grassed garden area would negatively impact upon the open, rural character of the settlement. The layout, specifically when combined with the increased size of the dwellings and their design would be significantly more intrusive within the streetscene and wider landscape. The proposed dwellings would not be in-keeping with the loosely grained settlement pattern which is an intrinsic characteristic of Ixworth Thorpe, as such, it is not considered the proposal would comply with policies CS3, DM2 and DM13.

57. As the proposal is contrary to policies within the development plan and core strategy, as well as the provisions of the National Planning Policy Framework (2021) as set out above and with no material considerations which would indicate a different decision should be made, the recommendation is one of refusal.

Recommendation:

58. It is recommended that planning permission be **REFUSED** for the following reasons:

The site is classified as being within countryside and as such policies which seek to protect the countryside from inappropriate and unsustainable forms of development would apply. Whilst policy DM5 allows for replacement dwellings in the countryside, these should be respectful of the scale and floor area of the existing dwelling. The proposed dwellings result in a significant increase in floorspace and the design and scale would not respect or be in-keeping with the modest terrace of properties that exist on the site at present. As such the proposal would be contrary to policy DM5.

Policy DM2 requires that development recognises and addresses key features, characteristics and local distinctiveness. Policy DM13 requires development proposals to protect, and where possible enhance the character of the landscape including the setting of settlements and the significance of gaps between them.

Policy DM2 requires development proposals to recognise the character and appearance of the area in which they are proposed. By reason of the location, but in particular, from the expansive layout, the spacing of the buildings and the visually prominent frontage car parking and driveway, the proposal would create a visual intrusion, having an unwelcome and highly urbanising effect on public views of the locality, causing material harm to the surrounding loosely grained rural character.

The proposal therefore fails to accord with policies DM2, DM5 and DM13 of the Joint Development Management Policies Document 2015, policies CS2, CS3, and CS13 of the St Edmundsbury Core Strategy 2010 and the NPPF, which seeks to ensure new development is sympathetic to local character, including the surrounding built environment and landscape setting and should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside. The proposal is in clear and significant conflict with both local and national policies.

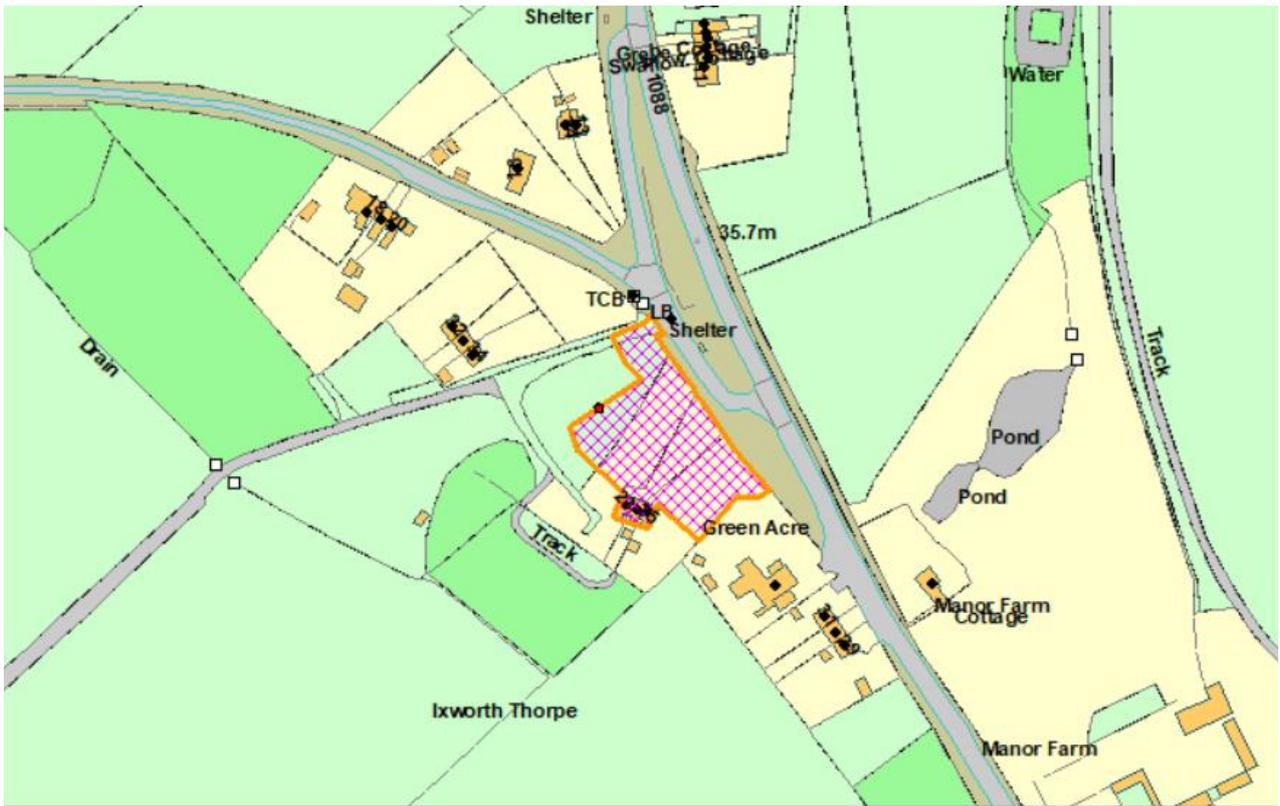
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/1198/FUL](https://www.stedmundsbury.gov.uk/DC/21/1198/FUL)

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DC/21/1198/FUL – Land north of Green Acre, Thetford Road, Ixworth Thorpe



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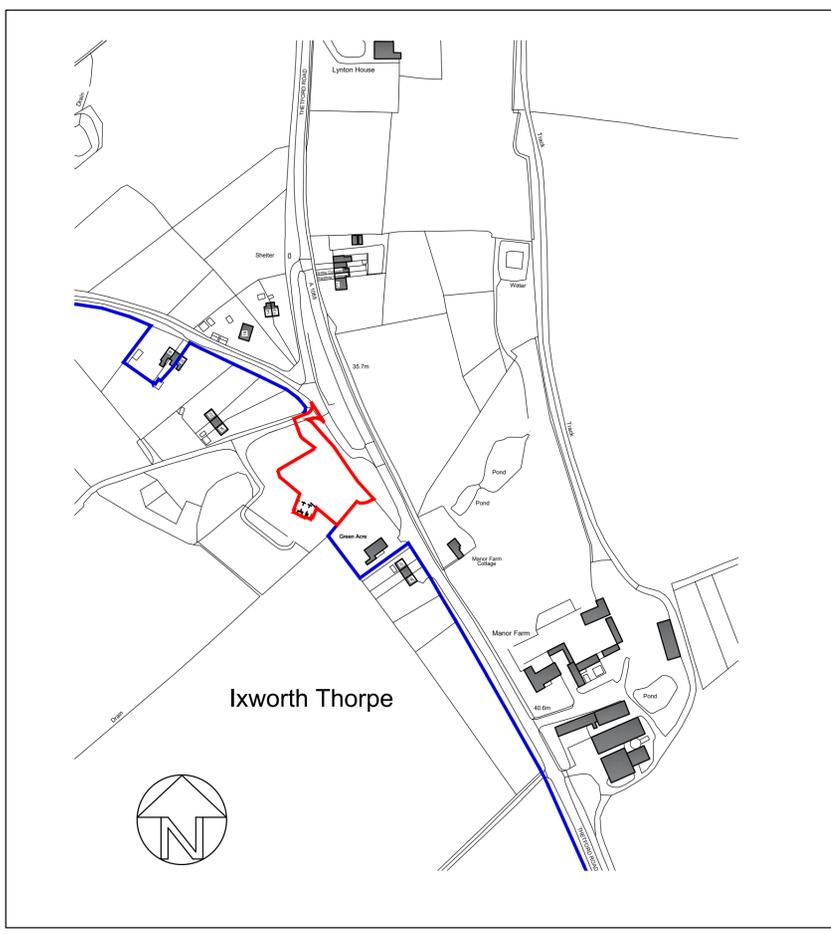
Site Plan 1 / 200

existing access upgraded

existing frontage hedge retained

3 existing cottages demolished

Green Acre



Location Plan 1 / 2500

NOTE:
 The client should be aware of his/her statutory requirement to appoint a principle designer and principle contractor under the CDM 2015 regulations.
 Peter Codling Architects does not undertake this H&S role unless specifically appointed.

PLANNING

B April 2021 Parking
 A Feb 2021 Parking

PETER CODLING ARCHITECTS
 7 THE OLD CHURCH, ST. MATTHEWS ROAD, NORWICH, NR1 1SP Tel: 01603 660408
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Ixworth Thorpe
 Suffolk

Frederick-Hiam
 Site and Location Plan

SCALE	1 / 200	1 / 2500	@ A1
JOB NO	5850	100	B
DATE	Jan 2021	DRAWN BY	

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Development Control Committee 1 September 2021

Planning Application DC/21/0640/HH – 60 The Street, Barton Mills

Date registered:	23 March 2021	Expiry date:	25 June 2021
Case officer:	Alice Maguire	Recommendation:	Refuse application
Parish:	Barton Mills	Ward:	Manor
Proposal:	Householder planning application - detached double garage with new driveway		
Site:	60 The Street, Barton Mills, IP28 6AA		
Applicant:	Les Belsberg		

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and associated matters.

Recommendation:

It is recommended that the committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

Alice Maguire

Email: alice.maguire@westsuffolk.gov.uk

Telephone: 07904 3899

Background:

This application is presented to Development Control Committee following consideration at Delegation Panel on the 18 May 2021. It was presented to the Delegation Panel due to the support from the Parish Council. Amended plans have since been received, dated 21.06.2021. This is a resubmission of a similar previously refused proposal determined at a previous Development Control Committee. The application is recommended for REFUSAL.

Proposal:

1. Planning permission is sought for one detached garage and vehicular driveway. The proposed garage is two bay, and measures 6.200 metres in depth, 11.030 metres in length, with a height to the eaves of 2.9 metres and an overall height of 4.800 metres. There is an existing access and driveway into the site, which is proposed to be resurfaced.
2. The application has been amended, with the garage originally measuring 6.500 metres in depth, 13.400 metres in length, with a height to the eaves of 3.300 metres and an overall height of 4.800 metres.
3. The proposed garage will be within the residential curtilage of 60 The Street, Barton Mills. It will be located in close proximity to the western boundary of the site in front of the existing dwelling. It will be set back approximately 16 metres from the front boundary and highway.
4. An application for a detached garage and new driveway was refused at Development Control Committee on 18.11.2020. The garage measured larger in footprint and was 1.000 metre higher to the ridge. The overall height of the proposal under this application is 4.800 metres.

Site details:

5. The application site comprises of a detached, modern infill property located within the Barton Mills settlement boundary. Access is achieved to the site from The Street. The property is also located centrally within the Conservation Area.

Planning history:

6.

Reference	Proposal	Status	Decision date
DC/20/1063/HH	Householder Planning Application - (i) Garage (ii) vehicular driveway improvements	Application Refused and dismissed at appeal	19 November 2020
F/2012/0245/HOU	Erection of detached double garage with Media Room/Gym over	Refuse	4 October 2012

Representations:

7. Parish Council:

05.05.2021:

The Parish Council has no objections to and strongly support the application based on the proposal affecting no neighbouring properties and there were no issues in relation to other similar garages in the area.

07.07.2021:

Barton Mills Parish Council support this application and strongly disagree with the conservation officers comments as there are many larger double garages on other properties on The Street.

Ward Member:

8. Councillor Brian Harvey requested that the application was referred to Development Control Committee at Delegation Panel on 18 May 2021.

Conservation Officer:

17.05.2021:

9. "The proposed location remains forward of the principal elevation and as a result would continue to be regrettable. It is appreciated there is a mix of development within the conservation area some of which similarly includes garaging forward of the principal elevation. Such an arrangement however does not necessarily contribute towards the character or appearance of the conservation area and would not, in this instance, follow the arrangement of properties either side of the application site. That said the proposed development has been reduced in overall height to the extent the ridge height of the garage roof will now sit below the ridge height of the single storey side extension diminishing in scale and therefore reducing the prominence of an ancillary structure in a prominent location.

Whilst I continue to raise concerns due to its proposed location, the reduced scale is such that I no longer consider the proposed development would cause the extent of harm where a refusal would be warranted. I therefore raise no objection".

05.08.2021:

"...The Inspector's decision is now a material consideration in the determination of the current application and whilst the proposal has been further amended... to include a reduction in the size... the current proposal does not address all reasons for refusal sited in the Inspector's appeal decision".

Neighbour representations

10. Five letters of support have been received. Their comments are summarised and include the following:

- Proposal is significantly away from street and mostly blocked by matured trees.
- Minimal effect on street scene.
- Garage and drive will significantly reduce number of vehicles parked to the front, improving the garden landscape.

Policy:

11. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this Forest Heath District Council.

12. The following policies of the Joint Development Management Policies Document and the Forest Heath Core Strategy 2010 have been taken into account in the consideration of this application:

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM17 Conservation Areas
- Policy DM24 Alterations or Extensions to Dwellings, including Self Contained Annexes and Development within the Curtilage.
- Policy DM46 Parking Standards
- Core Strategy Policy CS5 – Design and Local Distinctiveness

Other planning policy:

13. National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2021 NPPF that full weight can be attached to them in the decision-making process.

Officer comment:

14. The issues to be considered in the determination of the application are:

- Principle of Development
- Appeal Decision
- Impact on the street scene / Conservation Area

- Impact on neighbour amenity
- Design and Form
- Parking and access
- Previous reason/s for refusal

Principle of development

15. The obligation set out in section 38(6) of the Planning & Compulsory Purchase Act 2004 requires decision makers to determine planning applications in accordance with the development plan unless material considerations indicate otherwise. The Framework does not displace this statutory duty and in fact seeks to re-enforce it. However, the policies in the Framework are themselves material considerations which need to be brought into account when determining planning applications. The Framework policies may support a decision in line with the development plan or they may provide reasons which 'indicate otherwise'.
16. The proposal seeks approval for the construction of a detached garage and resurfacing of the existing vehicular driveway. Policy DM24 states that within settlement boundaries, planning permission for the alteration or extension to dwellings, including annexes and development within the curtilage, will be permitted subject to certain criteria. This states that proposals should respect the character, design and scale of the existing dwelling and immediate and wider area, should not result in over-development of the curtilage and should not adversely affect the residential amenity of occupants of nearby properties.
17. The principle of development is therefore acceptable, subject to compliance with DM2, DM24 and, given the site is within the conservation area, DM17. These matters will be assessed in more detail below.

Appeal Decision

18. Following the refusal of the previous planning application at this site, referenced DC/20/1063/HH, an appeal was submitted by the applicant. A decision was received on 16th June 2021 and the appeal was dismissed. This appeal is relevant to the consideration of this planning application, given the similarity of the proposals and is a material planning consideration.
19. Since the former application, the proposal has been amended to reduce the overall scale, however the positioning of the garage forward of the principal elevation remains largely the same.
20. The Inspector agrees that the significance of the conservation area in which the application site is located, is identified as relating to its low density and dominance of landscape. They also state that the appeal site retains an open and spacious nature due to the distance of the property from the road which makes a positive contribution to the significance of the Conservation Area. They note that the garage would be located in the front garden and be highly visible and prominent within the street scene. It is also acknowledged that the garage is of a bulky and large scale which would appear dominant within the street scene and not be subservient to the host dwelling. The Inspector does not agree that the other garages on The Street are comparable to the proposal given their location and scale.

21. In conclusion, the Inspector states that the development fails to preserve the character and appearance of the surrounding area and Barton Mills Conservation Area and would conflict with Section 72(1) of The Act. The proposal therefore conflicts with Policy CS5 of the Forest Heath Core Strategy Development Plan Document (2010) and Policies DM2, DM17 and DM24 of the West Suffolk Joint Development Management Policies Document (2015).

Impact on the street scene and conservation area

22. Policy DM2 states that proposals for all development should recognise and address the key features and character of the areas within which they are to be based. It also states that they should maintain or create a sense of place, preserve or enhance the setting of conservation areas and not involve the loss of gardens and important open, green or landscaped areas which make a significant contribution to the character and appearance of a settlement.

23. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area.

24. Policy DM17 states that proposals for all development within conservation areas should preserve or enhance the character or appearance of the area, be of an appropriate scale, form, height and massing, which respects the area's character and setting, retaining important natural features such as open spaces and plot divisions, and demonstrate a clear understanding of the significance of the area.

25. Given the location of the proposed garage, forward of the principal elevation of No. 60, views of the development will be visually prominent from both the street scene and wider conservation area.

26. The site is located centrally within the conservation area, and No. 60 itself is a generous modern infill dwelling within the street scene. The character of this area comprises of large, open frontage plots which are of low density and have a verdant and open character which contributes towards its special character. Within the Barton Mills Conservation Area Appraisal (2008), it is noted that some of the key characteristics of the conservation area include the low density, attractive variation in space between buildings, and the important green spaces. It also refers to the infilling of plots during the 20th century, which would include the plot at No. 60. It states that these plots are mainly at a low density, so that the landscape features dominate, so much that the character is still rural and not suburban.

27. The proposed garage is considered to interrupt the open character of this area, given its prominent position and overall scale. Its prominent location forward of the principal elevation will compromise the otherwise uninterrupted spacious character of the large front gardens enjoyed by 60 The Street and its immediate neighbours, affording undue prominence to an ancillary structure forward of the principal elevation. Despite the reduction in floor area (approx. 20 percent) since the original submission, the overall scale, height and massing of the structure is still not considered to maintain or create a sense of place and consequently will not preserve or enhance the character or appearance of the conservation area.

28. The reduction in overall height by one metre from the previously refused scheme and reduction in width and depth has been acknowledged and is considered to result in a modest improvement, reducing the overall bulk, scale and massing. However, it is not considered to be a sufficient reduction to overcome the excessive scale and prominent location within the plot in relation to the dwelling and wider area. The Conservation Officer still raises concerns in respect of the location of the garage and considers that the current proposal does not sufficiently address all of the reasons for refusal in the Inspectors appeal decision, received on 16.06.2021.
29. It is acknowledged that there are some other examples within the street scene further away from the site, of garages to the front of properties, such as at No. 68. It is however considered that the other examples are not comparable in their scale, nor location, given that the properties from No's. 58-66 are set back further from the highway with a more open, spacious character. The Inspector also concludes within the appeal decision that although there are several other examples of garages to the front in the area, they do not represent a prevailing part of the character of the streetscene, nor do they set a precedent sufficient to justify approval in this case.
30. An application for a single storey detached garage at No. 60 was considered and refused at Development Control Committee on 4 October 2012 (F/2012/0245/HOU). This application is comparable in its position within the plot, although is larger in scale and form. This application proposed a garage which would have a height to the ridge of 5.7m, depth of 6.5m and width of 13.6m. The development was also proposed to be located in the front garden of the property, approx. 15m from the front boundary. This application was refused on the grounds that the bulk and massing of the proposed garage was of an excessive scale in relation to the dwellinghouse, and that it dominates a prominent location within the site, out of keeping with the character of the existing dwelling. It was also refused on the basis that the design and character failed to take into account its conservation area setting, and the design, bulk and mass of the proposed building detracted from the appearance of the conservation area.
31. Given the comparable location of the proposed garage to the previously refused application, it is considered that these reasons for refusal are still relevant. The policy context has since been updated, however the issues set out here still remain and are relevant to the consideration of this application.

Impact on neighbouring amenity

32. Policy DM2 seeks to ensure that new development does not have a detrimental impact on residential amenity.
33. The proposed garage will be located to the western side of the plot, and as such, No. 58 would be most adversely impacted. The proposed garage is located close to the boundary, to the north west of No. 58 so will not cause overshadowing and given that this is adjacent to the front of the neighbouring property and is an area that is used as vehicular parking space and not private garden space, it is not considered that any adverse detrimental impacts to the residential amenity of No. 58 will arise.

34.The proposal is therefore considered to accord with Policy DM2, in relation to impact on neighbouring amenity.

Design and form

35.Policies DM2 of the Joint Development Management Policies Document and CS5 of the Core Strategy seek to ensure that developments produce designs that respect the scale, character, density and massing of the locality.

36.Policy DM24 states that proposals for development within settlement boundaries will be permitted where they respect the character, scale and design of existing dwellings, and the character and appearance of the immediate and surrounding area.

37.The proposed garage is for two cars. It is considered to be of a large scale, measuring 11.030 metres in length, with an overall height of 4.800 metres. The Suffolk guidance for parking document (2019) states that a car port or garage access or door width should be a minimum width of 2.400 metres. This highlights that the length of 11.030 metres for a two bay garage is still significantly larger than would otherwise be required for such a structure.

38.The height and scale of the garage has been reduced as part of this application, however, these changes are not considered to overcome the concerns about the bulky scale and form of the garage, and its prominent location to the front of the property. The garage is not considered to respect the scale or character of the immediate or wider area.

39.The proposal is therefore considered to be contrary to Policies DM24, DM2 and CS5, with respect to its design and form.

Parking and Access

40.Policies DM2 and DM46 both state that proposals for all development should produce designs that are in accordance with standards, that maintain or enhance the safety of the highway network and provide appropriately designed and sited car parking.

41.This application seeks improvements to the vehicular driveway, and a double garage. There is an existing access to the site. There is an existing integral garage at the property, however it is believed that this has been converted into a plant room. There is currently sufficient parking on the vehicular driveway, and the proposal will create two additional parking spaces. In conclusion, the proposal meets the parking standards set out by Suffolk Highways and is considered to be in accordance with Policies DM2 and DM46 in relation to parking and access.

Previous reason/s for refusal

42.The application referenced DC/20/1063/HH was refused on the basis that the proposed garage was considered to be a large, bulky and visually prominent addition that would compromise the open character of the conservation area, in conflict with policies CS5 of the Core Strategy, policies DM2, DM17 and DM24 of the Joint Development Management Policies Document, and the National Planning Policy Framework.

43. This application has been amended through the reduction of the overall height of the proposed garage by 1.000 metre, through the reduction in width by 0.300 metres and depth by 2.370 metres. The reduction is considered to result in a minor improvement by slightly reducing the overall bulk, massing and scale of the garage. However, the proposal is still considered to appear dominant and out of keeping with this particular part of the street scene by virtue of its size and positioning within the plot, in what is an area that offers a sense of openness as part of its character. As such, it is still considered that the former refusal reason is still relevant and the amendments have not overcome this.

Conclusion:

44. In conclusion, it is not considered that the application has sufficiently overcome the previous reasons for refusal or the comments made by the Inspector within the associated appeal decision. The garage is of an excessive height and floor space, resulting in a large and bulky structure. The positioning of the garage in a prominent location forward of the house and the harmful impact on the spacious nature of the site remain a concern. As such, it is not considered that the proposed garage complies with the provisions of policies DM2, DM17 and DM24 given that it is of a large scale and form that results in a harmful impact on the character and appearance of the conservation area which is characterised by open, spacious and verdant plots.

45. As the proposal is contrary to policies within the development plan and core strategy, as well as the provisions of the National Planning Policy Framework (2021) as set out above, the recommendation is one of refusal.

Recommendation:

46. It is recommended that planning permission be **REFUSED** for the following reason:

The pattern of development in this particular part of the village comprises of large, detached properties that are set back from the highway with large front gardens which offer a sense of openness. This spaciousness is considered to contribute positively to the character and appearance of the area. The proposed garage is considered to be a large, bulky and visually prominent addition that will compromise the open character of the area. It would also fail to preserve the character and appearance of the Barton Mills Conservation Area and would conflict with Section 72(1) of The Act. The proposed garage is therefore considered to be in material conflict with policy CS5 of the Core Strategy, policies DM2, DM17 and DM24 of the Joint Development Management Policies Document, and the advice contained within the National Planning Policy Framework which seeks to ensure that new development is sympathetic to the local character.

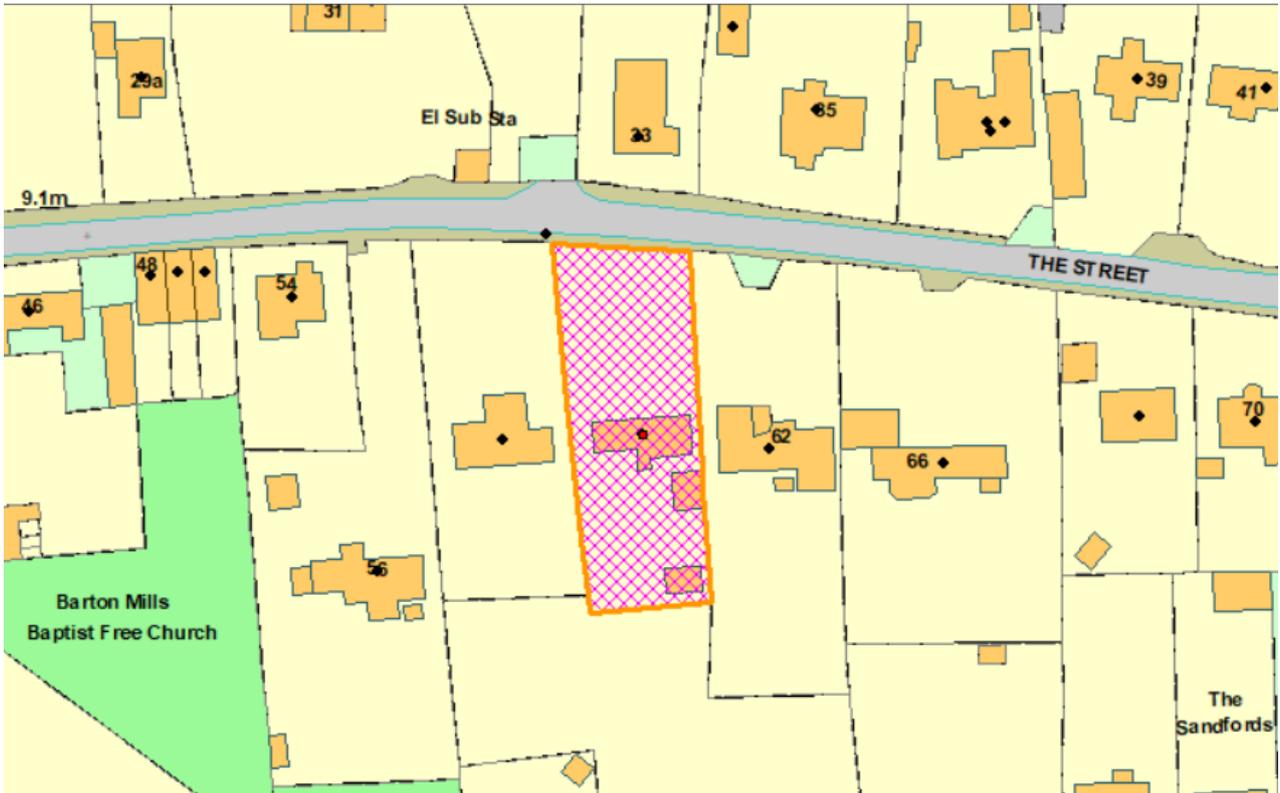
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/0640/HH](https://www.barnet.gov.uk/DC/21/0640/HH)

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DC/21/0640/HH - 60 The Street, Barton Mills



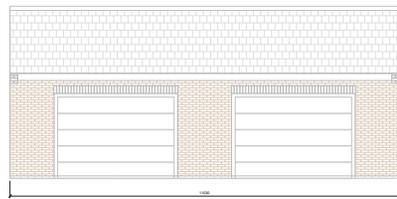
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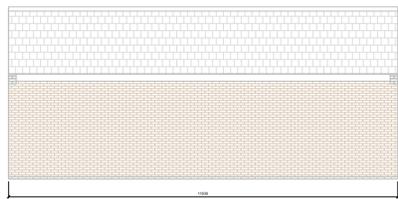
Proposed Front Elevation 1-100



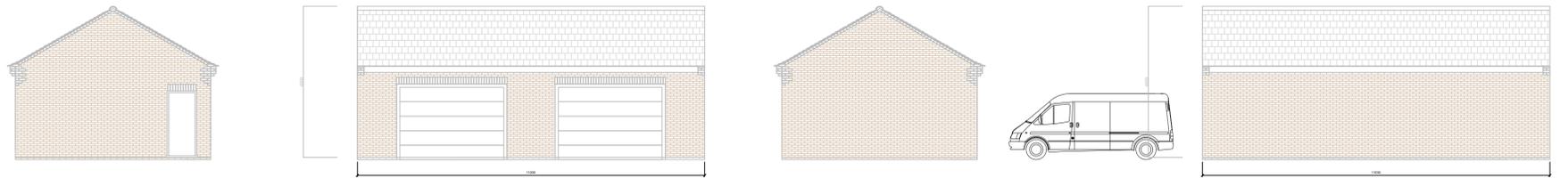
Proposed Side Elevation 1-100



Scale Metres

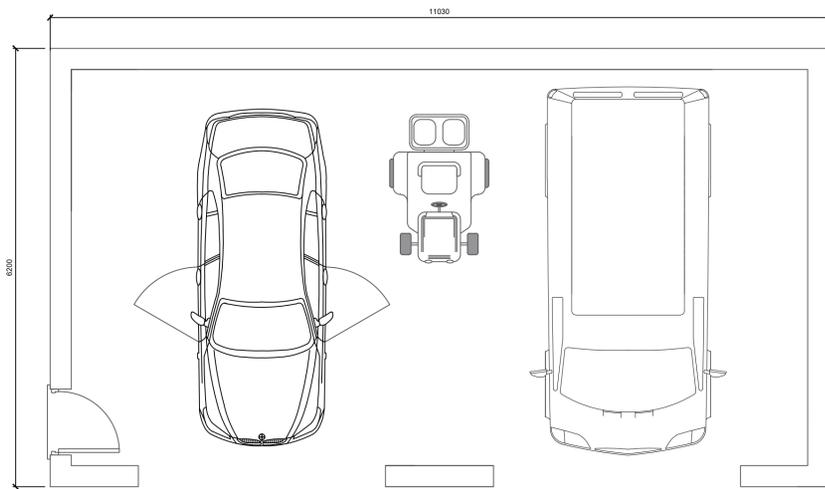


Proposed Side Elevation 1-100



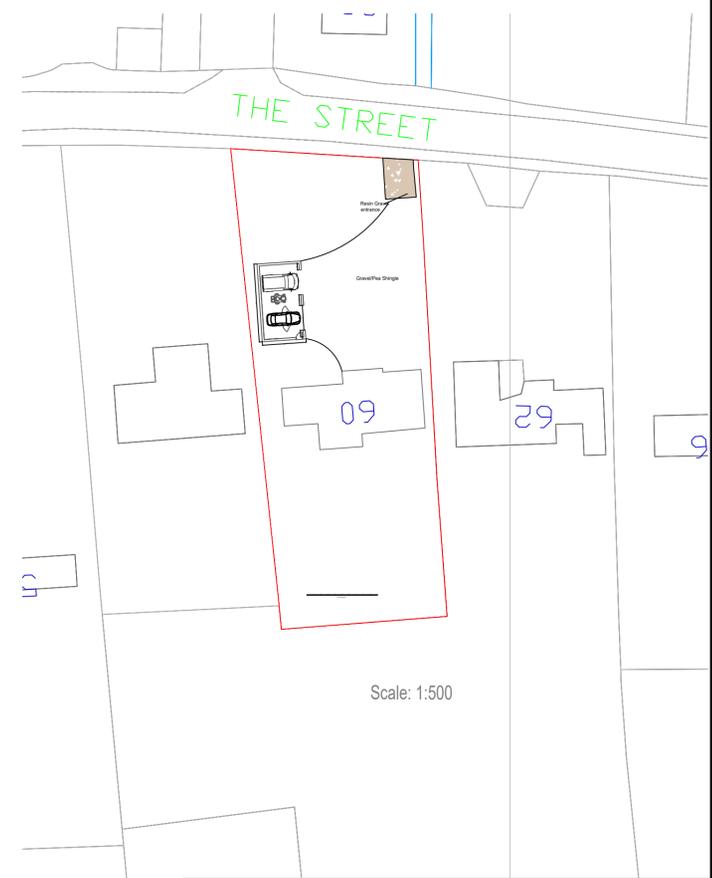
Garage Elevations 1-100

Scale Metres



Proposed Garage Layout 1-50

Scale Metres



Scale: 1:500



These drawings are for DESIGN purposes only. 2TB are not liable for unforeseen problems in build. Please DO NOT Scale this drawing, dimensions must be checked on site before building works commence & any discrepancies reported.

Christy Cole, Barton Mills, Suffolk, IP28 6AF

Proposed Layout & Elevations

60 The Street Barton Mills IP28 6AA

Mr Les Belsberg

No:	Revision:	Date:	Date:
			21/06/2021
			Scale: 1:50/1:100/1:500
			Drawn By: KK
			Drawing No: 041E
			Paper Size: A1

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Development Control Committee 1 September 2021

Planning Application DC/21/1536/FUL – West Suffolk Council, College Heath Road, Mildenhall

Date registered:	23 July 2021	Expiry date:	17 September 2021
Case officer:	Connor Vince	Recommendation:	Approve application
Parish:	Mildenhall	Ward:	Mildenhall Kingsway and Market
Proposal:	Planning application - Installation of two metre high security fencing including personnel and vehicle access gates, to external boundary		
Site:	West Suffolk Council, College Heath Road, Mildenhall		
Applicant:	Mr Oliver Loughton		

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and associated matters.

Recommendation:

It is recommended that the committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

Connor Vince

Email: connor.vince@westsuffolk.gov.uk

Telephone: 07866 913717

Background:

The application is referred to the Development Control Committee as West Suffolk Council is the applicant.

Proposal:

1. Planning permission is sought for the erection of a 2.0 metre tall boundary fence to the West Suffolk Council College Heath Road Office site. This is proposed to secure the site following the closure of the offices.

Application supporting material:

2. Information submitted with the application as follows:
 - Application Form
 - Location Plan
 - Block Plan
 - Satellite Map
 - Fencing Specification
 - Tree Constraints Plan
 - Tree Survey Table

Site details:

3. The District Offices are a two storey building set within landscaping and car parking. The site is otherwise open and is bounded on two sides by College Heath Road. The western wing has previously been granted planning permission to be converted to a fitness gym and this wing faces the highway adjacent to housing at Peterhouse Close.

Planning history:

4.	Reference	Proposal	Status	Decision date
	DC/14/1289/R4LA	Conversion of part of office space (Class B1) to fitness gym and dance studio (Class D2)		8 September 2014
	DC/14/1614/ADV	Application for advertisement consent - display of 3 non-illuminated fascia signs	Application Granted	10 October 2014

Consultations:

5. At the time of writing this report, the consultation period is ongoing and will expire on 30 August 2021, as per the posted site notices. This matter will be updated in the late papers or verbally at the meeting, as appropriate. However, no letters of representation have been received at this time.

Mildenhall Town Council: Support

Ward Councillor: No comments received

Public Health And Housing: No comment or objection

Suffolk Wildlife Trust: No comments received

Natural England: No comments.

Ecology And Landscape Officer: No comments received

RSPB Eastern England Regional Office: No comments received

Tree Officer: Further information required via the submission of a Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS). The aforementioned documents can be secured via pre-commencement condition, however, the applicant has stated they wish to provide the information upfront. The details of these documents, if considered acceptable, will be secured via compliance conditions accordingly.

Representations:

6. No comments received at the time of the publication of this report.

Policy:

7. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved Forest Heath District Council.
8. The following policies of the Joint Development Management Policies Document and the Forest Heath Core Strategy 2010 have been taken into account in the consideration of this application:

Core Strategy Policy CS5 - Design quality and local distinctiveness

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM11 Protected Species

Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity

Policy DM13 Landscape Features

Other planning policy:

National Planning Policy Framework (NPPF)

The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given.

Officer comment:

The issues to be considered in the determination of the application are:

- Principle of Development
- Scale, Layout & Design
- Impact on Amenity
- Ecological Impacts
- Arboricultural Impacts

Principle of Development

9. The proposed development has been assessed against policy DM2 and is considered generally to be acceptable provided that the proposal respects the character and appearance of the immediate and surrounding area, and providing that there is not an adverse impact upon residential amenity and highway safety. Along with CS5, DM2 requires development to conserve and where possible enhance the character and local distinctiveness of the area.
10. The College Heath Road site previously provided office space for West Suffolk Council, with the western wing previously being converted and operating as a fitness gym. The provision of fencing to the external boundary of the site is proposed to secure the site and offer protection from unauthorised ingress while the site is unoccupied, and prior to reuse or demolition. The proposed works are therefore considered to be acceptable in principle. However, further consideration must be given in relation to policy DM2 and DM13, regarding the appearance and location of the proposed fencing in relation to services, amenity and landscaping features accordingly.

Scale, Layout & Design

11. The application proposes the erection of approximately 276 metres of 2 metre high twin wire mesh security fence panels, along the site boundary of the former West Suffolk Council Offices. The fencing is to be situated a minimum of 2 metres from the highway, with the existing vehicle entrances to be blocked. The existing boundary timber fence and hedging on the eastern boundary will be retained to further add to the security of the site. One personnel gate is to be located adjacent to No. 100a College Heath Road, with one double vehicle gate located on the service road also adjacent to No. 100a College Heath Road.

12. Whilst the fencing will clearly be visible from the wider area and local street scene, given the sympathetic appearance and colour scheme of the fencing, the character and local distinctiveness of the area will be preserved. The scheme therefore complies with the provisions of policies CS5 and DM2 accordingly.

Impact on Amenity

13. Whilst the site is currently unoccupied, the fencing will be visible from the street scene with residential properties in particular bordering the site to the east and south. Residential properties are also located across College Heath Road to the west. Whilst the proposed fencing would be visible from these aforementioned residential dwellings, due to the position and modest height, it is not considered that the proposal would have an unacceptable impact on residential amenity. Therefore, the development is considered to comply with policy DM2.

Ecological Impacts

14. Policy DM11 states that development will not be permitted unless suitable satisfactory measures are in place to reduce the disturbance to protected species and either maintain the population on site or provide alternative suitable accommodation. Section 40 of the Natural Environment and Rural Communities Act 2006 requires that public authorities (which explicitly include the Local Planning Authority) must have regard to the purpose of conserving biodiversity.
15. Policy DM12 seeks to ensure that, where there are impacts to biodiversity, development appropriately avoids, mitigates or compensates for those impacts. The policy requires that all development proposals promote ecological growth and enhancement.
16. The application site is situated within the Stone Curlew 1500 metre buffer and is situated approximately 35 metres west of the Woodlark and Nightjar 400 metre buffer. The Ecology & Landscape Officer has confirmed that, given the nature of the proposed works, there are no objections to the proposal in relation to the aforementioned designated sites. The introduction of the fencing will avoid any adverse ecological impacts. The proposal is therefore considered to comply with the relevant provisions of policies DM11 and DM12 accordingly.

Arboricultural Impacts

17. Policy DM13 states development will be permitted where it will not have an unacceptable adverse impact on the character of the landscape, landscape features, wildlife, or amenity value.
18. Whilst the site is not situated within a conservation area, nor are there any trees protected by a tree preservation order on, or bordering the site, there are a number of significant soft landscaping specimens which are on and border the site. The tree constraints plan identified 51 individual specimens and 14 groups of trees located at the site.
19. The application site is situated within the Stone Curlew 1500 metre buffer and is situated approximately 35 metres west of the Woodlark and

Nightjar 400 metre buffer. The Ecology & Landscape Officer has confirmed that, given the nature of the proposed works, there are no objections to the proposal in relation to the aforementioned designated sites. The proposal is therefore considered to comply with the relevant provisions of policies DM11 and DM12 accordingly.

20. The route of the fence line appears to run through the Root Protection Areas of T1, T6, T22, T33, T34, T35, T51, T22, G1, G2, G9, as identified on the Tree Constraints Plan. It is acknowledged that the re-routing of the fence line to be sited entirely outside of RPAs is not likely to be feasible owing to the position of the trees in conjunction with the area which requires unbroken security fencing. As confirmed by the Arboricultural Officer, it will therefore be necessary to seek input as to how best mitigate any adverse impacts from excavations. The exact positioning of the fence posts and their method of installation will be key considerations, as well as other factors including access facilitation pruning and measures to prevent unintended damage through construction related activities. This would typically be through an AMS (Arboricultural Method Statement) and TPP (Tree Protection Plan). These aforementioned documents can be secured via pre-commencement conditions, although at the time of writing this report the applicant has indicated that they are commissioning these reports to be considered as part of this application. Whilst these documents have not yet been assessed by the Arboricultural Officer, should the details of these documents be acceptable, compliance conditions, as opposed to pre-commencement conditions, will be applied accordingly in the event the application is granted planning permission.

21. This specific matter will be updated in the late papers or at the meeting, as appropriate. Nonetheless, and subject to conditions as appropriate, the arboricultural related impacts of the proposal are considered satisfactory.

Conclusion

22. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

23. It is recommended that planning permission be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be begun not later than three years from the date of this permission.

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents, unless otherwise stated below:

Reason: To define the scope and extent of this permission.

Reference number	Plan type	Date received
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3. Arb condition(s) depending on applicant response.

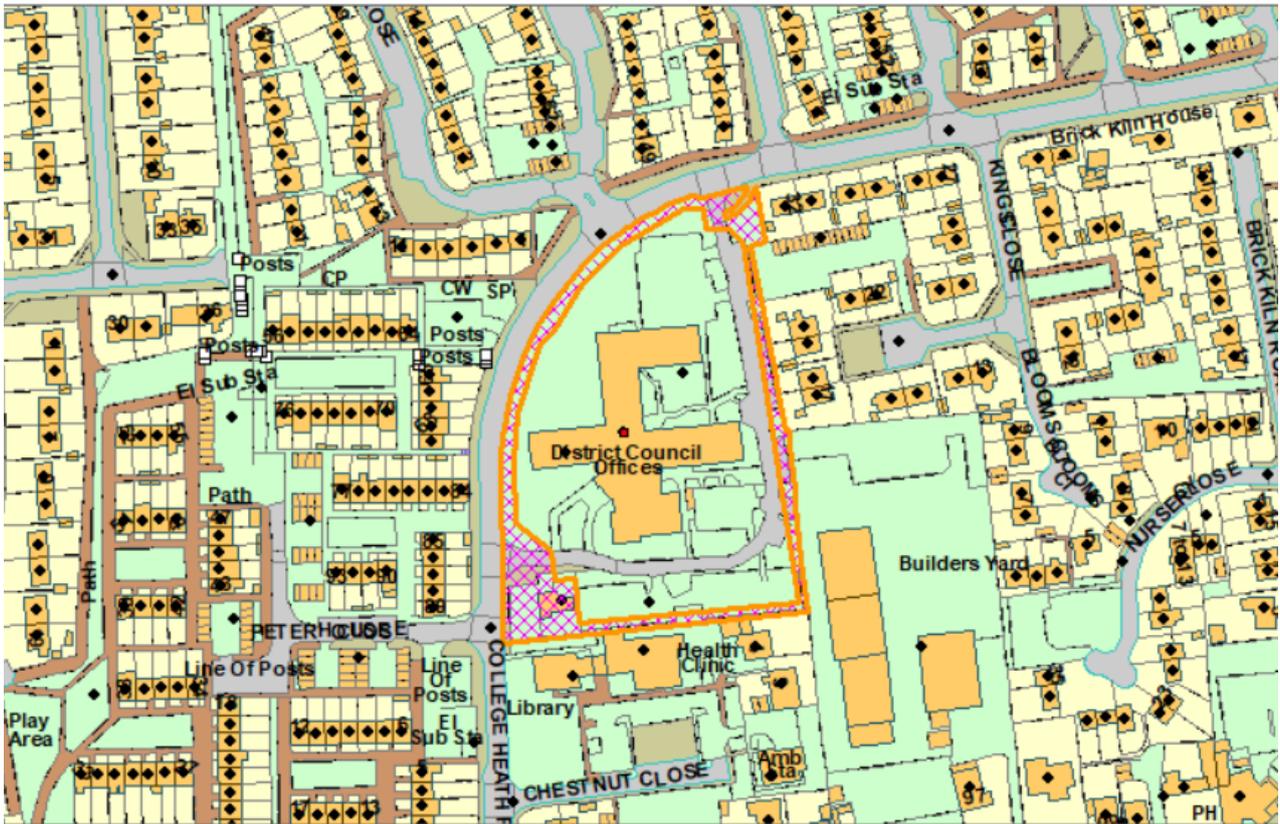
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/1536/FUL](#)

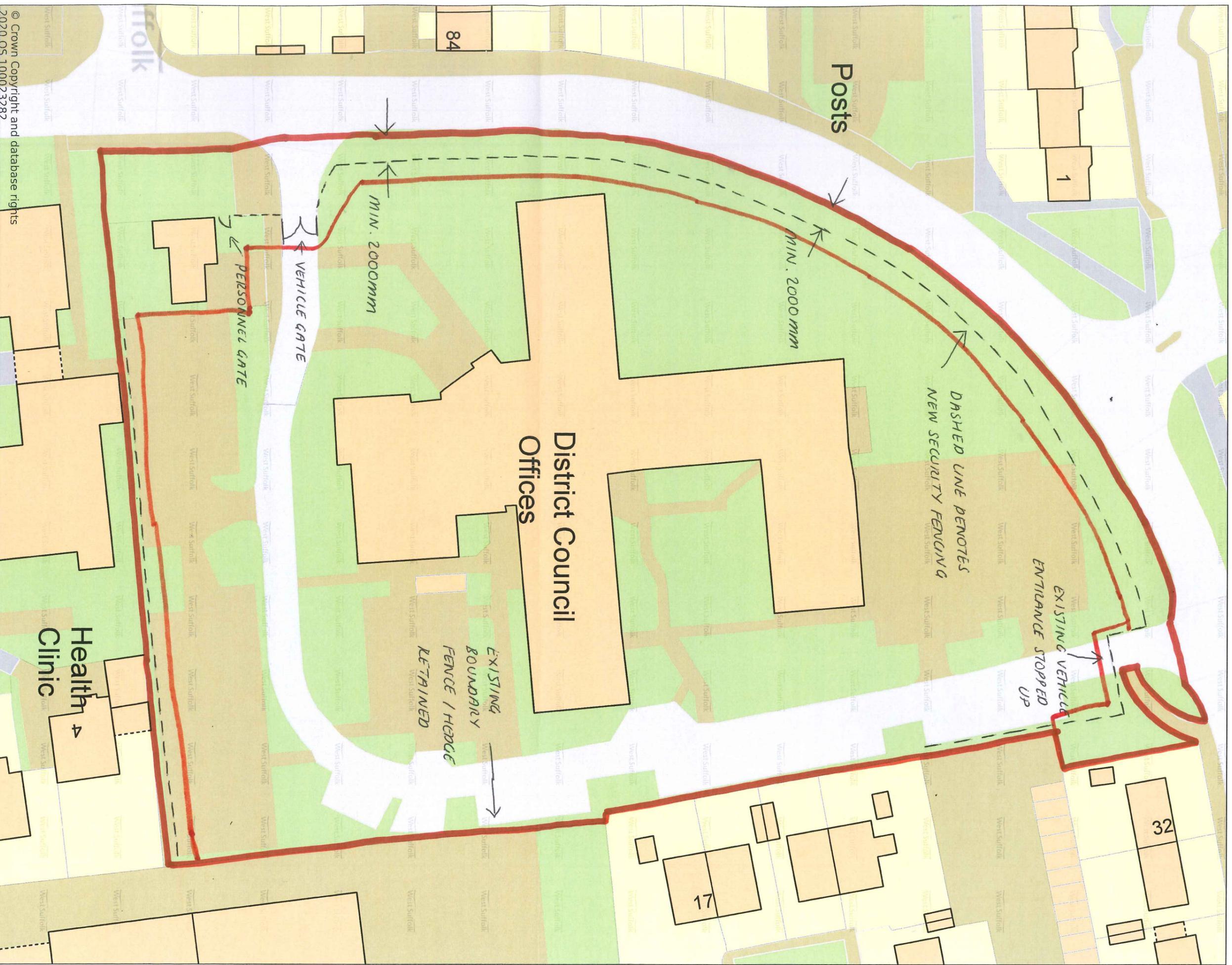
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DC/21/1536/FUL – West Suffolk Council, College Heath Road, Mildenhall



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West Suffolk Council District Offices College Heath Road Mildenhall

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Health Clinic

District Council Offices

Posts

MIN. 2000mm

MIN. 2000mm

VEHICLE GATE

PERSONNEL GATE

DASHED LINE DENOTES
NEW SECURITY FENCING

EXISTING VEHICLE
ENTRANCE STOPPED
UP

EXISTING
BOUNDARY
FENCE / HERBIC
RETAINED



West Suffolk House
Western Way
Bury St Edmunds
IP33 3YU

01284 763233
www.westsuffolk.gov.uk

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Development Control Committee 1 September 2021

Planning Application DC/21/1366/FUL – West Suffolk House, Western Way, Bury St Edmunds

Date registered:	30 June 2021	Expiry date:	25 August 2021 EOT 03 September 2021
Case officer:	Connor Vince	Recommendation:	Approve application
Parish:	Bury St Edmunds Town Council	Ward:	Minden

Proposal: Planning application - Installation of battery container, and associated foundations and fencing

Site: West Suffolk House, Western Way, Bury St Edmunds

Applicant: Oliver Ingwall-King

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and associated matters.

Recommendation:

It is recommended that the committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

Connor Vince

Email: connor.vince@westsuffolk.gov.uk

Telephone: 07866 913717

Background:

The application was deferred at the Development Control Committee on 4 August 2021. It had been referred to the Development Control Committee as West Suffolk Council is the applicant.

The matter was deferred at Committee on 4 August in order to allow Officers additional time in which to explore an alternative location for the container.

The August Development Control Committee Report is included at Working Paper 1.

Proposal:

1. See Working Paper 1.

Application supporting material:

2. See Working Paper 1.

Site details:

3. See Working Paper 1.

Planning history:

4. See Working Paper 1.

Consultations:

5. See Working Paper 1.

Representations:

6. No comments received.

Policy:

7. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.

NPPF 2021

Core Strategy Policy CS3 - Design and Local Distinctiveness

Vision Policy BV1 - Presumption in Favour of Sustainable Development

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM8 Low and Zero Carbon Energy Generation

Policy DM13 Landscape Features

Policy DM46 Parking Standards

Other planning policy:

8. National Planning Policy Framework (NPPF)

The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given.

Officer comment:

The issues to be considered in the determination of the application are:

- Update since the last meeting.

Update Since the Last Meeting

9. The reason for deferral was explained to the applicant, and a response invited. The applicant has declined to make any change to the location of the container, citing the position of underground services as precluding such a location. The applicant has explained that siting it in this alternative location would have significant implications on existing buried services and drainage, with clashes between the cable trenching. The substantial costs of re-routing existing services and disruption that would be caused to the car park was deemed by the applicant to be disproportionate to the relatively short time the battery unit would be insitu. A plan has been provided showing the location of underground services and this response is noted and accepted by Officers as being a reasonable explanation for the reasoning behind the decision not to consider an alternative location.

10. To further support the reconsideration of this matter the applicant has provided further supporting information, as follows –

- A further response to the Suffolk Fire and Rescue comments, confirming that the battery will be connected to the existing West Suffolk House alarm system, and that the system will contain an 'emergency stop' button.
- Details of the temporary 'heras' fencing to surround the site during the construction phase, as well as details of the chain link fence proposed between the foundations.

11. Noting therefore the lack of any amendment to this proposal since it was last before Members, the Committee is directed to the previous report, included at Working Paper 1. That report sets out the Officer considerations, as well as the planning balance, and makes a recommendation of approval, subject to conditions. Noting the explanation offered by the applicant as to the proposed preferred siting that recommendation remains, as repeated below.

Recommendation:

12. It is recommended that planning permission be **APPROVED** subject to the following conditions

1. The development hereby permitted shall be begun not later than three years from the date of this permission.

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents, unless otherwise stated below:

Reason: To define the scope and extent of this permission.

Reference number	Plan type	Date received
(-)	Application Form	29 June 2021
WES051-PEV-XX-XX-DR-A-9100 P01	Location Plan	29 June 2021
WES051-PEV-XX-XX-DR-A-9110 P01	Existing Site Plan	29 June 2021
WES051-PEV-XX-XX-DR-A-9120 P01	Proposed Site Plan	29 June 2021
WES051-PEV-XX-XX-DR-A-9101 P01	Existing Block Plan	29 June 2021
WES051-PEV-XX-XX-DR-A-9102 P01	Proposed Block Plan	29 June 2021
WES051 PEV XX ZZ DR A 9410 P01	Proposed Sections	29 June 2021
WES051-PEV-XX-ZZ-DR-A-9310 P01	Proposed Elevations	29 June 2021
WES051-PEV-XX-ZZ-DR-A-9205 P01	Proposed General Arrangement Plans	29 June 2021
(-)	Supporting Statement	15 July 2021
(-)	Fire Safety Supporting Statement	21 July 2021

3. On or before the (insert) day of (insert) 2025 the building hereby permitted shall be removed and the land shall be restored to its condition immediately prior to the development authorised by this permission commencing.

Reason: In the interests of visual amenity given that the building is not considered suitable as a permanent form of development.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online <DC/21/1366/FUL>

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WORKING PAPER 1

Development Control Committee
4 August 2021

Planning Application DC/21/1366/FUL – West Suffolk House, Western Way, Bury St Edmunds

Date registered: 30 June 2021 **Expiry date:** 25 August 2021

Case officer: Connor Vince **Recommendation:** Approve application

Parish: Bury St Edmunds Town Council **Ward:** Minden

Proposal: Planning application - Installation of battery container, and associated foundations and fencing

Site: West Suffolk House, Western Way, Bury St Edmunds

Applicant: Oliver Ingwall-King

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and associated matters.

Recommendation:

It is recommended that the committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

Connor Vince
Email: connor.vince@westsuffolk.gov.uk
Telephone: 07866 913717

Background:

The application is referred to Development Control Committee as West Suffolk Council is the applicant.

The provision of a battery container, associated foundations and fencing was previously considered as part of the application for a certificate of lawfulness for proposed development at the site, reference DC/21/0946/CLP – it was withdrawn from that application as it was considered to need planning permission and could not be carried out as permitted development under the regulations. This amended application DC/21/0946/CLP for the extension to the substation was considered at Development Control Committee on 7 July 2021 and was granted.

Proposal:

1. The application seeks planning permission for the installation of a battery container measuring 12.592 metres in length, 3.263 metres in width and 3.742 metres in height.
2. As per the supporting statement, the proposal is intended to complement the future plans for the Western Way Development, reduce the demand for imported and support West Suffolk Council's commitment to providing sustainable energy sources.
3. The system would reduce the imported grid energy by shifting excess generation from the solar array at West Suffolk House during the day to offset imported energy use during the evening, enabling generated energy to be stored during periods of low demand in order to be utilised when required. The system equipment will be containerised within a weatherproof enclosure.
4. The battery container is estimated to remain on site for approximately four years. Once the main Western Way Development is complete, the battery will be moved across to the new Energy Centre building, the site made good, and the six parking spaces that would be occupied by the battery container would be reinstated.

Application supporting material:

- Application Form
- Location Plan
- Existing Block Plan
- Existing Site Plan
- Proposed Block Plan
- Proposed Site Plan
- Proposed Sections
- Proposed Elevations
- Proposed General Arrangement Plans
- Supporting Statement
- Fire Safety Supporting Statement

Site details:

5. The application site is situated at Western Way, within the settlement boundary for Bury St. Edmunds. The application site comprises of a section of vehicular parking spaces. The wider site comprises of West Suffolk House and includes associated vehicular, motorcycle and cycle parking, as well as other associated buildings used by West Suffolk Council.

Planning history:

Reference	Proposal	Status	Decision date
DC/21/0946/CLP	Application for lawful development certificate for proposed use or development - a. extension to the existing sub-station building, reconfiguration of associated footpath and motorbike parking spaces b. installation of new battery container and associated foundations and fencing	Application Granted	7 July 2021

Consultations:

Town Council: No objections based on information received.

Ward Member: No comments received.

SCC Highways: Notice is hereby given that the County Council as Highways Authority does not wish to restrict the grant of permission.

We note the car park in question is under subscribed and, given the changes to the office structure from pre-Covid to now, this is unlikely to change.

Ramblers’ Association: No comments received.

Suffolk Fire and Rescue Service:

Having read through the supplied documentation it is my understanding that the BESS is to be combined in a container, which is to be positioned away from the main building, and includes the power conversion itself, the batteries, voltage transformer and switch-gear, and all auxiliary components, as well as the energy management system, which includes a means of shutting down the unit in an emergency. It is also noted that a fire detection system is included and linked to internal safety systems to operate an emergency shut down, and operation of an internal suppression system as necessary.

I have the following comments to make:-

- I am not able to determine if the Fire Alarm for the BESS is linked in any way to the main building Fire alarm, and although it may be considered a stand alone unit, consideration should be given to having the unit fire alarm interfaced with the main fire alarm panel, to give early warning of fire within the unit.
- It is also recommended that the unit can be shut down by the use of an external isolation switch in an emergency. This is normal and may already be part of the control system, but I was not able to confirm.

Arboricultural Officer:

The siting of the container, as shown on the proposed block plan, has the potential to affect the two Hornbeam which are positioned immediately adjacent to the indicated location. They are marked on the plan although no supporting information has been submitted to be able to determine if the position or crown spreads of the trees are accurate. Both trees are important features of the soft landscaping of the car park, and are particularly prominent owing to their location near the entrance way. They are fastigate varieties which possess an upright growing habit and conical crown form. If pruning is required to facilitate the position of the container then this is likely to significantly adversely impact their visual amenity. Similarly, if any direct damage occurs during the installation/delivery of the container then this will also have a significant impact on the long term amenity afforded by the trees. It would be strongly recommended that sufficient measures are put in place to prevent unintended damage, and that the container is positioned so that no pruning is required.

Representations:

6. No comments received from any adjoining occupiers

Policy:

7. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.

NPPF 2021

Core Strategy Policy CS3 - Design and Local Distinctiveness

Vision Policy BV1 - Presumption in Favour of Sustainable Development

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM8 Low and Zero Carbon Energy Generation

Policy DM13 Landscape Features

Policy DM46 Parking Standards

Other planning policy:

8. National Planning Policy Framework (NPPF)

The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given.

Officer comment:

The issues to be considered in the determination of the application are:

- Principle of Development
- Scale, Layout & Design
- Impact on Amenity
- Highway/Parking Impacts
- Other Matters

Principle of Development

9. The proposed development has been assessed against policy DM2 and is considered generally to be acceptable provided that the proposal respects the character and appearance of the immediate and surrounding area, and providing that there is not an adverse impact upon residential amenity and highway safety. Along with CS3, DM2 requires development to conserve and where possible enhance the character and local distinctiveness of the area.
10. Policy DM8 confirms that all proposals for the generation or recovery of low carbon or renewable energy will be encouraged subject to the proposal being able to demonstrate its low carbon or renewable energy credentials and, to the satisfaction of the LPA, that due regard has been given to the impact of off-site and on-site power generation infrastructure including achieving underground connections.
11. West Suffolk House, and the wider site, provides office space for West Suffolk Council and other local authority occupiers. The application proposes the provision of a battery container, as well as block foundations sited on top of the existing surface and boundary fencing, to complement the future plans for the Western Way Development, reduce the demand for imported energy and support West Suffolk Council's commitment to providing sustainable energy sources.
12. The proposed works are therefore considered acceptable in principle given their support from policy DM8. However, further consideration must be

given in relation to policy DM2, regarding the appearance and location of the battery container in relation to services and amenity.

Scale, Layout & Design

13. The provision of a battery container to the south west of the main West Suffolk House building, will occupy six car parking spaces and measure 12.592 metres in length, 3.263 metres in width and 3.742 metres in height. The metal battery container will be placed on above ground concrete block foundations, with chainlink fencing and metal bollards added to segregate the container from the wider car park.
14. The proposed battery container will be visible from the wider site area, as well as from Western Way to the north and Beetons Way to the east. Given the openness of the wider site, views would be readily achievable of the container. The structure itself and its form, materials, and siting make it a somewhat utilitarian proposal. This, plus its positioning within and across existing car parking spaces, will to some degree erode the well laid out car parking and setting to the building, inevitably causing some harm to the character and appearance of the area. This harm will however be limited by the position of the battery back from the highway, and by the fact that views will be filtered if not screened by the existing car park and boundary landscaping. Furthermore, when appreciated in the likely main view from Western Way the container will be seen against the backdrop of the adjacent off site building, which is materially taller and itself industrial in character. This will significantly limit the degree to which this structure is harmful in this context. Nonetheless, the only conclusion that can be drawn is that the proposal will have a minor negative impact upon both the setting of West Suffolk House and upon the wider area and this is a factor that weighs against the scheme.

Impact on Amenity

15. Whilst the site is considered open, there are no residential dwellings within close proximity. Office buildings border the site to the south, west and north east, with soft landscaping further bordering the site to the north, beyond which is the Olding Road depot building. Given the minor scale of the proposal and the fact that the nearest residential dwellings are not only some distance away but that any intervisibility will be obscured by existing off site buildings, and by the natural topography of the land, it is not considered that the proposal would have an unacceptable impact on residential amenity, therefore, the development is considered to comply with policy DM2.

Highway/Parking Impacts

16. Given the nature of the proposed works, the battery container will occupy six car parking spaces of the West Suffolk House car park for the duration the battery container is in situ. As per the supporting statement, the container has been positioned close to the kerb line to maximise the number of spaces retained.
17. Consideration must also be given in this respect to the profound change in working patterns as a consequence of the pandemic, and of the way office space is now used. Even allowing for the return to the office of some staff,

and for the repurposing of some space for other users, the fact remains that demand for car parking is likely to be significantly reduced, and that in this context the loss of six spaces in this location is not considered to raise any issues of highway safety that would justify a refusal, particularly noting the temporary nature of this proposal. This is a notion further supported by Suffolk County Council as highway authority, which raises no objection to the proposed development.

Other Matters

18. The submitted details indicate that the proposal will be sited on concrete foundations sitting at the current car parking level, with no intrusive below ground works. On this basis officers are satisfied that there will be no material harm to the existing soft landscaping within the car park. Consultation with the Arboricultural Officer has confirmed this position, subject to the inclusion of an informative note on the decision notice which highlights the measures advised to be undertaken in relation to the potential pruning of the two adjacent hornbeam trees, if required, incorporating the necessary measures to prevent unnecessary damage to the trees.
19. A consultation has been undertaken with the Suffolk Fire and Rescue Service. The provision of a battery container will be positioned away from the main building of West Suffolk House and includes the power conversion unit, the batteries, voltage transformer and switch-gear, and all auxiliary components, as well as the energy management system, which includes a means of shutting down the unit in an emergency. It is also noted that a fire detection system is included and linked to internal safety systems to operate an emergency shut down, and operation of an internal suppression system as necessary.
20. As confirmed by Suffolk Fire and Rescue, consideration should be given by the operator to having the unit fire alarm interfaced with the main fire alarm panel integrated into the main West Suffolk House building to give early warning of fire within the unit. It is also recommended that the unit can be shut down by the use of an external isolation switch in an emergency.
21. Noting the comments received from Suffolk Fire and Rescue, the points raised will be added as informative notes to the decision notice as none of the points raised would be land use planning matters that could otherwise be controlled by a condition.

Planning Balance

22. Were this proposal for the permanent siting of the structure then it is considered likely that the harm identified to the character and appearance of the area would be sufficient to justify a refusal of planning permission. However, noting that this proposal is sought for a period of up to four years, noting this can be conditioned, and noting the very obvious benefits as articulated above in relation to the provision of an energy capture system to store energy generated by the solar panels at West Suffolk House and which is not otherwise able to be immediately used, this does inevitably make this a balanced matter.

23. Reflecting carefully on this balance, Officers are of the opinion that the benefits of this proposal outweigh the harm, not least given the time limited nature of any harm. Support is also offered in this respect by the reduced demand for car parking at West Suffolk House as a result in the profound shifts in working patterns caused by the pandemic, which further supports the loss of a modest number of spaces. A conclusion that this proposal is acceptable is dependent upon the imposition of a condition requiring the battery container to be removed and the land restored to its former condition, within four years from the date of the permission.

Conclusion:

24. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

25. It is recommended that planning permission be **APPROVED** subject to the following conditions

1. The development hereby permitted shall be begun not later than three years from the date of this permission.

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents, unless otherwise stated below:

Reason: To define the scope and extent of this permission.

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WES051-PEV-XX-ZZ-DR-A-9205 P01	Proposed General Arrangement Plans	29 June 2021
(-)	Supporting Statement	15 July 2021
(-)	Fire Safety Supporting	21 July 2021

Statement

3. On or before the (insert) day of (insert) 2025 the building hereby permitted shall be removed and the land shall be restored to its condition immediately prior to the development authorised by this permission commencing.

Reason: In the interests of visual amenity given that the building is not considered suitable as a permanent form of development.

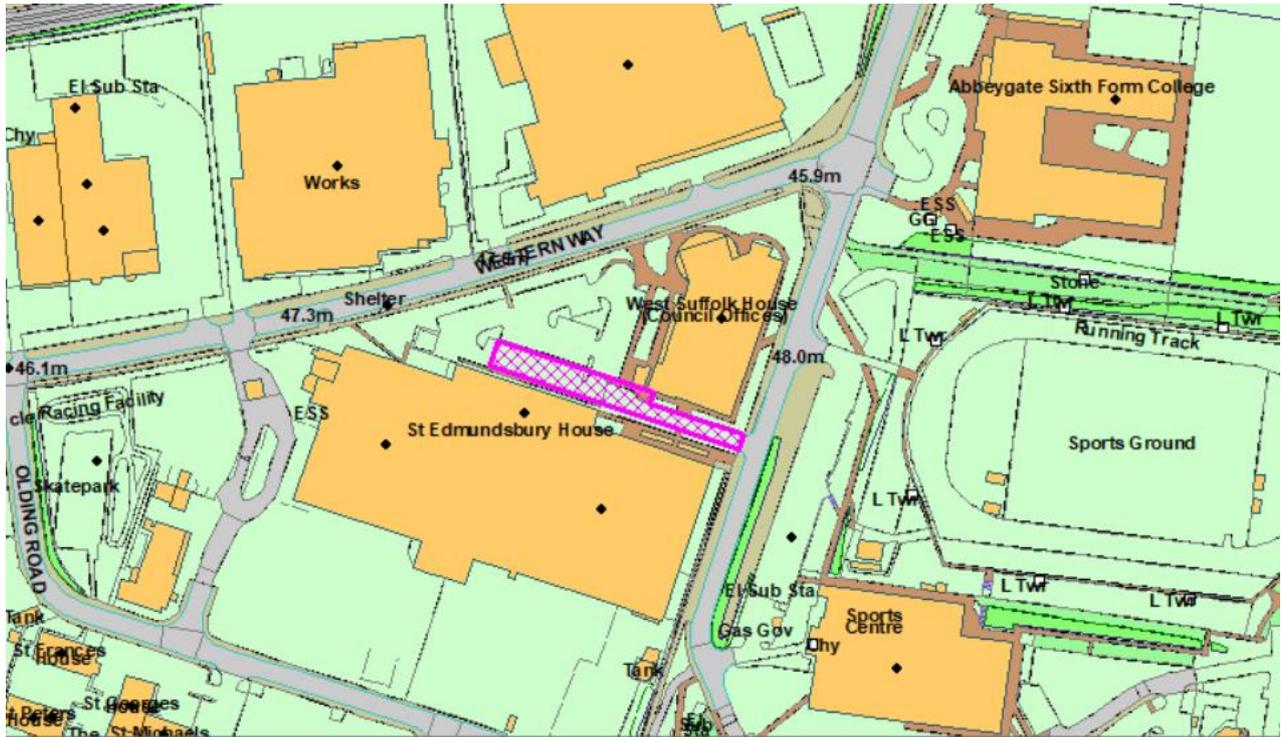
Documents:

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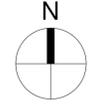
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DC/21/1366/FUL – West Suffolk House, Western Way, Bury St Edmunds



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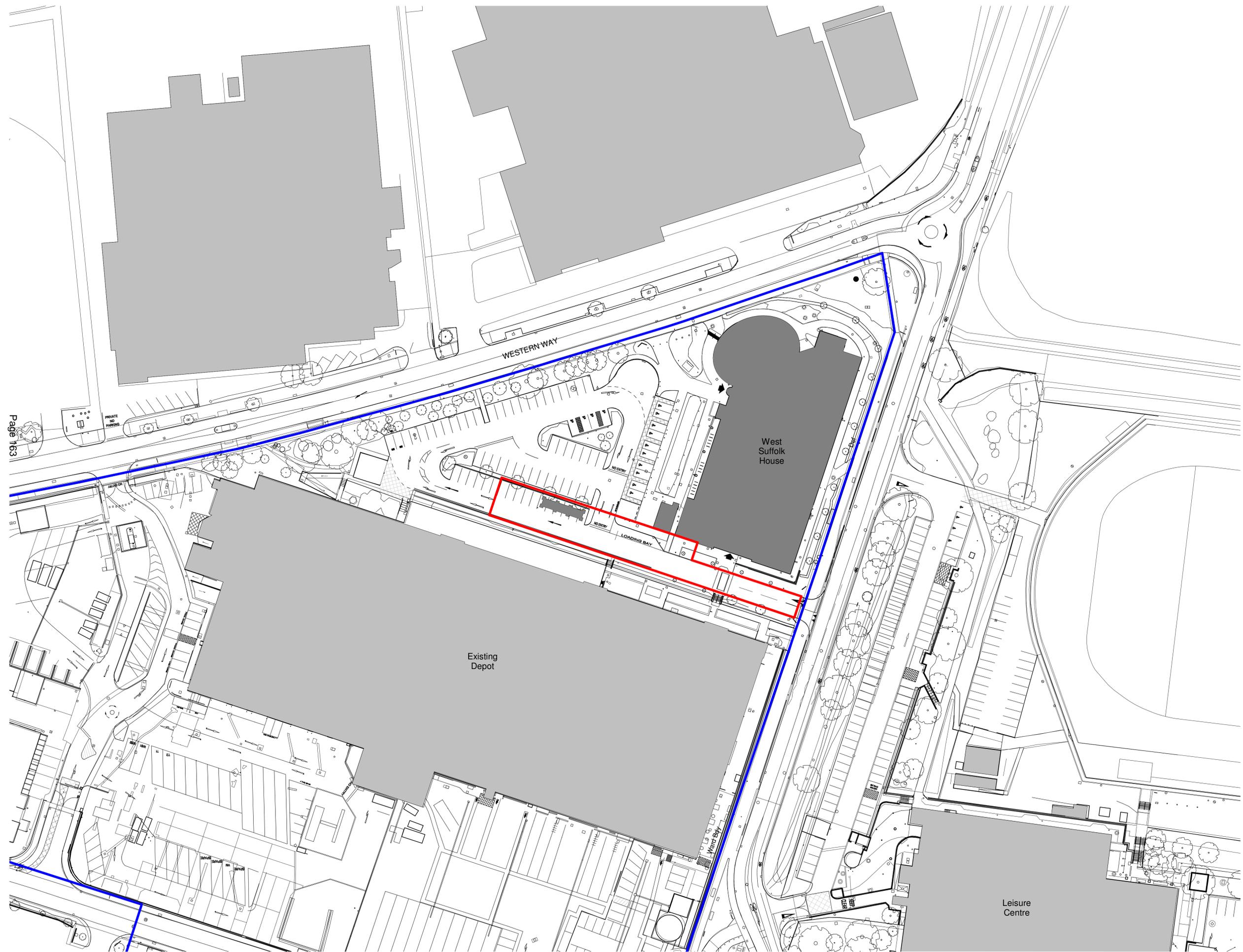
VISUAL SCALE 1:500 @ A1

NO DIMENSIONS TO BE SCALED FROM THIS DRAWING

CDM - RESIDUAL HAZARDS The following are considered to be significant risks relevant to this drawing, which could not be fully mitigated or removed through design:

None identified

- Application Area (890m²)
- Ownership Boundary



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Revision	Date	Drn	CHK
P01 - Issued for Planning	28.06.21	CPO	RTG

This document references the following files:-

Reference Name	Status	Revision
WES051-XX-ZZ-M3-A-0001	SO	P01.1

Client
West Suffolk Council

Project
**Battery Energy Storage System
Western Way Development**

Drawing Title
**Proposed Block Plan
Battery Container
Planning**

Suitability Status
S2 - Suitable for Information

Job No.	Scale	Size	Rev
210248	1 : 500	@ A1	P01

Drawing Number
WES051 - PEV - XX - XX - DR - A - 9102

Client Code	Originator	Zone	Level	Type	Role	Number



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