

Development Control Committee



Title	Agenda																				
Date	Wednesday 6 July 2022																				
Time	10.00am																				
Venue	Conference Chamber West Suffolk House Western Way Bury St Edmunds IP33 3YU																				
Full Members	<div>Chair Andrew Smith</div> <div>Vice Chairs Mike Chester and Jim Thorndyke</div> <table><tr><td rowspan="4">Conservative Group (11)</td><td>Carol Bull</td><td>Ian Houlder</td></tr><tr><td>Andy Drummond</td><td>David Palmer</td></tr><tr><td>Susan Glossop</td><td>David Roach</td></tr><tr><td>Brian Harvey</td><td>Peter Stevens</td></tr><tr><td>The Independent Group (4)</td><td>John Burns</td><td>Roger Dicker</td></tr><tr><td></td><td>Jason Crooks</td><td>Andy Neal</td></tr><tr><td>Labour Group (1)</td><td>David Smith</td><td></td></tr></table>			Conservative Group (11)	Carol Bull	Ian Houlder	Andy Drummond	David Palmer	Susan Glossop	David Roach	Brian Harvey	Peter Stevens	The Independent Group (4)	John Burns	Roger Dicker		Jason Crooks	Andy Neal	Labour Group (1)	David Smith	
Conservative Group (11)	Carol Bull	Ian Houlder																			
	Andy Drummond	David Palmer																			
	Susan Glossop	David Roach																			
	Brian Harvey	Peter Stevens																			
The Independent Group (4)	John Burns	Roger Dicker																			
	Jason Crooks	Andy Neal																			
Labour Group (1)	David Smith																				
Substitutes	<table><tr><td rowspan="3">Conservative Group (5)</td><td>Nick Clarke</td><td>Sara Mildmay-White</td></tr><tr><td>John Griffiths</td><td>David Nettleton</td></tr><tr><td>James Lay</td><td></td></tr><tr><td>The Independent Group (2)</td><td>Richard Alecock</td><td>Trevor Beckwith</td></tr><tr><td>Labour Group (1)</td><td>Diane Hind</td><td></td></tr></table>			Conservative Group (5)	Nick Clarke	Sara Mildmay-White	John Griffiths	David Nettleton	James Lay		The Independent Group (2)	Richard Alecock	Trevor Beckwith	Labour Group (1)	Diane Hind						
Conservative Group (5)	Nick Clarke	Sara Mildmay-White																			
	John Griffiths	David Nettleton																			
	James Lay																				
The Independent Group (2)	Richard Alecock	Trevor Beckwith																			
Labour Group (1)	Diane Hind																				
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																				
Committee administrator	Helen Hardinge Democratic Services Officer Telephone 01638 719363 Email helen.hardinge@westsuffolk.gov.uk																				
Details of Site Visits overleaf...																					

SITE VISITS WILL BE HELD ON MONDAY 4 JULY 2022 AT THE FOLLOWING TIMES

The coach for Committee Members will depart West Suffolk House at 9.30am sharp and will travel to the following sites:

1. Planning Application DC/22/0364/FUL and Listed Building Consent DC/22/0365/LB - The Deanery, 3 The Great Churchyard, Bury St Edmunds

Planning application - a. single storey extension to north wing; b. alterations to garage and addition of garden/woodshed; c. provision of bicycle storage (following removal of shed); d. external window and door alterations; e. electric charging points; f. provision of call point on south pedestrian gate; g. gratings over window areas; h. associated landscaping; i. relocation of amenity space for west wing; j. installation of flue liners & cowls

Application for listed building consent - External alterations to include; a. single storey extension to north wing to include partial demolition of rear wall and window; b. external door and window alterations to include replacement and reinstatement of window and doors to rear elevation; c. provision of gratings to basement window areas; Internal alterations involving remodelling of internal layouts to include; demolition of staircase to main entrance hall to allow for large dining area; b. partial relocation of modified staircase from main entrance hall to new stairwell within existing laundry room; c. demolition of internal partition between existing bedroom one and two; d. provision of new attic staircase; e. upgrading of thermal elements to existing attic accommodation together with provision of shower room; f. upgrading of internal doors to half hour fire resistance; g. renewal of services to include electrics, heating and plumbing together with other modifications

Site visit to be held at 9.40am

2. Planning Application DC/20/0614/RM - Land NW of Haverhill, Anne Sucklings Lane, Little Wratting

Application for Reserved Matters pursuant to hybrid planning permission SE/09/1283 for Infrastructure comprising of: the internal estate roads, drainage, POS, landscaping, and allotments for Land at North West Haverhill

Site visit to be held at 10.45am

On conclusion of the above site visits the coach will travel back to West Suffolk House to allow for a short comfort break, before departing again for the following sites:

3. Planning Application DC/22/0021/HH - The Croft, Mildenhall Road, Barton Mills

Householder planning application - a. two storey front extension; b. two storey side and rear extension; c. conversion and extension of existing garage to habitable space; d. single storey side extension to existing garage (following demolition of existing flat roofed garage); e. roof alterations to existing link extension; f. two bay cartlodge with room above

Site visit to be held at 12.40pm

Continued overleaf...

4. Planning Application DC/22/0172/FUL - Land adjacent to 1 and 2, Park Garden, West Row

Planning application - six dwellings with access, parking and associated site work

Site visit to be held at 1.10pm

On conclusion of all the site visits the coach will return to West Suffolk House by the approximate time of 2.00pm.

Where otherwise required for this agenda, 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.

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 on the Council's website.

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/changed, 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/changed, 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 Assistant Director (Planning and Regulatory);
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory) 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 Assistant Director (Planning and Regulatory) and the Assistant Director (Human

Resources, Legal and Democratic) (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 or altered, together with the material planning basis for that change.
 - Members can choose to:
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory)
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory) 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 and 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 - 14

To confirm the minutes of the meeting held on 1 June 2022 (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/20/0614/RM - Land NW of Haverhill, Anne Sucklings Lane, Little Wratting

15 - 58

Report No: **DEV/WS/22/022**

Application for Reserved Matters pursuant to hybrid planning permission SE/09/1283 for Infrastructure comprising of: the internal estate roads, drainage, POS, landscaping, and allotments for Land at North West Haverhill

6. Planning Application DC/19/2347/FUL - Land East of Russet Drive Bilberry Close and Parsley Close, Manor Wood, Red Lodge

59 - 120

Report No: **DEV/WS/22/023**

Planning Application - 141 no. dwellings and associated infrastructure including roads, parking, sustainable drainage, pumping station and public open space, as amended

Continued overleaf....

- | | | |
|------------|--|------------------|
| 7. | Planning Application DC/22/0364/FUL and Listed Building Consent DC/22/0365/LB - The Deanery, 3 The Great Churchyard, Bury St Edmunds | 121 - 144 |
| | Report No: DEV/WS/22/024 | |
| | <p><u>Planning application</u> - a. single storey extension to north wing; b. alterations to garage and addition of garden/woodshed; c. provision of bicycle storage (following removal of shed); d. external window and door alterations; e. electric charging points; f. provision of call point on south pedestrian gate; g. gratings over window areas; h. associated landscaping; i. relocation of amenity space for west wing; j. installation of flue liners & cowls</p> <p><u>Application for listed building consent</u> - External alterations to include; a. single storey extension to north wing to include partial demolition of rear wall and window; b. external door and window alterations to include replacement and reinstatement of window and doors to rear elevation; c. provision of gratings to basement window areas; Internal alterations involving remodelling of internal layouts to include; demolition of staircase to main entrance hall to allow for large dining area; b. partial relocation of modified staircase from main entrance hall to new stairwell within existing laundry room; c. demolition of internal partition between existing bedroom one and two; d. provision of new attic staircase; e. upgrading of thermal elements to existing attic accommodation together with provision of shower room; f. upgrading of internal doors to half hour fire resistance; g. renewal of services to include electrics, heating and plumbing together with other modifications</p> | |
| 8. | Planning Application DC/22/0172/FUL - Land adjacent to 1 and 2, Park Garden, West Row | 145 - 180 |
| | Report No: DEV/WS/22/025 | |
| | Planning application - six dwellings with access, parking and associated site work | |
| 9. | Planning Application DC/22/0021/HH - The Croft, Mildenhall Road, Barton Mills | 181 - 192 |
| | Report No: DEV/WS/22/026 | |
| | Householder planning application - a. two storey front extension; b. two storey side and rear extension; c. conversion and extension of existing garage to habitable space; d. single storey side extension to existing garage (following demolition of existing flat roofed garage); e. roof alterations to existing link extension; f. two bay cartlodge with room above | |
| 10. | Planning Application DC/21/1780/HH - Place Farm, Clay Cottage, Ipswich Road, Rougham | 193 - 204 |
| | Report No: DEV/WS/22/027 | |
| | Householder planning application - two storey side extension with repositioning of existing solar panels | |

This page is intentionally left blank

Development Control Committee



Minutes of a meeting of the **Development Control Committee** held on **Wednesday 1 June 2022** at **10.00 am** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present

Councillors

Trevor Beckwith
John Burns
Jason Crooks
Susan Glossop
Brian Harvey
Ian Houlder
David Palmer

Sara Mildmay-White
Andy Neal
David Palmer
Andrew Smith
David Smith
Peter Stevens
Jim Thorndyke

In attendance

Birgitte Mager (Ward Member: Moreton Hall)
Sarah Pugh (Ward Member: Whepstead & Wickhambrook)

237. Election of Chair 2022/2023

This being the first meeting of the Development Control Committee since the Authority's Annual Meeting in May 2022, the Lawyer opened the meeting and asked for nominations for the Chair of the Committee for 2022/2023.

Councillor Peter Stevens nominated Councillor Andrew Smith as Chair and this was seconded by Councillor Brian Harvey.

There being no other nominations and with the vote being unanimous, it was

RESOLVED:

That Councillor Andrew Smith be elected Chair for 2022/2023.

Councillor Smith then took the Chair for the remainder of the meeting.

238. Election of Vice Chairs 2022/2023

The Chair then sought nominations for the two positions of Vice Chair.

Councillor Susan Glossop nominated Councillor Mike Chester and this was seconded by Councillor Brian Harvey.

Councillor Peter Stevens nominated Councillor Jim Thorndyke and this was seconded by Councillor David Palmer.

There being no other nominations and with the votes both being unanimous, it was

RESOLVED:

That Councillors Mike Chester and Jim Thorndyke be elected Vice Chairs for 2022/2023.

239. Apologies for absence

Apologies for absence were received from Councillors Carol Bull, Roger Dicker and Andy Drummond.

The Democratic Services Officer also advised the meeting that since the agenda was published the Independent Group had appointed Councillor Phil Wittam to their group's vacancy on the Committee. However, Councillor Wittam was unable to attend the meeting this month and had asked that his apologies also be noted.

240. Substitutes

The following substitutions were declared:

Councillor Trevor Beckwith substituting for Councillor Roger Dicker; and Councillor Sara Mildmay-White substituting for Councillor Carol Bull.

241. Minutes

The minutes of the meeting held on 4 May 2022 were confirmed as a correct record, with 13 voting for the motion and 1 abstention, and were signed by the Chair.

242. Declarations of interest

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

243. Planning Application DC/19/2456/HYB - Land North East of Bury St Edmunds, Bury Road, Great Barton (Report No: DEV/WS/22/016)

Hybrid Application - i) Outline application (with all matters reserved except for access) - for up to 1375 dwellings, access (including two new roundabouts onto A143 and creation of new foot and cycleway links into the site which would include new cycle/pedestrian crossings of the A143 and cycle/pedestrian link through the existing railway underpass), public open space (including buffer to Cattishall and Great Barton) and landscaping; new local centre (which could include the following uses A1; A2; A3; A4; A5; B1; D1; or D2); primary school; and associated infrastructure and works (including access roads, drainage infrastructure and substations), and ii) Planning Application - Full details for Phase 1 of the outline application for 287 dwellings (which are part of the overall up to 1375 dwelling proposal), garages, access roads, parking, open space, drainage infrastructure and associated infrastructure and works

The Committee was advised that this application was submitted to West Suffolk Council in December 2019 and was validated in January 2020. It relates to a major strategic development site within the town of Bury St Edmunds and formed one of the five residential sites identified for growth in the St Edmundsbury Core Strategy 2010 and Bury St Edmunds Vision 2031.

The application had been subject to extensive scrutiny and lengthy discussions between the applicant, the Local Planning Authority and consultees, in particular the Local Highway Authority. The application was accompanied by a Transport Assessment and a number of subsequent detailed technical notes and a comprehensive walking and cycling strategy. The technical notes and walking and cycling strategy were submitted by the applicant during the course of the application as a direct result of discussions with the Local Highway Authority.

The Local Highway Authority, supported by National Highways, had reached the conclusion that the development would be contrary to Paragraph 111 of the National Planning Policy Framework which states that 'development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'. The applicant had provisionally agreed a package of highway mitigation measures in order to address the highway impacts of the scheme, however, the local Highway Authority did not consider that the package was sufficient to fully mitigate the impacts of the development and as such both the Local Highway Authority and National Highways object to the application.

The applicant had declined to negotiate further with the local Highway Authority and on 27 April 2022 the applicant formally notified the Local Planning Authority that it had submitted an appeal to the Planning Inspectorate in respect of the non-determination of the application. Members were verbally informed that the Local Planning Authority had received a formal 'start letter' from the Planning Inspectorate for the appeal to start on 13 September 2022.

In the light of the continuing objections from the Local Highway Authority and National Highways, Officers had taken the view that the application could not be supported and had it come before the Committee for determination it would have been with a recommendation of refusal.

This application was now being presented to the Committee to seek endorsement of the reasons for refusal that Officers would have been recommending had the Local Planning Authority been able to determine the application. The reasons for refusal would form the basis of the Local Planning Authority's defence of the appeal and were set out in Paragraph 23 of Report No DEV/WS/22/016.

The Principal Planning Officer explained that since the agenda was published three further representations had been received in objection to the scheme which were verbally summarised to the meeting, none of which raised any new issues not previously covered by earlier representations.

A Member site visit had been held prior to the meeting. The Committee was informed that Luke Barber, Strategic Transport and Policy Manager, was in attendance in order to respond to any questions on behalf of Suffolk County Council Highways.

Speakers: Councillor Maggie Dunn (Chair, Great Barton Parish Council) spoke against the application
Councillor Birgitte Mager (Ward Member, Moreton Hall) spoke against the application
Steven Sensecall (Agent) spoke in support of the application

Whilst some Members voiced support for the principle of development on the allocated site and acknowledged the developer's efforts to reach agreement with the Local Highway Authority, they also endorsed the objection made by the Highways Authority and stressed the need for the highways impact to be thoroughly mitigated.

A number of comments were made in relation to the historical traffic issues in the area, especially at peak times; with particular reference given to the improvements needed at the Orttewell bridge.

Councillor Trevor Beckwith addressed the meeting as Ward Member for Moreton Hall and also raised concerns in relation to existing flooding at Compeigne Way and the need for this to be addressed.

Other Councillors posed questions in relation to the building programme/timetable, heating methods and highways matters. All of which were responded to by the Principal Planning Officer and the Strategic Transport and Policy Manager.

In response to comments made regarding the appeals process the Service Manager (Planning – Development) reminded the Committee that the financial implications of an appeal was not a material planning considerations relevant to the determination of an application and they should concentrate their deliberations on the matters outlined in the report including planning policy and comments from statutory consultees.

Councillor Peter Stevens proposed that the Officer's recommendation at Paragraph 23 be endorsed and, had the Local Planning Authority been able to determine the application, that it should be refused for the reasons set out in the report. This was duly seconded by Councillor Jim Thorndyke.

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

Decision

Had the Local Planning Authority been able to determine the application, planning permission would have been **REFUSED** for the following reasons, and the matters raised within them be pursued by the Local Planning Authority through the appeal process:

1. The proposed development has been assessed as having an unacceptable impact on highway safety and will result in residual cumulative severe impacts on the local and strategic transport network. The proposal is therefore contrary to Paragraph 111 of the National Planning Policy Framework (July 2021). The proposal is also considered to be contrary to Policies CS3, CS7, CS8, CS11 and CS14 of the St Edmundsbury Core Strategy (December 2010) and Policy DM45 of the Forest Heath and St Edmundsbury Joint Development Management Policies Document, which seek to ensure that all development fully addresses access and transport considerations and ensures that they deliver an appropriate level of infrastructure to fully mitigate the highway impacts of the proposal; and
2. The absence of a signed section 106 Agreement leaves the Local Planning Authority unable to secure the infrastructure improvements and enhancements, as well as the financial contributions necessary to monitor and maintain such that are considered necessary to render this development satisfactory. The result of this would be an unsustainable development contrary to the requirements of Policy CS14 of the St. Edmundsbury Core Strategy (2010) and guidance contained within the National Planning Policy Framework 2021.

244. Planning Application DC/21/2328/FUL - Sentinel Works, Northgate Avenue, Bury St Edmunds (Report No: DEV/WS/22/017)

Planning application - nine dwellings

This application was referred to the Development Control Committee following consideration by the Delegation Panel, having been called-in by the Ward Members (Tollgate).

Bury St Edmunds Town Council objected to the scheme which was contrary to the Officer recommendation of approval, subject to conditions, as set out in Paragraph 91 of Report No DEV/WS/22/017, inclusive of an amendment to No 18 and four additional conditions as outlined in the Officer presentation.

A Member site visit was held prior to the meeting.

(On conclusion of the Principal Planning Officer's presentation the Chair permitted a very short adjournment to allow a Member of the Committee to briefly step outside the meeting room. On their return the meeting was continued.)

The Committee undertook considerable discussion on the application, with a number of Members referencing the existing planning permission, which was granted for the site in 2019, for 8 dwellings and 2 cartlodges.

Concern was also raised in respect of the parking provision offered by the scheme, however, the Service Manager (Planning – Development) reminded the Committee that Suffolk County Council Highways had not objected on this basis.

Comments were also made in relation to waste collection, the contrived nature of the layout and impact on amenity.

Councillor Mike Chester moved that the application be refused, contrary to the Officer recommendation, due to overdevelopment, impact on amenity, the contrived nature of the layout including the waste collection arrangements (Policies DM2 and DM22). This was duly seconded by Councillor Sara Mildmay-White.

Upon being put to the vote and with 12 voting for the motion and 2 against, it was resolved that

Decision

Planning permission be **REFUSED, CONTRARY TO THE OFFICER RECOMMENDATION**, for the following reasons:

Policy CS3 of the Core Strategy and policy DM2 and DM22 of the Joint Development Management Policies Policy together seek to produce designs that respect the character, scale, density and massing of the locality, to create coherent and legible places. DM22 states that residential development should be laid out to optimise amenity, with streets and parking facilitating this primary objective. Policy DM46 further requires all proposals for redevelopment, including changes of use, to provide appropriately designed and sited car and cycle parking, plus make provision for emergency, delivery and service vehicles.

The NPPF at para 135 advises that Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme.

The proposed redevelopment of nine new dwellings, on a site that is within the defined settlement boundary for Bury St Edmunds which benefits from permission for 8 dwellings, would result in overdevelopment which is demonstrated by the contrived and cramped layout of the site with excessive bin dragging distances and contrived tandem parking serving the rear plots, making manoeuvring difficult.

The dwellings positioning in proximity to the site boundaries would cause overbearing impacts on neighbouring properties to the detriment of residential amenity contrary to policy DM2g, which seeks to prevent all new developments from adversely affecting residential amenity.

It is therefore considered that the proposal would overall not represent good design, and would fail to create a coherent and legible place contrary to policies CS3 of the St Edmundsbury Local Development Framework Core Strategy (2010) and DM2 and DM22 of the Joint Development Management Policies Document (2015). The development would also be contrary to DM46 and guidance contained within the NPPF, which highlights the importance of good design as a key aspect of sustainable development and states that developments should add to the overall quality of an area and achieve high standard of amenity for existing and future users.

245. **Planning Application DC/22/0172/FUL - Land adjacent to 1 and 2, Park Garden, West Row (Report No: DEV/WS/22/018)**

Planning application - six dwellings with access, parking and associated site work

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

Ward Member (The Rows) Councillor Don Waldron had raised queries with regard to the commencement of a previous permission and subsequent fallback position.

West Row Parish Council objected to the scheme on highway safety grounds which was contrary to the Officer recommendation of approval, subject to conditions, as set out in Paragraph 58 of Report No DEV/WS/22/018, inclusive of amendment to Nos 5 and 9 plus an additional condition as outlined in the Officer presentation.

Attention was drawn to a supplementary paper which had been circulated the day prior in relation to the application. The Chair permitted Councillors a few minutes in which to read the documentation.

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

Speakers: Anthony Knight (neighbouring objector) spoke against the application
Sarah Carter (neighbouring objector) spoke against the application
Councillor Don Waldron (Ward Member: The Rows) spoke against the application
Jamie Palmer (agent) spoke in support of the application
(Sarah Carter was not in attendance to personally address the Committee and, instead, the Democratic Services Officer read out a pre-prepared statement on her behalf.)

Considerable debate took place on the application; in response to the legalities surrounding the extant permission on the site, the Principal Planning Officer explained that legal advice had been sought and Officers had been informed that trenches having been dug on site, even if refilled, did constitute as commencement.

Councillor John Burns raised a specific query in relation to private waste collection arrangements. The Officer explained that she would suggest including an additional condition to reflect this, together with an informative in order to advise future purchasers.

Some concerns were raised in relation to Paragraph 43 of the report and the Highways Authority having stated that there was no recorded accident data in the past 10 years, when this conflicted with statements made by local residents, the Ward Member and the Parish Council.

Councillor Andy Neal made a statement on the benefits that a physical site visit would have afforded the Committee in determining the application.

Accordingly, Councillor Trevor Beckwith moved that consideration of the application be deferred in order to allow Officers to liaise with Suffolk County Council in respect of accident data and to allow the Committee to undertake a physical site visit. This was duly seconded by Councillor Andy Neal.

Upon being put to the vote and with 12 voting for the motion and 2 against, it was resolved that

Decision

Consideration of the application be **DEFERRED** in order to allow Officers to liaise with Suffolk County Council in respect of accident data and to allow the Committee to undertake a physical site visit.

246. **Planning Application DC/22/0199/FUL - White Gables, Stock Corner, Beck Row (Report No: DEV/WS/22/019)**

Planning application - a. two dwellings and associated works; b. access

This application was referred to the Development Control Committee because technically it represented a departure from the Development Plan.

The Parish Council had objected to the scheme on the grounds of inadequate access, which was contrary to the Officer's recommendation of approval, subject to conditions as set out in Paragraph 62 of Report No DEV/WS/22/019 and with an additional condition to secure implementation of the boundary treatment shown on the site plan as recommended in the Officer's presentation.

Members were advised that as the press notice did not expire until 10 June 2022 the recommendation was subject to no further material representations being received prior to that date; it was therefore recommended that the decision be delegated to the Director (Planning and Growth).

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

Councillor John Burns suggested that a further additional condition be included in respect of demolition/construction works permitted hours of operation. The Officer agreed that this would be reasonable and appropriate.

On this basis, Councillor Burns then proposed that the application be approved, as per the Officer recommendation, and 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

On the basis of no further material representations being received prior to the expiration of the press notice, the decision be delegated to the Director

(Planning and Growth) and planning permission be **GRANTED** subject to the following conditions:

- 1 The development hereby permitted shall be begun not later than three years from the date of this permission.
- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
- 3 No development above slab level shall take place until details of the facing and roof materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4 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.
- 5 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.
- 6 All ecological measures and/or works shall be carried out in accordance with the details contained in the Arbtech Preliminary Ecology Report as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.
- 7 Prior to occupation 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 and thereafter retained as so installed. There shall be no occupation unless and until details of the biodiversity enhancement measures to be installed have been agreed in writing by the Local Planning Authority.
- 8 The development hereby approved shall be implemented in accordance with the sound insulation measures set out in the 'Atspace Acoustic Design Assessment Report' received on 03.02.2022.
- 9 No other part of the development hereby permitted shall be commenced until the existing vehicular access has been improved, laid out and completed in all respects in accordance with drawing no. P-6475-02 and made available for use. Thereafter the access shall be retained in the specified form.
- 10 Prior to the development hereby permitted being first occupied, the existing access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres measured from the nearside edge of the metalled carriageway, in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority.
- 11 No development above ground shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.
- 12 Before the access is first used visibility splays shall be provided as

shown on Drawing No. P6475 - 02 with an X dimension of 2.4 metres and a Y dimension of 43 metres [tangential to the nearside edge of the carriageway] and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

- 13 The areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins as shown on Drawing No.P- 6477 - 01 shall be provided in their entirety before the development is brought into use and shall be retained thereafter for no other purpose.
- 14 Prior to first use of the development hereby permitted, the area(s) within the site shown on drawing No. P- 6477 - 1 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.
- 15 The use shall not commence until the area(s) within the site shown on Drawing No. P- 6477 - 01 for the purposes of secure cycle storage has been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.
- 16 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.
- 17 Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time on Sundays, public holidays or bank holidays.
- 18 The screen fencing shown on the approved plan drawing no. P- 6477 - 01 shall be installed prior to the dwellings being first occupied and thereafter retained in the form and manner installed.

247. Planning Application DC/21/2320/FUL - Pattles Grove Stud, Pattles Grove House, Chedburgh Road, Whepstead (Report No: DEV/WS/22/020)

Planning application - a. partial change of use to a timber supplies business (sui generis); b. stable block; c. office building; d. timber store; e. workshop; f. open fronted storage barn; g. open fronted timber store and; h. associated ancillary development

This application was referred to the Development Control Committee following consideration by the Delegation Panel, as a result of call-in by Ward Member (Whepstead & Wickhambrook) Councillor Sarah Pugh.

The Parish Council objected to the scheme which was contrary to the Officer's recommendation of approval, subject to conditions as set out in Paragraph 46 of Report No DEV/WS/22/020, inclusive of an amendment to the wording of No 2 as referenced in the Officer's presentation.

A Member site visit was held prior to the meeting.

Speakers: Councillor Garry Corcoran (Whepstead Parish Council) spoke against the application
Councillor Sarah Pugh (Ward Member: Whepstead & Wickhambrook) spoke against the application
Lucy Smith (Agent) spoke in support of the application

A number of questions were posed in relation to the stud operation at the premises and the Senior Planning Officer explained that the business offered seasonal grazing and there were around 13 horses on site when it was visited by the Council. However, Members were reminded that the equine use of the site was outside the planning application before them.

The Officer also confirmed, in response to other related questions, that the workshop in question was soundproofed and it existed in its current form when the noise assessment referenced in the report was undertaken. There were also separate mechanisms in which noise related concerns could be raised with the Council.

Lastly, in response to questions regarding restricting the routing of traffic to the site the Committee was advised that it was not possible to restrict this via condition as the Highways Authority had not requested this and it was not considered to be an enforceable condition.

Councillor Peter Stevens proposed that the application be approved, as per the Officer recommendation, this was duly seconded by Councillor Jim Thorndyke.

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. The development hereby approved is defined by the approved plans and documents and no alterations or extensions shall take place without the prior written consent of the Local Planning Authority.
2. No deliveries to or from the timber supplies business shall be taken or despatched outside the hours of 08:00 - 17:00 Mondays to Saturdays and no deliveries shall be taken or despatched on Sundays and Bank Holidays unless agreed in writing with the Local Planning Authority.

(On conclusion of this item the Chair permitted a short comfort break during which Councillors Trevor Beckwith, Brian Harvey and Sara Mildmay-White left the meeting at 1.35pm.)

248. **Planning Application DC/22/0579/FUL - Mildenhall Library, Chestnut Close, Mildenhall (Report No: DEV/WS/22/021)**

Planning application - Installation of two metre high security fencing to external boundary (previous application DC/21/1536/FUL)

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

The application represented an extension to the provision of security fencing previously approved by the Committee on 1 September 2021 under planning reference DC/21/1536/FUL.

Officers were recommending that the application be approved, subject to conditions as set out in Paragraph 26 of Report No DEV/WS/22/21.

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

Councillor Jim Thorndyke proposed that the application be approved, as per the Officer recommendation, and this was duly seconded by Councillor Peter Stevens.

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. The development hereby permitted shall be begun not later than three years from the date of this permission.
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.
3. The development shall be carried out strictly in accordance with the Arboricultural Method Statement (AMS) submitted 01 April 2022, drawing no. P4291.2.0 dated 15 November 2021. The protective measures contained within the scheme shall be implemented, maintained and retained until the development is completed. The development shall be carried out in accordance with the approved AMS unless agreed in writing by the Local Planning Authority.

The meeting concluded at 1.52pm

Signed by:

Chair

This page is intentionally left blank

Development Control Committee 6 July 2022

Planning Application DC/20/0614/RM – Land NW of Haverhill, Anne Sucklings Lane, Little Wratting

Date registered: 7 April 2020 **Expiry date:** Extension of time to 13 July 2022.

Case officer: Penny Mills **Recommendation:** Approve application

Parish: Haverhill Town Council **Ward:** Haverhill North

Proposal: Application for Reserved Matters pursuant to hybrid planning permission SE/09/1283 for Infrastructure comprising of: the internal estate roads, drainage, POS, landscaping, and allotments for Land at North West Haverhill

Site: Land NW of Haverhill, Ann Suckling Road, Little Wratting

Applicant: Mr Issac Jolly

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 resolve to approve the application subject to the conditions.

CONTACT CASE OFFICER:

Penny Mills

Email: penny.mills@westsuffolk.gov.uk

Telephone: 01284 757367

Background:

This application has been referred to the Development Control Committee following a call-in from the local Ward Member (Councillor Joe Mason – Haverhill North). Haverhill Town Council also object to the application.

The application is part of the wider northwest Haverhill site, which is one of the two strategic growth sites for Haverhill identified in the adopted Core Strategy. It seeks approval of the details for the infrastructure for phases two to six.

The site has previously been the subject of significant public engagement through the preparation and adoption of a concept statement and a masterplan. Outline planning permission was granted on 27 March 2015 for residential development, a primary school, local centre including retail and community uses, public open space, landscaping infrastructure, servicing and other associated works alongside full permission for the construction of a relief road.

A number of changes have been made during the course of this application including the following:

- **an increase in the application red line to accommodate street trees and provide additional public open space,**
- **the removal of the sports fields and associated play area to be dealt with in a separate application, which has been approved.**
- **an amendment to the geometry of the central road loop to minimise the amount of hedgerow removal and allow for a pedestrianised plaza space at the local centre**
- **additional ecological information**
- **amended soft landscaping**
- **additional information relating to play area, revised details of public open space areas and an improved network of footway and cycle links**
- **the introduction of an outdoor gym trail**

1.0 Proposal:

- 1.1 The application seeks approval for the reserved matters (access, appearance, landscaping, layout and scale) for the main internal infrastructure for the remaining phases of the northwest Haverhill development, as granted outline permission under SE/09/1283.
- 1.2 The revised reserved matters application provides the details for the infrastructure for phases two to six of the development comprising the following key elements:
 - Internal estate roads
 - Strategic Green Infrastructure including landscaping, public open space, play areas and allotments
 - Drainage

2.0 Application supporting material:

2.1 The application is supported by a number of plans and supporting documents, many of which have been amended during the course of the application. The current versions are listed below:

Drawing / document title	Drawing/document number	Received
General Plans		
Haverhill Infrastructure Open Space	039-E-SK36 Rev E	May 22
Infrastructure Application Red Line Site plan	039-E-1400 Rev C	May 22
Strategic Network Plan	039-E-SK76-E	June 22
Highway Road Types	039-E-SK91 A	June 22
Boat and Cycleway Transition Detail	039-E-SK89	May 22
Bus Gate details and Cycleway Intersection	039-E-SK87	May 22
Cycleway Bollards Location Plan	039-E-SK93	May 22
Drainage		
Drainage Strategy -	E3838- Rev6 Full	May 22
Drainage Strategy Overall.pdf	E3838-500L	June 22
Drainage Strategy Sh1.pdf	E3838-501G	June 22
Drainage Strategy Sh2.pdf	E3838-502H	June 22
Drainage Strategy Sh3.pdf	E3838-503G	June 22
Drainage Strategy Sh4.pdf	E3838-504I	June 22
Drainage Strategy Sh5.pdf	E3838-505H	June 22
Drainage Strategy Sh6.pdf	E3838-506G	June 22
Drainage Strategy Sh7.pdf	E3838-507F	June 22
Drainage Strategy Sh8.pdf	E3838-508E	June 22
Pond Details-Pond 1.pdf	E3838-530D	June 22
Pond Details-Pond 2.pdf	E3838-531D	June 22
Pond Details-Pond 3.pdf	E3838-532C-	May 22
Pond Details-Pond 4.pdf	E3838-533C-	June 22
Drainage Construction Details.pdf	E3838-560-	May 22
Drainage Construction Details Sh 3.pdf	E3838-562-	May 22
Pumping Station GA.pdf	E3838-570a-	May 22
Pumping Station Compound Details.pdf	E3838-571-	May 22
Ecology		
Sirte Wide Biodiversity Net Gain	JBA18-351_ECO22b	May 22
Ecology Mitigation requirements	JBA18-351_ECO23 rev B	June 22
BNG statement	JBA18-351_ECO22c	May 22
Great crested Newt eDNA Survey of Phases 2 -6		June 22
Bat Activity Survey Report of Phases 2 - 6 and Relief Road		June 22
Badger Survey of Phases 2-6 and Relief Road		June 22
Updated Ecological Walkover Survey of Phases 2 to 6 and the Relief Road at Haverhill (James Blake Associates	JBA 18-351_ECO29 rev B	June 22
Haverhill Ecology Mitigation Requirements	JBA 18-351_ECO 23, Rev B 21_06_22	June 22
Skylark management Agreement		June 22
Play Area Plans		
Haverhill LEAP Plan	Q7693_B_	May 22

Haverhill Overall Plan	Q7693_B	May 22
Haverhill Trim Trail Plan	Q7693_B	May 22
Haverhill NEAP Plan	Q7693_B	May 22
Landscape plans		
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev G-21.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev G-22.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev O-01.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev O-02.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev O-03.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev O-04.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev O-05.pdf	May 22
351 Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18- rev O-06.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev O-07.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev O-08.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev O-09.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev O-10.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev O-11.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev O-12.pdf	May 22
351 Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18- rev L-I.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev I-14.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev J-29.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev I-18.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev I-19.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev I-20.pdf	May 22
POS cross sections	039-E-SK95	June 22
Engineering plans		
Longitudinal Sections Sh 1.pdf	E3838-535A-	May 22
Longitudinal Sections Sh 2.pdf	E3838-536A-	May 22
Longitudinal Sections Sh 3.pdf	E3838-537A-	May 22
Longitudinal Sections Sh 4.pdf	E3838-538B	June 22
Longitudinal Sections Sh 5.pdf	E3838-539A-	May 22
Longitudinal Sections Sh 6.pdf	E3838-540A-	May 22
Longitudinal Sections Sh 7.pdf	E3838-541A-	May 22
Longitudinal Sections Sh 8.pdf	E3838-542A-	May 22
Longitudinal Sections Sh 9.pdf	E3838-543A-	May 22
Longitudinal Sections Sh 10.pdf	E3838-544A-	May 22
Longitudinal Sections Sh 11.pdf	E3838-545-	May 22

Manhole Schedule.pdf	E3838-555B-	May 22
Offsite Rising Main Layout Sh1.pdf	E3838-590 -	May 22
Offsite Rising Main Layout Sh2.pdf	E3838-591 -	May 22
Offsite Rising Main Layout Sh3.pdf	E3838-592 -	May 22
Rising Main Longitudinal Section-Sh1.pdf	E3838-595-	May 22
Rising Main Longitudinal Section-Sh2.pdf	E3838-596-	May 22
Rising Main Longitudinal Section-Sh3.pdf	E3838-597-	May 22
Rising Main Longitudinal Section-Sh4.pdf	E3838-598-	May 22
Highways Plans		
Highway Surface Finishes-Sheet 1 of 7.pdf	E3838-700F	June 22
Highway Surface Finishes-Sheet 2 of 7.pdf	E3838-701D-	May 22
Highway Surface Finishes-Sheet 3 of 7.pdf	E3838-702E	June 22
Highway Surface Finishes-Sheet 4 of 7.pdf	E3838-703G	June 22
Highway Surface Finishes-Sheet 5 of 7.pdf	E3838-704G	June 22
Highway Surface Finishes-Sheet 6 of 7.pdf	E3838-705G	June 22
Highway Surface Finishes-Sheet 7 of 7.pdf	E3838-706F	June 22
Highway Kerb Layout Sheet 1 of 7.pdf	E3838-710D-	May 22
Highway Kerb Layout Sheet 2 of 7.pdf	E3838-711D-	May 22
Highway Kerb Layout Sheet 3 of 7.pdf	E3838-712D-	May 22
Highway Kerb Layout Sheet 4 of 7.pdf	E3838-713C-	May 22
Highway Kerb Layout Sheet 5 of 7.pdf	E3838-714D-	May 22
Highway Kerb Layout Sheet 6 of 7.pdf	E3838-715D-	May 22
Highway Kerb Layout Sheet 7 of 7.pdf	E3838-716D-	May 22
Highway Construction Details Sheet 1	E3838-780 C	June 22
Highway Construction Details Sheet 2.pdf	E3838-781-	May 22
Section 38 Agreement Plan Sh 1 of 7.pdf	E3838-370 E	June 22
Section 38 Agreement Plan Sh 2 of 7.pdf	E3838-370 E	June 22
Section 38 Agreement Plan Sh 3 of 7.pdf	E3838-372 E	June 22
Section 38 Agreement Plan Sh 4 of 7.pdf	E3838-373 E	June 22
Section 38 Agreement Plan Sh 5 of 7.pdf	E3838-374 E	June 22
Section 38 Agreement Plan Sh 6 of 7.pdf	E3838-375 E	June 22
Section 38 Agreement Plan-Sh 7 of 7.pdf	E3838-376 E	June 22

Modular Storage Construction Detail.pdf	E3838-450-	May 22
---	------------	--------

3.0 Site details:

- 3.1 The application site comprises part of the wider strategic site identified by Policy HV3 of the Haverhill Vision 2031, granted permission under SE/09/1283. It includes the main internal road and cycle network and the strategic blue and green infrastructure and stretches from Ann Suckling Road to the east, to Hales Barn Road to the west, the permitted relief road to the north and Howe Road to the south.
- 3.2 To the north of the site is the proposed relief road with agricultural land beyond. A Byway Open to all Traffic (BOAT) which runs through the middle of the site on a north/south axis extends further to the north along the Ann Sucklings Way County Wildlife Site. Further to the north-west beyond the agricultural field is an area of ancient woodland known as the Norney Plantation woodland.
- 3.3 In addition to the BOAT there is a bridleway heading west from the BOAT to Howe Road and a footpath heading east from the BOAT to the south east corner of the site.
- 3.4 To the west is Hales Barn Road where back gardens of properties abut the site, with varying widths of existing tree belt and hedging acting as a buffer.
- 3.5 To the south the site joins Howe Road and abuts the back gardens of properties in Forest Glade, Howe Road, Lee Close, Ganwick Close and Moneypiece Close, again with various widths of boundary vegetation.
- 3.6 To the east the site connects to Ann Suckling Way and runs along the rear gardens of properties in Gurlings Close and Falklands Road. An existing ditch also marks this boundary. Further to the north-east the site adjoins the development parcel known as 2b and the existing road through the new development.
- 3.7 There has been some confusion over the correct name for the road running from the east of the site to the A143. Different records refer to different names with earlier records using Anne Sucklings Way and later ones Ann Suckling Road. The street signage refers to this road as Ann Suckling Road and in the interests of consistency this name is the name used throughout this report.
- 3.8 The majority of the site comprises former agricultural land, some of which has developed into scrub and there are also includes a number of trees and hedgerows.

4.0 Planning history:

Reference	Proposal	Decision
SE/09/1283	1. Planning Application - (i) construction of relief road and associated works (ii) landscape buffer 2. Outline Planning	Approved

	Application - (i) residential development (ii) primary school (iii) local centre including retail and community uses (iv) public open space (v) landscaping (vi) infrastructure, servicing and other associated works as supported by additional information and plans received 27th September 2010 relating to landscape and open space, flood risk, environmental statement, drainage, layout, ecology, waste, renewable energy and transport issues including treatment of public footpaths and bridle paths.	
DC/16/2836/RM	Reserved Matters Application - Means for Landscaping (replacement hedge) for phase one of the development previously approved under DC/16/2836/RM Submission of details under SE/09/1283/OUT - the means of landscaping (replacement hedge) for the construction of (i) residential development (ii) primary school (iii) local centre including retail and community uses (iv) public open space (v) landscaping (vi) infrastructure, servicing and other associated works	Approved
DCON(H)/09/1283/RM	Application to Discharge Conditions A2 (Alignment), A4 (Arboricultural Method Statement), A5 (Soft Landscaping) , A6 (Landscape and Ecological Management Plan), A8 (Archaeology) and A9 (Excavation and Ground Levels) of SE/09/1283	Pending consideration
DC/20/0615/RMA	Reserved Matters Application -Submission of details under SE/09/1283 - the means of access, appearance, landscaping, layout and scale for the construction of 41 dwellings with associated private amenity space, means of enclosure, car parking, vehicle and access arrangement and drainage together with proposed areas of landscaping and areas of open space for a residential development known as Phase 2A	Approved
DC/21/0110/RM	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 127 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	Approved
DC/21/1452/RM	Application for Reserved Matters (pursuant to hybrid planning permission SE/09/1283) for public open space, means of enclosure, play equipment, car and cycle parking and associated landscaping and discharge of conditions B8, B10, B12, B18 and B25 of outline planning permission in regards to design, highways details, footpaths, levels, SuDs and contamination	Approved

DC/22/0618/RM	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 98 dwellings, together with associated means of enclosure, car parking, vehicle and access arrangements, landscaping and open space for a phase of residential development known as Phase 6. The application includes the submission of details to enable the discharge of conditions B9, B16, B17, B20, B21, B24 of outline planning permission SE/09/1283	Pending consideration
---------------	--	-----------------------

5.0 Consultations:

5.1 The application has been subject to amendments and additional information has been submitted to address concerns raised. The consultation responses set out below represent the current position and are a summary of the latest responses received.

5.2 Full copies of consultation responses are available to view online through the Council's public access system using the link below.
Representations:

[DC/20/0614/RM | Application for Reserved Matters pursuant to hybrid planning permission SE/09/1283 for Infrastructure comprising of: the internal estate roads, drainage, POS, landscaping, and allotments for Land at North West Haverhill | Land Nw Of Haverhill Anne Sucklings Lane Little Wratting Suffolk \(westsuffolk.gov.uk\)](#)

5.3 Suffolk County Council is abbreviated to SCC in the consultation responses set out below.

5.4 **SCC Highways** – comments received advising that following the submission of amended drawings the local highway authority is satisfied that the issues raised have been addressed. This is subject to a final correction to the Highway Surface Plans 4 and 5 of 7 to ensure consistency with the strategic network plan.

It is recommended that the kerbing plans are not listed as approved plans but are secured within the standard s38 process.

Conditions are requested to secure the following

- The final design and details of the connection of the development to Ann Suckling Road to ensure a safe connection into the existing highway network.
- An access strategy to secure an appropriate network of dropped crossings is required, to facilitate access for all.
- Full details of the bus gate provision should be conditioned to ensure agreement of details before commencement.

5.5 **SCC Public Rights of Way** – comments received confirming that the holding objection can be released subject to the following points being addressed:

- Discrepancies between plans, including the treatment of the pedestrian/ cycle route Byway crossings with some drawings showing the hoggin either side of the asphalt and others not, and amended drawings now not consistent with older drawings that haven't been superseded.
- Whilst Public Footpath 45 and Bridleway 44 have been included in the newly amended Strategic Network Plan, they are not noted on other plans. As previously commented, in addition to being included on plans, the sensitive removal of scrub/ vegetation for these routes, as needed, should be noted in drawings and details agreed with relevant SCC and WSC parties.
- The Strategic Network Layout shows a hoggin surface Footpath north of the relief road, within landscaping detailing this is shown as a mown path. Additionally, this route was agreed to be upgraded to a bridleway, or equivalent, in discussion and no communication has been received regarding the dedication, creation, or other agreement needed for this. It is expected that the Applicant shows that progress towards the creation of the bridleway, or equivalent, has been made and that the hoggin path is shown in all plans.
- Any works not included with existing temporary closures of Public Rights of Way need to be discussed and agreed with Rights of Way & Access Team.

5.6 Ramblers Association – comments submitted relating to a section of Little Wrattling 6 beyond the proposed relief road.

- If any closure of footpaths is proposed during construction alternative routes should be put in place.
- Referred to previous comments relating to the importance of footpath connections beyond the site

5.7 Haverhill Disability Forum – comments summarised below:

- Disappointing that in the statement document, the only reference to disability comes in the links to a few pieces of specific play equipment that have increased disability friendly design features.
- No mention of how the rights and needs of wheelchair users, or people with any other disabilities have been considered.
- Concerned that the green areas, the tables/benches etc will be inaccessible to many people due to being surrounded by unsuitable surfaces. Large green areas are lovely, but they exclude many people who have physical access needs.
- The dropped kerbs are few and far between. As usual they do not work when considering actual usage by someone who relies upon them for crossing. Are they using 'Raised Tables' as traffic calming, are they going to help the crossing of the main car routes or is there the need to have more dropped kerbs to cross over the main car routes as highlighted above.
- How about the main Pedestrian Routes designed in, are these going to have good accessibility for wheelchair and scooter users or again, are more dropped kerbs needed to link these routes together?
- We expect access routes to the school to be good, how about the allotments?

5.8 Anglian Water – confirmed no comments to make

- 5.9 **SCC Lead Local Flood Authority** – recommend approval of the application and request the following informatives:
- Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991,
 - Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017,
 - Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution,
 - Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act,
 - Any works to a main river may require an environmental permit
- 5.10 **Natural England** – confirmed no comments to make on this application and referred to standing advice available.
- 5.11 **Suffolk Wildlife Trust** – comments received removing previous holding objection and making comments summarised below:
- We are satisfied that additional botanical surveys of the Anne Suckling’s Way County Wildlife Site will be undertaken in order to inform the approach to hedgerow planting within the County Wildlife Site.
 - We are satisfied that a precautionary method statement for dormouse will be put in place. It should include:
 - Checks for dormouse nests prior to works. This should include checks for aerial nests in above ground vegetation from April to October inclusive and ground level checks for hibernation nests from October to April inclusive. Progressive clearance of vegetation towards retained habitats.
 - Ecological supervision of vegetation clearance on site.
 - Works must stop if evidence of dormouse is found.
 - The measures regarding the Anne Suckling’s Way County Wildlife Site and the hazel dormouse precautionary method statement should be secured as a condition of planning consent.
- 5.12 **Tree comments** – no objections
- It should be noted that the protection measures and extent of removal will be dealt with through the arboricultural method statement required prior to commencement by a condition on the outline permission.
- 5.13 **Ecology comments** – comments received advising that there is sufficient ecological information available for determination. Comments summarised below:
- There is sufficient ecological information available for determination providing certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.
- Support the proposed reasonable biodiversity enhancements, which have been recommended to secure measurable net gains for biodiversity, as

outlined under Paragraph 174d of the National Planning Policy Framework (2021).

Precautionary measures/approaches advised for badgers Water Voles, Great Crested Newts, Badgers and also Hazel Dormice, given the presence of local records and the suitable habitat for Dormice on site with connectivity to nearby ancient Woodlands.

Proposed off-site compensation for Skylarks, through a legal agreement with a local landowner is welcomed.

The Ecology Mitigation Requirements document has been updated to include a plan showing biodiversity mitigation and enhancement measures across the whole site. This should be further amended to include the following:

- Bat hop-overs crossing the relief road.
- Functional replacement habitat for the compensation for the loss of the scrub, particularly in relation to Phase 6.
- Provision of Barn Owl boxes (ideally in the area north of the relief Road).

The Biodiversity Net Gain report should be updated to ensure that it is consistent with the current plans for the site. And the applicant should provide a clear list to draw together updates and amendments that have recently been discussed.

Conditions recommended to secure:

- Action in accordance with ecological appraisal recommendations
- Construction environmental management plan for biodiversity
- Method statement for Hazel Dormouse, watervole, Badger and Great Crested Newt
- Time limit on development before further surveys
- Skylark mitigation strategy
- Ecological Design Strategy
- Bat hop overs and wildlife sensitive lighting design scheme

5.14 **Landscape** – comments received confirming that many of the previous points had been addressed but two concerns with the proposals remained:

- Hedge Mix includes native shrubs but many are ornamental species. It is recommended that alternative species such as *Corylus avellana* and *Crataegus monogyna* are included in the mix.
- The Specifications included on the Detailed Hard and Soft Landscaping (makes reference to the spiral guards, although we would expect implementation and removal (after establishment) of guards or fencing to be included in the plan. They should be checked periodically alongside the tree guards and stakes to ensure that they have not fallen over and are not damaging the plant

5.15 **Sport England** – comments received regarding the sports field element which are no longer relevant as this element of the scheme was removed to be dealt with under a separate application which has been approved.

6.0 Representations:

6.1 **Ward Member Cllr Joe Mason** – comments copied below:

Comments received 21st May 2020 calling application in for the following reasons:

- I have serious concerns regarding the increase in use of Ann Suckling, being used as a Through road onto Wratting Road and how cycle paths will terminate onto Ann Suckling Road. The Traffic survey from which these plans were created is now significantly out of date 2009 and should be redone in light of the changes in the Town and the increase building that has taken place or is being planned to take place elsewhere. E.g. the new development off Chaplewent Road nr Howe Road. The original plans indicate Green Walkways and Cycle Paths, The latest plans have reduced the size of these green areas and then terminate onto Ann Suckling Road. Without Cycleways on the Boyton Hall Estate the plans need to show how this estate will support members of the community to use bicycles safely accessing the transition between estates. I am concerned children will cycle straight on to Ann Suckling without barriers which are not evident in the plans.
- The indicative Masterplan SE_09_1283-EN_STATEMENT_VOL_2_APP_5.8_INDICATIVE_MASTER_PLAN-226623 had no mention of Allotments which are now shown on the latest plan. Where will the parking be for these Allotments which will not cause an obstruction on Ann Suckling. Some recessed Parking Bays would be preferable. Furthermore this was just previously shown as community green space. If the Allotments are not taken up, we need assurances that this land will not be used in the future for housing or building developments and will be kept as a Community Green Space. 4. The ditch running north and roughly perpendicular to Ann Suckling Road on the right of the plans needs to be properly maintained. It serves a drainage purpose for the land adjacent and agreement needs to take place over who will be maintaining this and ensure it functions as a ditch managing run off from higher land.

Comments received 28th April 2022 confirming call-in request

I would like to call in the infrastructure plan, due to concerns relating to the proposed link to Anne Suckling Road.

I am dissatisfied with the response I have received from highways and the lack of consideration, in my opinion of the concerns relating to the increased flow of traffic and a number of road safety issues brought about by the Infrastructure plans joining the Persimmon estate onto Ann Suckling Road.

I cannot ignore the residents' concerns and frustrations. I must say I feel it most concerning that having an in-person meeting was deemed not necessary.

I don't believe due diligence has been done on the impact on Ann Suckling and Highways position of reverting to the Master Plan without consideration or proper discussion of other factors most unhelpful and ultimately dangerous as concerns are based on road safety issues.

Whilst i do not assume a decision can be changed, I am most frustrated that I seem unable to properly represent residents' concerns with officers from highways. I am keen that there is an opportunity to explain this further at the Development & Control committee.

Additional comments received 5th June

In relation to planning application DC/20/0614/RM. I have serious concerns regarding the provision and safety of cyclists and children wishing to travel/walk to Samuel Ward Academy. The Persimmon development is significantly increasing footfall and the resultant increase I believe constitutes cause for concern. The cycle lane provision across the Persimmon site abruptly ends on Anne Suckling Road. Whilst this is outside the area relating to the infrastructure plan, I do feel that additional and proper consideration of amendments to Anne Suckling Road is needed, not just in terms of mitigation of increased traffic flows and the need for raised tables and suitable crossings ie Tiger crossings. Rather it is cyclists whom I am concerned about, in particular students of Samuel Ward Academy who whilst clearly provided for within the Persimmon development are not provided for along Ann Suckling Road or Wratting Road.

I believe the cumulative impact of increased flows present significant danger to cyclists/pedestrians and additional provision is needed to make this road safe.

6.2 Haverhill Town Council – consultation response received 9th June 2020 maintaining an objection. Comments copied below:

The change of the of the local centre being the hub of the internal roads is most disconcerting and it is not understood why this has been changed without full consultation with the public before plans were drawn up. It is a fundamental and major change to the entire development.

As previously mentioned, Councillors are extremely concerned that not having provision for a drop off point at the school would be a disastrous mistake. Omitting a drop off point has the potential to cause traffic chaos at school pick up and drop off times. It was noted by the committee that the Town Councils comments have not been ignored and that the idea submitted by Suffolk Education is to discourage driving to school and that the pedestrian link through to parking at the parade/shopping area was thought to be an adequate and safe option. However, the view of the members is that this would work, given that Haverhill already experiences major problems in the town outside existing schools where vehicles are using grass verges, estate areas and blocking the highway during school drop off and pick up times. The proposed primary school will not be used exclusively for residents of the Persimmon estate and people will travel by car to the site, experience has shown that they will park as close to the school as possible.

Although there is some provision for dropped kerbs on the site, the Town Council request that dropped kerbs are installed at every corner and junction to make the site fully accessible. Concerns were raised over pedestrians, particular students wishing to go to Samuel Ward, and the

hazards they will have face navigating this journey as there is no recognised crossing point for Wratting Road except the one at Chalkstone Way

The Town Council has requested further technical information from the Planning Officer on how the bus gate at Howe Road works. The Town Council are unable to comment on this until we have received this information

6.3 **Public representations**

124 nearby addresses were notified and site notices posted. 32 representations were received from the following addresses:

- Chapel Farm Cottage, Anne Sucklings Lane
- The Willows Anne Sucklings Lane
- 2 Anne Sucklings Lane
- 2 Boyton Close
- 5 Boyton Woods
- 4 Chase Close
- 10 Chase Close
- 3 Copellis Close
- 5 Cross Close
- 1 Falklands Road
- 3 Falklands Road
- 6 Falklands Road
- 7 Falklands Road
- 17 Falklands Road
- 24 Falklands Road
- 29 Falklands Road
- 36 Falklands Road
- 46 Falklands Road
- 47 Falklands Road
- 17 Fryth Close
- 2 Gurlings Close
- 3 Gurlings Close
- 12 Gurlings Close
- 14 Gurlings Close
- 21 Gurlings Close
- 10 Rowell Close
- 14 Rowell Close

The points raised are summarised below. Full copies of the representations are available to view on the public planning file online using the following link:

[DC/20/0614/RM | Application for Reserved Matters pursuant to hybrid planning permission SE/09/1283 for Infrastructure comprising of: the internal estate roads, drainage, POS, landscaping, and allotments for Land at North West Haverhill | Land Nw Of Haverhill Anne Sucklings Lane Little Wratting Suffolk \(westsuffolk.gov.uk\)](#)

Highways and access

- No firm detail regarding the joining of Ann Suckling Road to the new infrastructure. Original plans were for a gated connection for buses and emergency vehicles, with full access for pedestrians and cyclists. This was to prevent Ann Suckling Road becoming a "rat run" in the event of any delays in the building of major through routes on this application.
- Concerns over congestion and the potential risk of traffic collision on the exit from Ann Suckling Road on the A143 heading north towards Bury St Edmunds due to vehicles using it as a 'lay-by', narrowing the road and making visibility difficult. This is worsened by the lack of double yellow lines that do not extend far enough down the road and that Ann Suckling Road slopes up from the bottom to produce a 'blind summit'.
- Opening the road connecting to Howe Road will cause a bottle neck to the Wrattling Road exit which is already very busy.
- Bypass needs to be built first as infrastructure is already poor, no mention of a through road on original plans.
- Objection to the provision of a bus route along Ann Suckling Road due to congestion issues.
- No mention of traffic calming on Ann Suckling Road.
- Safety concerns at the point the proposed cycle path joins Ann Suckling Road as cyclists will be coming off the cycle path onto a busy road. There needs to be suitable barriers here.
- Proposed width of cycle path (2 metres) should be wider, with clearly separated areas for cyclists and pedestrians to reduce impact of cyclists on other users.
- Curve and camber of road entering Ann Suckling Road is a safety concern.
- Proposal of traffic calming measures along Ann Suckling Road to mitigate against problems is problematic as similar measures in Haverhill (Chalkstone Way) have shown they are not effective in stemming the flow of traffic.
- Road surfaces are likely to deteriorate with higher volumes of traffic – potholes being particularly dangerous to cyclists and motorbikes.
- Surely routing traffic to utilise Orbell Avenue, the relief road and roundabout would make more sense?
- Install a rising bollard at the point Ann Suckling Road joins the new estate to allow access to only buses and emergency vehicles.
- Northern by-pass not being built in time to allow lorries safe access to the site.
- Proposal assumes that people will walk or cycle, suggesting that traffic volumes will not be significant which is highly unlikely.
- Any mitigating works needed will be costly and time-consuming.
- Has enough parking been allocated?
- No designated drop-off areas at the school will cause more congestion as parents park on Ann Suckling Road instead.

Landscape, ecology and drainage

- The flood control area should be landscaped and fitting to the current surrounding.
- Flood park at the bottom of Ann Suckling Road is likely to break its lower banks as the water level is already high despite low levels of rainfall.
- Concerns over trees and hedgerows being removed, impacting on wildlife and air pollution, unless the developer replants these sufficiently to make the area carbon neutral.
- Local beautiful areas should not be concreted over.
- No new green space unless St Edmundsbury guarantees it will be maintained.

- Concern that the drainage ditch running along the eastern edge of Phase 2B will become a rubbish dump for garden waste and overgrown with vegetation. Need to guarantee a regular maintenance programme is provided to keep the ditches clear and vegetation down.
- The pond that lies just north of Chapel Farm Cottage has an overflow pipe that feeds across and has flooded onto multiple properties in recent years. Blockage has already occurred further up the line of the ditch with sludge and other building material emanating from the development of Phase 1.
- Need a larger area of open green space.

Allotments

- Concern that there is no parking provision for the allotments accounted for in the plan.
- Parking should be restricted by parking bollards so only allotment users can access them.
- Is there a demand for allotments? If this land is neglected, will the council take responsibility for it and make it open green space?
- Objection unless these can be guaranteed to be constructed to ensure the developer doesn't request a land use change to residential.
- Allotment areas buffering Ann Suckling Road will experience high levels of pollution from traffic which could have a harmful impact on the growth of food.
- Can there be a community orchard rather than allotments?

Scale and extent of development

- Height restrictions need to apply.
- Need a larger area of open green space.
- Amount of green space proposed is being reduced from that detailed on the Adopted Haverhill Northwest Masterplan.

Visual amenity and design

- All footpaths/cycle routes need to consider the proximity to roads and existing housing.
- Plans for the playground are disappointingly small and unimaginative and seem to be restricted to toddler only use which makes it difficult for parents with growing families with a range of ages. Adequate seating for parents and carers is also essential.

Residential amenity

- Additional traffic and new public transport link will increase noise pollution in a quiet residential area.
- Landscaping plan shows no reference to additional hedging or fencing between development and properties to maintain privacy.
- Ensure places for recreation and leisure are provided.
- Lack of employment opportunities in Haverhill for new residents.
- What is the 'local centre'?
- Issues surrounding security of properties and residents regarding enabling unrestricted free flowing traffic through the Persimmon estate to the Boyton Hall estate.
- No generous open green space.
- pollution, without the increase in of additional traffic by opening Ann Suckling Road.
- Impact of increased air pollution on resident's health.

Other

- Reserved matters for each phase are being presented on a piece meal basis, whereas the reserved matters for the infrastructure are being presented as a single item.
- Revised matters applications are being misused by the developer.
- Inconsistent and misleading use of references to Ann Suckling Road in the plans.
- No new development until St Edmundsbury invests in new pavements for Boyton Hall Development.
- Difficult to follow the extremely large number of drawings placed on the application.
- Concerning to see how revised matters applications are being misused by this developer and we are once again presented with design which is outside the intent of the original plans.
- Proposed use of linking Ann Suckling Road to Howe Road was not in the original plan, nor in line with the Adopted Haverhill Northwest Masterplan and Design Brief.
- Residents have not been consulted.
- What is the plaza? Why have we had no information on this?
- The proposal does not conform to the National Planning Policy Framework (paragraph 103 and paragraph 174), which states that transport issues should be considered from the earliest stages of the development. Current traffic flow at the junction of Wratting Road and Ann Suckling is that at peak times, there is a line of traffic waiting to join the Wratting Road. This will only get worse.
- Comments made on the previous submission by Haverhill Town Council and residents have not been considered. These have been completely ignored and not addressed in any way by this latest proposal.
- Chapel Farm Park forms a green area along the northern edge of Ann Suckling Road, intending to accommodate allotments, formal play and an accessible green corridor. Only allotments are shown on plan.

In addition to the representation above a petition was submitted with 274 signatories objecting strongly to the idea of opening Ann Sucklings Road to through traffic, raising the following points:

- increase in traffic flow meaning extra noise, pollution and congestion especially at the Wratting Road junction.

7.0 Policy and Guidance:

Relevant Development Plan Policies and Supplementary Planning Documents

- 7.1 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.

- 7.2 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:

St Edmundsbury Core Strategy 2010

- 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 CS7 - Sustainable Transport
- Core Strategy Policy CS12 - Haverhill Strategic Growth

Haverhill Vision 2031

- Vision Policy HV1 - Presumption in Favour of Sustainable Development
- Vision Policy HV2 - Housing Development within Haverhill

Joint Development Management Policies Document 2015

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM3 Masterplans
- Policy DM6 Flooding and Sustainable Drainage
- Policy DM7 Sustainable Design and Construction
- 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 DM20 Archaeology
- Policy DM22 Residential Design
- Policy DM44 Rights of Way
- Policy DM46 Parking Standards

Supplementary Planning Document

- Former St Edmundsbury Area Open Space, Sport and Recreational facilities (December 2012)

Other planning policy and Guidance Documents:

- 7.3 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.
- 7.4 Other relevant guidance includes the following:
- National Design Guide
 - Northwest Haverhill Masterplan
 - Northwest Haverhill Design Guide

- National Planning Practice Guidance

8.0 Officer comment:

- 8.1 This section of the report begins with a summary of the main legal and legislative requirements before entering 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 planning policies.

It then goes on to assess the main areas of consideration considering relevant development plan policy and material planning considerations before reaching conclusions on the suitability of the proposals. These areas are:

- Access and Movement
- Trees and Ecology
- Landscape and visual amenity
- Public open space and play
- Drainage

Planning and Compulsory Purchase Act 2004 (as amended)

- 8.2 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 principle of development in relation to the development plan and the conformity of the proposals with key policies are discussed through the rest of this report.

The Conservation of Habitats and Species Regulations 2010

- 8.3 The local planning authority, as the competent authority, is responsible for the Habitats Regulation Assessment (HRA) as required by Regulation 61 of The Conservation of Habitats and Species Regulations 2010 (as amended).
- 8.4 Consideration was given to these regulations during the assessment of the outline application and it was concluded that the requirements of Regulation 61 are not relevant to this proposal and appropriate assessment of the project would not be required.
- 8.5 The application site is not in the close vicinity of any designated (European) sites of nature conservation. The environmental statement submitted with the outline planning application concluded that the proposals are unlikely to give rise to significant effects on the conservation objectives of the designated sites and no further concerns were raised in this regard.
- 8.6 There has been no change in terms of the impact on designated sites that would indicate that a Habitats Regulation Assessment would now be required.

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

- 8.7 The Outline planning application was EIA development and was

accompanied by an Environmental Statement. This application is therefore a 'subsequent application', as defined within the EIA Regs.

- 8.8 Regulation 9 of the EIA Regulations deals with subsequent applications where environmental information has previously been provided. It states that where it appears to the planning authority that the environmental information already before them is adequate to assess the significant effects of the development on the environment, they must take that information into consideration in their decision for subsequent consent.
- 8.9 The existing environmental information, along with the updated monitoring surveys and reports for protected species which have been submitted are considered to be adequate to assess this proposal and this information has been taken into consideration in determining this application.

Natural Environment and Rural Communities Act 2006

- 8.10 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.
- 8.11 The potential impact of the application proposals upon biodiversity interest is discussed later in this report.

Equality Act 2010

- 8.12 Consideration has been given to the provisions of Section 149 of the Act (public sector equality duty) in the assessment of this application. Subject to the use of conditions to secure an appropriate network of dropped crossing to facilitate access for all, the proposals do not raise any significant issues in this regard.

Crime and Disorder Act 1998

- 8.13 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 design and layout.

Planning (Listed Buildings and Conservation Areas) Act 1990

- 8.14 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states;
- 8.15 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.
- 8.16 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.

- 8.17 These statutory duties and the impact on heritage assets are discussed in the 'other matters' section of this report.

Principle of Development

- 8.18 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 relevant parts of the West Suffolk Development Plan are the adopted Core Strategy, the Vision 2031 Area Action Plan for Haverhill and the adopted Joint Development Management Policies Document 2015.
- 8.19 National planning policies set out in the NPPF and the adopted masterplan and design code for this site are also key material considerations.
- 8.20 The principle of development for this site was established through the identification of land on the north-western edge of Haverhill as a location for growth in policy CS12 of the Core Strategy. Policy HV4 of the Haverhill Vision 2031 went on to allocate 42 hectares of land as a strategic housing site. The masterplan was then produced, setting out the overarching vision.
- 8.21 Hybrid Planning Permission (Ref: SE/09/1283) for the whole site was granted in March 2015. The outline permission covered the residential parcels, local centre, school site and open space and drainage and the relief road was granted full planning permission.
- 8.22 The hybrid application was accompanied by a series of parameter plans which established the extent of land for development, the distribution of uses, building heights and densities, and land for open space and landscaping and the main access routes. A S106 agreement associated with the outline approval secured the level and timing of financial contributions and other infrastructure.
- 8.23 Condition B3 of the outline permission required the reserved matters applications to be generally in accordance with the land use parameter plan and the landscape parameter plan. The other parameter plans informed the development of a design code, which was produced alongside the first reserved matters application.
- 8.24 The road network and associated green and blue infrastructure shown in the amended plans are in general accordance with the approved parameter plans in terms of their extent and location and are therefore acceptable in principle, provided that the detailed design delivers a scheme that is consistent with relevant development plan policies, the masterplan and national planning policy.
- 8.25 The different aspects of the proposals are discussed in detail below and reviewed against relevant development plan policies, national planning policies and relevant guidance.

Access and Movement

- 8.26 The NPPF promotes all forms of sustainable transport, advising that development should provide for high quality walking and cycling networks. It goes on to advise that 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.
- 8.27 Policy DM2 of the Joint Development Management Policies Document requires that new development should produce designs that accord with standards and maintain or enhance the safety of the highway network as well as encourage the use of sustainable forms of transport. Policy DM46 seeks to reduce over-reliance on the car and promote more sustainable forms of transport, which aligns with a key aspiration of the adopted masterplan and design code, which seeks to maximise accessibility, creating walkable neighbourhoods
- 8.28 The parameter plans submitted with the hybrid application and the subsequent design code, established the broad parameters for the reserved matters to adhere to, and the proposals have been amended to ensure that key elements are delivered in relation to access.
- 8.29 The red line for the application was enlarged to allow for the planting of street trees within road verges and a strategic network plan was produced to ensure that an appropriate network of footways and cycleways would be delivered across the site. This includes unlit recreational routes, surfaced footways and cycleways away from the highway, and key cycle and pedestrian routes alongside the road network.
- 8.30 The main loop road includes a 3.5-metre shared footway and cycleway on one side and a 3-metre footway on the other side, with a carriageway width of between 5.5m and 6.75m. There is a proposed narrowing of the carriageway at two points where the road bisects an existing landscape feature associated with a Byway Open to All Traffic (BOAT) which runs across the centre of the site from north to south. The road has also been designed to accommodate buses with locations for bus stops included on the plans.
- 8.31 The access roads to the future development parcels from the central road loop have been redesigned to give clear priority to pedestrians and cyclists, with vehicles crossing a raised table as they enter the parcels. Raised tables have also been used where the road bisects the linear parks which run across the site.
- 8.32 Policy DM2 highlights the need to produce designs that allow access for all, and the Haverhill Disability Forum provided comments which highlighted concerns including access into green space and a lack of dropped kerbs.
- 8.33 The amended plans include surfaced paths within the green spaces to provide accessible routes and raised tables are proposed where linear parks are bisected by roads to allow for access without the need to bump down a kerb. The strategic network plan has indicated where dropped kerbs could be used to provide access however, this was inconsistently applied to the submitted kerb plans. The local highway authority has

requested that the kerb plans are not approved at this stage, and the technical detail is instead dealt with through their consenting process as part of the adoption of the roads. Highways have also suggested the use of a condition requiring the submission of an access strategy to secure an appropriate network of dropped crossings, to facilitate access for all. In reviewing such a strategy, the local planning authority could seek the advice of the Haverhill Disability Forum

8.34 Concerns have been raised in relation to how this site interacts with the surrounding road network, with particular concerns regarding the increased traffic on Ann Suckling Road and the associated implications for highway safety. The principle of having a vehicular connection to Ann Suckling Road has also been challenged.

8.35 The connectivity between the site and the surrounding road network and the key routes through the site were set out in the parameter plans accompanying the hybrid application. These were based on the approaches set out in the Concept Statement and Masterplan, which included a road connection between the development and Ann Suckling Road.

8.36 The original adopted Concept Statement for the site states:

"The principal road connections shall be Howe Road, Ann Suckling Road, the existing road leading from developments to the west, and the Relief Road to the north. Points of connection to the Relief Road will need to be established. All these principal access routes shall lead to and connect at the Local Centre in order to promote its viability as a site for some mixed use development, and the community oriented focus for the area."
Concept Statement – Section 5.6, Page 27

8.37 It goes on in the next paragraph to state:

"The design of all roads shall reduce the likelihood of 'rat-running' while promoting connectivity between parcels and neighbouring areas. The design of the Local Centre in preventing rat-running shall be pivotal."
Concept Statement – Section 5.6, Page 27

8.38 This reserved matters application includes a vehicular access to Ann Suckling Road, a buses only road access to Howe Road, a pedestrian and cycle access to Hales Barn Road, a connection to the central relief road roundabout to the north and a connection to the current spine road into the first phases of the development, which is accessed from the new roundabout on the A143.

8.39 The local highway authority acknowledges that the precise treatment of the connection points to both Ann Suckling Road and Howe Road are important details and whilst they are content that the principles set out in this application are acceptable, they have recommended that the final detailed designed for these connections be secured in a condition.

8.40 Changes have been made to the internal road layout to ensure general accordance with the parameters, reduce the potential for rat-running and minimise the loss of existing trees and hedgerows.

- 8.41 The drawings initially showed a full road connection to Hales Barn Road and a main road connecting the northern and southern sides of the internal loop road. The road connection to Hales Barn Road to the west has been amended to cycle and pedestrian only, and the formal road link between the two sides of the loop has been removed.
- 8.42 The removal of the vehicular link to Hales Barn Road will prevent existing residents to the west of the site using the development as a shortcut to the town and prioritises the use of sustainable transport modes from the west to the local centre. The removal of the connection between the northern and southern sides of the loop road brings the layout into alignment with the outline parameter plans which envisaged a pedestrianized plaza between the school site and the local centre, which would not be open to vehicular traffic.
- 8.43 The two sides of the loop road have been brought slightly further apart and the angle of the road adjusted as it passes through a central hedge and tree belt. This landscape feature makes a significant positive contribution to the character of the area and is a key ecological corridor. This slight adjustment to the geometry and positioning of the road along with a narrowing of the carriageway as it passes through, has minimised the amount of this landscape feature being removed. However, no new transport impacts would arise as a result of this adjustment as it was never the intention for the central plaza to be open to vehicular traffic.
- 8.44 The Town Council has voiced concerns over the local centre no longer being the hub of the internal roads. However, whilst the loop road has widened slightly, for the reasons set out above, the location of the local centre has not changed nor has its relationship to the internal road network. It remains central to the site and can be reached from roads from the north, south and east and west and true to the previous iterations in the concept statement, masterplan and parameter plans, whilst routes meet here it is not intended for vehicular traffic to be able to drive through.
- 8.45 The Town Council has also raised concerns regarding the absence of a drop-off loop for the school. Their concerns regarding this part of the school design are noted. However, this application is for the infrastructure being provided by the developer. The access to the school parcel has been provided in accordance with the requirements of County Council. The future design of the school parcel will be a matter for the education authority in due course and cannot be dictated by this reserved matters application.
- 8.46 In terms of traffic impacts more broadly and the suitability of Ann Suckling Road and the junction with the A143, the overall impact of the traffic generated by the site was considered as part of the assessment of the original Hybrid application.
- 8.47 The transport assessment submitted with that application assessed the impacts based on the assumption that the development would have full all-mode access from Hales Barn Road and Ann Suckling Road and car-free access from Howe Road and the impact in terms of increased traffic

volume was considered acceptable, with the junction not predicted to have any capacity issues.

- 8.48 A package of highways mitigation was secured when the hybrid application was permitted as part of the S106 and there is no opportunity to request further mitigation for the full site as part of this reserved matters application, as the principle of the development has been established.
- 8.49 Highways Officers have been reviewing the package of measures, which include an improved pedestrian cycleway along Ann Suckling Road and a crossing on the A143 as part of an improved sustainable link to Samuel Ward Academy.
- 8.50 At the request of the Ward Member, Highways Officers have been out to site to observe the operation of the junction between Ann Sucklings Road and the A143 and whilst it is beyond the scope of this reserved matters application, there is an ongoing dialogue taking place between the local highway authority, the Ward Member and local residents regarding the ways in which improvements could be made.
- 8.51 Persimmon has also advised that they are willing to work with the local highway authority to ensure appropriate traffic calming measures are provided and, although not material to the consideration of this application, they have submitted a position statement advising that they are considering the provision of additional traffic calming measures along Ann Suckling Road subject to agreement with highways.
- 8.52 Overall, it is considered that the revised layout creates a safe and attractive network of streets and pedestrian and cycle routes that will prioritise walking and cycling and reduce the potential for rat running through the site. The proposals are acceptable to the local highway authority, subject to the use of conditions, and are in broad accordance with the approved parameter plans. The development accords with policies CS3 and CS7 of the St Edmundsbury Core Strategy 2010, policies DM2 and DM44 of the Joint Development Management Policies Document 2105 and the guidance set out in the NFFP. The proposals are also considered to be generally in accordance with the masterplan and the design code in terms of the accessibility and sustainable transport.

Trees and Ecology

- 8.53 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 174 and 175). 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.
- 8.54 Several concerns have been raised in relation ecology and the applicant has submitted revised proposals and additional information to address these.

- 8.55 The Environmental Statement which accompanied the hybrid application set out the likely impacts of the development and the mitigation that would be required. This reserved matters application, which contains the main areas of green and blue infrastructure, is key to ensuring that the appropriate mitigation is secured for the development. The applicant has therefore produced a table of mitigation requirements and an associated map to demonstrate that there is sufficient space to deliver the required mitigation.
- 8.56 To inform this work the applicant has carried out biodiversity net gain calculations (using Defra Biodiversity Metric 3.0 (updated July 2021)), which indicates that the development should be able to deliver an overall gain of 21.45% for habitat units, and a 121.80% gain for hedgerows/linear features. Landscape and ecological management plans will be required to secure the potential benefits for biodiversity in perpetuity and these are secured through a condition on the outline permission.
- 8.57 There are no sites of international or national importance within or directly adjacent to the northwest Haverhill strategic site and any locally designated wildlife sites and sites of local interest, do not fall within the red line for this application. However, there are other habitats within the application site including, arable land, field margins, hedgerows, trees, and ditches, all of which contribute to the biodiversity of the site and have the potential to support protected species.
- 8.58 Updated ecological and specific species surveys have been provided which set out recommendations which would be secured by a condition. Further conditions would also secure a precautionary approach is taken for Water Voles, Great Crested Newts, Badgers and also Hazel Dormice, given the presence of local records and the suitable habitat for Dormice on site with connectivity to nearby ancient Woodlands. These details should be set out in a Construction Environment Management Plan for biodiversity, through a suitably worded condition.
- 8.59 Off-site plots for Skylarks are proposed to compensate for the loss of habitat on site and the developer has provided evidence of a legal agreement with a local landowner which provides the local planning authority with sufficient comfort to secure the detailed scheme through a planning condition in this instance.
- 8.60 The Ecology Officer has confirmed that they are satisfied that there is now sufficient ecological information to determine the application subject to the following points being added to the mitigation plan:
- Relief road bat hop-overs for the relief road shown on the mitigation plan
 - Clearer information on the mitigation plan in relation to the functional habitat replacement for the loss of scrub in the parcels
 - Provision of barn owl boxes
- 8.61 They have also requested that the Biodiversity Net Gain report is updated to ensure that it is consistent with the current plans for the site and a clear list is provided clarifying the updates and amendments that have recently

been discussed. Persimmon are in the process of addressing these points and members will be updated on this at Committee.

- 8.62 The ecologist has further advised that to ensure the mitigation is delivered appropriately, a further detailed plan showing the exact location of retained and existing habitats mitigation measures and reasonable biodiversity enhancement measures, for this specific infrastructure application, should be secured by a condition of any consent, through an Ecological Design Strategy.
- 8.63 Habitat hop-overs for bats where highway infrastructure crosses a dark corridor remain an important part of the mitigation strategy and there have been amendments to these features to ensure that they meet both the requirements of the local highway authority whilst also providing appropriate connectivity. These are now considered to be broadly acceptable in location and overall design, with the precise number and location and mature specimens within the planting and final lighting details to be secured by condition to ensure that dark corridors are retained.
- 8.64 The applicant has worked to reduce the amount of tree and hedgerow removal needed to facilitate the infrastructure and the limited removal that will be required along with the protection measures for the retained vegetation which will be confirmed through the arboricultural method statement as required by condition on the outline permission.
- 8.65 Overall, it is considered that that the development makes good provision for biodiversity enhancements and would not introduce any adverse effects on protected species or sites that cannot be appropriately mitigated or compensated for. Proper regard has been given to the trees on the site and the works proposed are considered to be sufficiently distant from the trees including those most important specimens to ensure no adverse effects.
- 8.66 Subject to the final points highlighted by the ecology officer being addressed, the development is considered to be in accordance with policies CS1, CS2 and CS12 of the St Edmundsbury Core Strategy 2010, Policies DM2, DM11, DM12 and DM13 of the Joint Development Management Policies Document 2105 and the guidance set out in the NFFP. Subject to the securing the final planting details it is considered that the proposals would meet the aspirations of the masterplan.

Landscape and Visual amenity

- 8.67 The NPPF (paragraph 170) highlights the need to protect and enhance valued landscapes through the planning system. Policy DM13 of the Joint development Management Policies Document also requires all development to be informed by, and be sympathetic to, the character of the landscape, stating that development will not be permitted where it will have an unacceptable adverse impact on the character of the landscape, landscape features, wildlife or amenity value.
- 8.68 The landscape character of the site and the surrounding area was assessed as part of the masterplan process and developed in the hybrid application. The layout of the open space sought to retain and enhance the existing landscape features with the two main park areas sitting either

side of the central BOAT and associated tree line and the other linear parks following existing field boundary hedges and ditches.

- 8.69 These proposals are in accordance with the landscape parameter plans which secured the linear green spaces along existing landscape features. The retention of these key features along with the additional planting proposed, which will include new tree planting, will help to mitigate the visual impact of the overall development and provide relief from the more developed parcels.
- 8.70 As discussed in the previous section these green corridors also provide for footpaths to create sustainable links across the site which will also provide opportunities for creation and enjoyment of the green space
- 8.71 A number of revisions have been made to the detailed planting and layout of the open spaces and the associated soft landscaping in response to the comments made by the Landscape and Ecology Officer. This has resulted in a more appropriate mix of species, the inclusion of street trees, further wildflower, floral lawn and scrub mix and additional planting in and around the drainage basins.
- 8.72 The landscape officer has confirmed they are happy with the amended detailed details subject to two points relating to hedgerow mix and checking of the spiral guards for new planting, both of which have now been addressed.
- 8.73 Overall, it is considered that the detailed proposals build on and enhance the existing landscape features within the site and will create a series of high-quality green spaces that will benefit the existing and future community. The proposals are considered to be in accordance with policy CS2 and CS12 of the Core Strategy 2010 and policies DM2, DM13 and DM22 of the Joint Development Management Policies Document and the guidance set out in the NFFP.

Public Open Space Amenity and Play

- 8.74 The NPPF recognises in paragraph 8 that as part of the social objective of achieving sustainable development, proposals must include open spaces that reflect current and future needs and support communities' health, social and cultural well-being.
- 8.75 Access to a network of high-quality open space providing opportunities for sport, informal recreation and play is important for health and well-being and can also deliver wider benefits for nature and support efforts to address climate change.
- 8.76 The overarching strategy for open space and play across the north-west Haverhill site was initially developed in the masterplan and was based on a hierarchy of primary, secondary and tertiary areas:
- Primary elements include the green corridor running along the northern edge of the development either side of the proposed relief road, acting as a buffer both to the new development and the countryside beyond, and the central park areas either side of the central landscape features.

- Secondary structure includes the linear parks and smaller areas of green space including the sports field area and the allotments.
 - The tertiary elements include shared surface areas verges, street trees and other incidental open spaces.
- 8.77 Additional detail building on the masterplan concepts was provided during the hybrid planning application. The Environmental Statement submitted with the hybrid application confirmed that the outline element of the permission would secure 11.38 hectares of open space overall. This figure was based on the development plan policy requirements using the predicted population for the overall development. The approved landscape parameter plan secured both the overall quantum of open space and the broad locations.
- 8.78 The amount of open space has been increased during this application and the applicant has submitted an open space plan to demonstrate that the required quantum of open space will be delivered. The plan includes some areas that would not technically be counted as public open space. However, it is considered that with the inclusion of some further tertiary elements within future parcels in the form of pocket parks or enhanced planting along the green corridors, the development will deliver the required amount. The provision of smaller areas of green space within some of the parcels would also be beneficial in terms of amenity and is required in any event to create the compensatory scrub habitat required for the development of parcel 6.
- 8.79 The development will deliver three formal play areas: two locally equipped areas of play (LEAP) and one neighbourhood equipped area of play (NEAP). A LEAP is generally a play area equipped for children of early school age. It usually offers a minimum of 5 pieces of play equipment and serves the immediate local area.
- 8.80 A NEAP is a larger play area, catering for older children as well as younger. It generally offers a minimum of 8 pieces of play equipment and serves a larger area. NEAP's can also include additional equipment such as MUGAs (Multi-use games areas). The site will also provide playing fields (already approved), allotments, and a network of informal green space. The applicant is also proposing outdoor gym equipment. This application includes one NEAP which includes a multi-use games area and one LEAP, with the additional LEAP already approved as part of the playing field application.
- 8.81 The design of the play areas and the open spaces they sit within have been significantly improved over the course of the application. The amount and type of equipment provided meets the Council's requirements for play areas of this nature and the proposals include a range of play equipment including some accessible equipment.
- 8.82 It is considered that the amended designs create interesting and well-integrated play spaces which provide interest and challenge for different age groups. The amended plans and proposed planting demonstrate that due consideration has been given to the surrounding natural and built environment, with good opportunities for natural surveillance and formal play areas sitting comfortably within the green space with consideration to natural play.

- 8.83 The linear parks that cross the site have been widened and a drainage basin relocated to a development parcel to ensure there is sufficient usable space. The less formal linear parks and smaller open space areas, including the green space adjacent to the allotments by Ann Suckling Road, have been designed to be attractive more natural green spaces, maximising opportunities to enhance biodiversity and providing relief to the developed parcels.
- 8.84 As part of the design of the open space, consideration has been given to the different recreational routes around the site. Some of these are surfaced either in tarmac or hoggin, but some unsurfaced routes will remain. The route along the southern edge of parcel 6 up to the BOAT which heads north along the central landscape feature currently provides a route for Haverhill residents to access the wider countryside. These more natural, countryside routes are important and therefore, whilst paths are provided through the open spaces, the route of the BOAT along the central landscape feature will remain unsurfaced. The existing footpath to the south of parcel 6, which has become overgrown and unpassable will also to subject to sensitive clearance works to allow it to be used as a rural link to the BOAT. These works will be approved through the arboricultural method statement required by condition on the outline permission.
- 8.85 The allotments are detailed on the plan along with the proposed access and parking from Ann Suckling Road. The location and size of this area is acceptable and the final details of the design including fencing, car park gating and services will be secured by condition.
- 8.86 Overall, it is considered that the detailed proposals include appropriate opportunities for formal and informal play, and recreation across the site that will benefit the existing and future community. The proposals are in accordance with policy CS2 and CS12 of the Core Strategy 2010 and policies DM2, and DM22 of the Joint Development Management Policies Document and the guidance set out in the NFFP.

Drainage

- 8.87 The NPPF requires that all major development incorporates Sustainable Drainage Systems unless there is clear evidence that this would be inappropriate.
- 8.88 Policy DM6 of the Joint Development Management Policies Document 2015 also requires all development to detail how on-site drainage will be managed, with the adopted masterplan for this site anticipating that the development will incorporate a Sustainable Drainage System (SuDS) as appropriate to the variety of conditions present across the site.
- 8.89 Suffolk County Council, as Lead Local Flood Authority, are the statutory consultee that have provided advice to the Local Planning Authority on the suitability of the measures proposed in this application. The local flood authority promotes the use of multifunctional, above ground suds that deliver drainage, enhancement of biodiversity, improvements in water quality and amenity benefits and they have worked with the applicant to encourage this approach on the site.

8.90 The lead local flood authority has spent considerable time going through the drainage proposals to ensure they are fit for purpose and to this end they have confirmed that the amended surface water drainage scheme is acceptable.

- 8.91 The proposed landscaping has been considered in conjunction with the drainage scheme to ensure all pipe work has the appropriate degree of separation and the layout has been designed to ensure appropriate access for maintenance.

8.92 In light of the above, it is considered that the surface water drainage network has been well integrated into the scheme and will enrich the landscape setting of the development. This will help to enhance the green corridors through the site enhancing their ecological value and creating an interesting and attractive environment in line with policies DM2, DM6 and DM13 and the vision set out in the adopted Masterplan.

Other matters

Future management of open space

- 8.93 Future management of the open spaces has been secured in the S106 which requires the submission of an open space scheme. This document will set out the timing for the delivery of the open spaces and their future management.

Public Rights of Way

- 8.94 The existing public rights of way that cross the site have been incorporated into the green corridors and the surface treatments have been agreed with the County Council Countryside Access Team. As discussed in the report, some routes will be left untreated to create a network of softer more rural routes out to the countryside and others, which link key areas of open space will be surfaced to allow use by pedestrians and cyclists.
- 8.95 Any works to the public rights of way or temporary closures/diversions during construction will require a separate consent.

Heritage impacts.

- 8.96 The closest heritage asset to the application is Chapel Farm Cottage, a grade II listed building situated to the northeast of the allotments.
- 8.97 This application does not include any buildings which would impact on the setting of this asset and green space along Ann Suckling Road which would include the allotments and would give an appropriate buffer from the development parcels.

Conditions on the outline permission

- 8.98 There are a number of conditions attached to the outline permission which would be relevant to this application and will need to be discharged, in some cases before the commencement of the development. For information these are summarised below. It should be noted that whilst this application has not sought formal discharge of these conditions some

of the information they require has been provided in this reserved matters application.

- Condition B4 – submission of a landscape and ecological management plan
- Condition B5 – details of the roads, footpaths and cycleways (layout, gradients, surfacing and surface water drainage)
- Condition B6 Strategic green infrastructure landscaping details a programme for delivery
- Condition B9 details of loading, parking and manoeuvring (relevant for allotments)
- Condition B10 further highways specifications including visibility splays
- Condition B11 highway surface water drainage
- Condition B16 arboricultural method statement
- Condition B18 ground levels and services details
- Condition B20 contamination
- Condition B21 Construction method statement
- Condition B23 sustainable drainage scheme
- Condition B27 protection for public rights of way.

Summary and recommendation:

8.99 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 NPPF 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.

8.100 Following amendments and the submission of additional information it is considered that the proposals would deliver a safe and attractive network of streets with pedestrian and cycle routes that will prioritise walking and cycling and reduce the potential for rat running through the site. The proposals are acceptable to the local highway authority, subject to the use of conditions and are considered to be in broad accordance with the approved parameter plans.

8.101 In terms of trees and ecology, the applicant has demonstrated the necessary mitigation outlined within the Environmental Statement will be provided and the proposals make good provision for biodiversity enhancements. The proposals would not introduce any adverse effects on protected species that cannot be adequately mitigated or compensated for and proper regard has been given to the impacts on trees on the site.

8.102 The network of greenspaces across the site builds on and enhances the existing landscape features and will create a series of high quality green spaces that will benefit the existing and future community. There are appropriate opportunities for formal and informal play, and recreation across the site and the quantum, type and position of the open spaces is in broad accordance with the approved parameter plans with the development on track to deliver the required overall quantum of open space.

8.103 The Lead Local Flood Authority has confirmed that the proposed surface water drainage scheme is acceptable. The drainage network has been well integrated into the landscape setting of the development, helping to

enhance the green corridors in terms of their ecological value and creating visual interest.

8.104 In light of the above, it is considered that the development is in accordance with the relevant policies of the Development Plan and with the National Policy Framework. The scheme follows the principles set out in the adopted masterplan and adheres to the approved parameter plans and delivers on the mitigation requirements set out in the Environmental Statement as such it is considered to be acceptable.

Recommendation:

9.0 APPROVE subject to the following conditions:

1. Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans.

Document name	Drawing/document number	Received
General Plans		
Haverhill Infrastructure Open Space	039-E-SK36 Rev E	May 22
Infrastructure Application Red Line Site plan	039-E-1400 Rev C	May 22
Strategic Network Plan	039-E-SK76-E	June 22
Highway Road Types	039-E-SK91 A	June 22
Boat and Cycleway Transition Detail	039-E-SK89	May 22
Bus Gate details and Cycleway Intersection	039-E-SK87	May 22
Cycleway Bollards Location Plan	039-E-SK93	May 22
Drainage		
Drainage Strategy -	E3838- Rev6 Full	May 22
Drainage Strategy Overall.pdf	E3838-500L	June 22
Drainage Strategy Sh1.pdf	E3838-501G	June 22
Drainage Strategy Sh2.pdf	E3838-502H	June 22
Drainage Strategy Sh3.pdf	E3838-503G	June 22
Drainage Strategy Sh4.pdf	E3838-504I	June 22
Drainage Strategy Sh5.pdf	E3838-505H	June 22
Drainage Strategy Sh6.pdf	E3838-506G	June 22
Drainage Strategy Sh7.pdf	E3838-507F	June 22
Drainage Strategy Sh8.pdf	E3838-508E	June 22
Pond Details-Pond 1.pdf	E3838-530D	June 22
Pond Details-Pond 2.pdf	E3838-531D	June 22
Pond Details-Pond 3.pdf	E3838-532C-	May 22
Pond Details-Pond 4.pdf	E3838-533C-	June 22
Drainage Construction Details.pdf	E3838-560-	May 22
Drainage Construction Details Sh 3.pdf	E3838-562-	May 22
Pumping Station GA.pdf	E3838-570a-	May 22
Pumping Station Compound Details.pdf	E3838-571-	May 22
Ecology		
Sirte Wide Biodiversity Net Gain	JBA18-351_ECO22b	May 22
Ecology Mitigation requirements	JBA18-351_ECO23 rev B	June 22
BNG statement	JBA18-351_ECO22c	May 22
Great crested Newt eDNA Survey of Phases 2 -6		June 22

Bat Activity Survey Report of Phases 2 - 6 and Relief Road		June 22
Badger Survey of Phases 2-6 and Relief Road		June 22
Updated Ecological Walkover Survey of Phases 2 to 6 and the Relief Road at Haverhill (James Blake Associates)	JBA 18-351_ECO29 rev B	June 22
Haverhill Ecology Mitigation Requirements	JBA 18-351_ECO 23, Rev B 21_06_22	June 22
Landscape plans		
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev G-21.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev G-22.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev O-01.pdf	June 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev O-02.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev O-03.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev O-04.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev O-05.pdf	May 22
351 Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18- rev O-06.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev O-07.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev O-08.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev O-09.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev O-10.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev O-11.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev O-12.pdf	May 22
351 Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18- rev I-13.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev I-14.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev J-29.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev I-18.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev I-19.pdf	May 22
Detailed hard and soft Landscape Proposals for POS and SUDS	JBA 18-351 rev I-20.pdf	May 22
POS cross sections	039-E-SK95	June 22
Engineering plans		
Longitudinal Sections Sh 1.pdf	E3838-535A-	May 22
Longitudinal Sections Sh 2.pdf	E3838-536A-	May 22
Longitudinal Sections Sh 3.pdf	E3838-537A-	May 22
Longitudinal Sections Sh 4.pdf	E3838-538B	June 22
Longitudinal Sections Sh 5.pdf	E3838-539A-	May 22

Longitudinal Sections Sh 6.pdf	E3838-540A-	May 22
Longitudinal Sections Sh 7.pdf	E3838-541A-	May 22
Longitudinal Sections Sh 8.pdf	E3838-542A-	May 22
Longitudinal Sections Sh 9.pdf	E3838-543A-	May 22
Longitudinal Sections Sh 10.pdf	E3838-544A-	May 22
Longitudinal Sections Sh 11.pdf	E3838-545-	May 22
Manhole Schedule.pdf	E3838-555B-	May 22
Offsite Rising Main Layout Sh1.pdf	E3838-590 -	May 22
Offsite Rising Main Layout Sh2.pdf	E3838-591 -	May 22
Offsite Rising Main Layout Sh3.pdf	E3838-592 -	May 22
Rising Main Longitudinal Section-Sh1.pdf	E3838-595-	May 22
Rising Main Longitudinal Section-Sh2.pdf	E3838-596-	May 22
Rising Main Longitudinal Section-Sh3.pdf	E3838-597-	May 22
Rising Main Longitudinal Section-Sh4.pdf	E3838-598-	May 22
Highways Plans		
Highway Surface Finishes-Sheet 1 of 7.pdf	E3838-700F	June 22
Highway Surface Finishes-Sheet 2 of 7.pdf	E3838-701D-	May 22
Highway Surface Finishes-Sheet 3 of 7.pdf	E3838-702E	June 22
Highway Surface Finishes-Sheet 4 of 7.pdf	E3838-703G	June 22
Highway Surface Finishes-Sheet 5 of 7.pdf	E3838-704G	June 22
Highway Surface Finishes-Sheet 6 of 7.pdf	E3838-705G	June 22
Highway Surface Finishes-Sheet 7 of 7.pdf	E3838-706F	June 22
Highway Construction Details Sheet 1	E3838-780 C	June 22
Highway Construction Details Sheet 2.pdf	E3838-781-	May 22
Section 38 Agreement Plan Sh 1 of 7.pdf	E3838-370 E	June 22
Section 38 Agreement Plan Sh 2 of 7.pdf	E3838-370 E	June 22
Section 38 Agreement Plan Sh 3 of 7.pdf	E3838-372 E	June 22
Section 38 Agreement Plan Sh 4 of 7.pdf	E3838-373 E	June 22
Section 38 Agreement Plan Sh 5 of 7.pdf	E3838-374 E	June 22
Section 38 Agreement Plan Sh 6 of 7.pdf	E3838-375 E	June 22
Section 38 Agreement Plan-Sh 7 of 7.pdf	E3838-376 E	June 22
Modular Storage Construction Detail.pdf	E3838-450-	May 22

Reason: To define the scope and extent of this permission

2. Action required in accordance with ecological appraisal recommendations

All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the following reports as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

- Updated Ecological Walkover Survey of Phases 2 to 6 and the Relief Road at Haverhill (James Blake Associates, 25th March 22, revised 9th June 2022)
- Preliminary Ecological Appraisal of Phases 2-6 (JBA, January 2019)
- Phase 1 Habitat Survey Of Relief Road (JBA, February 2018)
- Botanical Survey (Including Sulphur Clover Survey) of Phases 2 – 6 and Relief Road (August 2019)
- Sulphur Clover Translocation and Working Method Statement for Phases 2 – 6 (James Blake Associates, February 2022)
- Water Vole (*Arvicola amphibius*) Habitat Assessment – Haverhill Relief Road (30th October 2020)
- Hazel Dormouse Survey Report of Phases 2- 6 (JBA, December 2019)
- Reptile Survey of Phases 2 – 6 and relief Road (JBA, June 2019)
- Breeding Bird Survey of Phases 2 – 6 and Relief Road (JBA, October 2019)
- Hedgerow Survey of Phases 2 – 6 and Relief Road (JBA, August 2019)
- Wintering Bird Survey of Phases 2- 6 and relief Road (JBA, February 2020)
- Great crested Newt eDNA Survey of Phases 2 -6 (JBA, June 2019)
- Bat Activity Survey Report of Phases 2 - 6 and Relief Road (JBA, October 2019)
- Badger Survey of Phases 2-6 and Relief Road (JBA (2019b)
- Haverhill Ecology Mitigation Requirements JBA 18-351_ECO 23, RevB 21_06_22 (James Blake Associates

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 allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

3. Construction Environmental Management Plan for Biodiversity – pre-commencement

Prior to the commencement of development or any clearance works taking place, 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.
- i) Containment, control and removal of any Invasive non-native species present on site

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 conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

This information is required prior to commencement as the measures will need to be put in place prior to any work taking place on site in order to be effectively protect protected and priority species and conserve biodiversity.

4. Hazel Dormouse, Water Vole, Badger and Great Crested Newt Method Statement – pre commencement

Prior to the commencement of development or any clearance works taking place a Hazel Dormouse, Water Vole, Badger and Great Crested Newt Method Statement shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to the above listed protected species during the construction phase.

The method statement for Hazel Dormouse must include the following:

- Checks for dormouse nests prior to works. This should include checks for aerial nests in above ground vegetation from April to October inclusive and ground level checks for hibernation nests from October to April inclusive. Progressive clearance of vegetation towards retained habitats.
- Ecological supervision of vegetation clearance on site.
- Works must stop if evidence of dormouse is found.

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

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

This information is required prior to commencement as the measures will need to be put in place prior to any work taking place on site in order to

be effectively protect protected and priority species and conserve biodiversity.

5. Skylark mitigation strategy – prior to commencement

Prior to the commencement of development or any clearance works taking place, a Skylark Mitigation Strategy shall be submitted to and approved by the local planning authority to compensate the loss of any Skylark territories. This shall include provision of the evidenced number of Skylark nest plots, to be secured by legal agreement or a condition of any consent, in nearby agricultural land, prior to commencement.

The content of the Skylark Mitigation Strategy shall include the following:

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

The Skylark 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 LPA to discharge its duties under the NERC Act 2006 (Priority habitats & species).

This information is required prior to commencement as the measures will need to be put in place prior to any work taking place on site in order to be effectively protect protected and priority species and conserve biodiversity.

6. Ecological Design Strategy – prior to commencement

No development shall take place until an ecological design strategy (EDS) addressing the specific ecological mitigation, compensation and enhancements for the site infrastructure application (DC/20/0614/RM) has been submitted to and approved in writing by the local planning authority, before or concurrent with the Landscape Ecology and Management Plan. This should include bats, birds, Hazel Dormouse, Reptiles, Sulphur Clover, Hedgehogs, retained habitats (trees, scrub, hedgerows and associated ground flora) and habitat creation (woodland, wildflower meadows, scrub, SuDS and associated/adjacent habitats).

The EDS shall include the following.

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.

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

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife &

Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

This information is required prior to commencement to ensure that ecological mitigation features and enhancement features can be put in place in a timely manner to address the habitat loss taking place and achieve the appropriate biodiversity net gain.

7. Bat hop-over details and wildlife sensitive lighting scheme – prior to commencement.

Prior to the commencement of the development 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.

The lighting information shall be shown concurrently with the detailed bat hop planting proposed to demonstrate how together these elements will create the necessary dark corridors.

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.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

This information is required prior to commencement to ensure that the Lighting infrastructure is agreed early in the process to ensure the appropriate measures can be put in place to ensure dark corridors are retained.

8. Time limit of development before further surveys are required

If the infrastructure development hereby approved does not commence within two years from the date of the planning consent, the approved ecological mitigation measures secured through condition shall be reviewed and, where necessary, amended and updated.

The review shall be informed by further ecological surveys commissioned to:

- i. establish if there have been any changes in the presence and/or abundance of the existing habitats and protected and priority species and
- ii. identify any likely new ecological impacts that might arise from any changes.

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

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

9. Connection to Ann Suckling Road – prior to the commencement of the road.

Notwithstanding the details indicated on the approved plans, prior to the commencement of the approved road, the final details of the connection between the development and Ann Suckling Road shall be submitted to the local planning authority and agreed in writing. These details will include (but not be limited to) the final form and location of raised tables, the manner in which pedestrians and cyclists connect between the development and the existing highway network, and any changes in the geometry or priority at the point of connection.

All work shall be completed in accordance with the approved details before the first use of the road connecting the development site to Ann Suckling Road.

Reason: To ensure an appropriate a safe connection between the development and the surrounding highways infrastructure in accordance with policies CS3 and CS7 of the St Edmundsbury Core Strategy 2010, Policies DM2 and DM44 of the Joint Development Management Policies Document 2105 and the guidance set out in the NFFP.

10. Access Strategy – prior to the commencement of the road.

Prior to the commencement of the approved road, an access strategy setting out an appropriate network of dropped kerbs across the site to facilitate access for all shall be submitted the local planning authority and agreed in writing.

Reason: To ensure the development is accessible to all members of the community in accordance with policy DM2 of the Joint Development management Policies Document and in accordance with the provisions contained within the Equalities Act.

11. Bus gate details – prior to the commencement of the road.

Notwithstanding the details indicated on the approved plans, prior to the commencement of the approved road, the final details of the connection between the development and Howe Road, which shall include a 'bus gate' to prevent access by vehicles other than buses, shall be submitted to the local planning authority and agreed in writing. These details will include

precise details of the construction, operation and future management/enforcement of the gate and much ensure that appropriate east/west connectivity for pedestrians and cyclists within the site is maintained.

All work shall be completed in accordance with the approved details before the first use of the road connecting the development site to Howe Road.

Reason: To ensure an appropriate a safe connection between the development and the surrounding highways infrastructure in accordance with policies CS3 and CS7 of the St Edmundsbury Core Strategy 2010, Policies DM2 and DM44 of the Joint Development Management Policies Document 2105 and the guidance set out in the NFFP.

12. Street furniture and natural play features – prior to installation.

Prior to the installation of any street furniture or natural play items including but not limited to bins, benches and picnic tables, boulders and logs, full details of the street furniture shall be submitted to the local planning authority and agreed in writing. The details shall include an appropriate number of wheelchair accessible items to ensure the site can be enjoyed by all. All items shall be installed in accordance with the agreed details.

Reason: To ensure the use of appropriate street furniture to enhance the quality of the open spaces and ensure they are fully accessible in accordance with policy DM2 of the Joint Development Management Policies Document 2015 and the provisions within the Equalities Act.

13. Allotments – prior to their commencement

Prior to the commencement of the allotments details of the final specification including layout out, fencing and gates including gated access to the parking and services will be submitted to the local planning authority and agreed in writing.

All works shall be completed in accordance with the approved details.

Reason: To sure the satisfactory completion of the allotments in accordance with policy DM2 of the Joint development Management Policies Document and the Former St Edmundsbury Area Open Space Supplementary Planning Document.

14. Play areas – Full details and specifications prior to installation of NEAP and LEAP

Notwithstanding the information on the submitted plans, prior to the installation of the NEAP, LEAP and outdoor Gym Equipment, the final specifications for those areas and all equipment within them shall be submitted to the local planning authority and agreed in writing.

This information must include as a minimum:

- Fencing and gate specifications, including full details of the MUGA enclosure;
- Details of all surfacing within the playable space;
- Details of the surfacing under the outdoor gym equipment;

- Details of play and gym equipment.
- Details of any ancillary items associated with the playable spaces such as seating and signage.

Reason: To ensure that equipped open space areas are completed to the appropriate standard in accordance with policies DM2, DM22 and 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 and Haverhill Vision Policies.

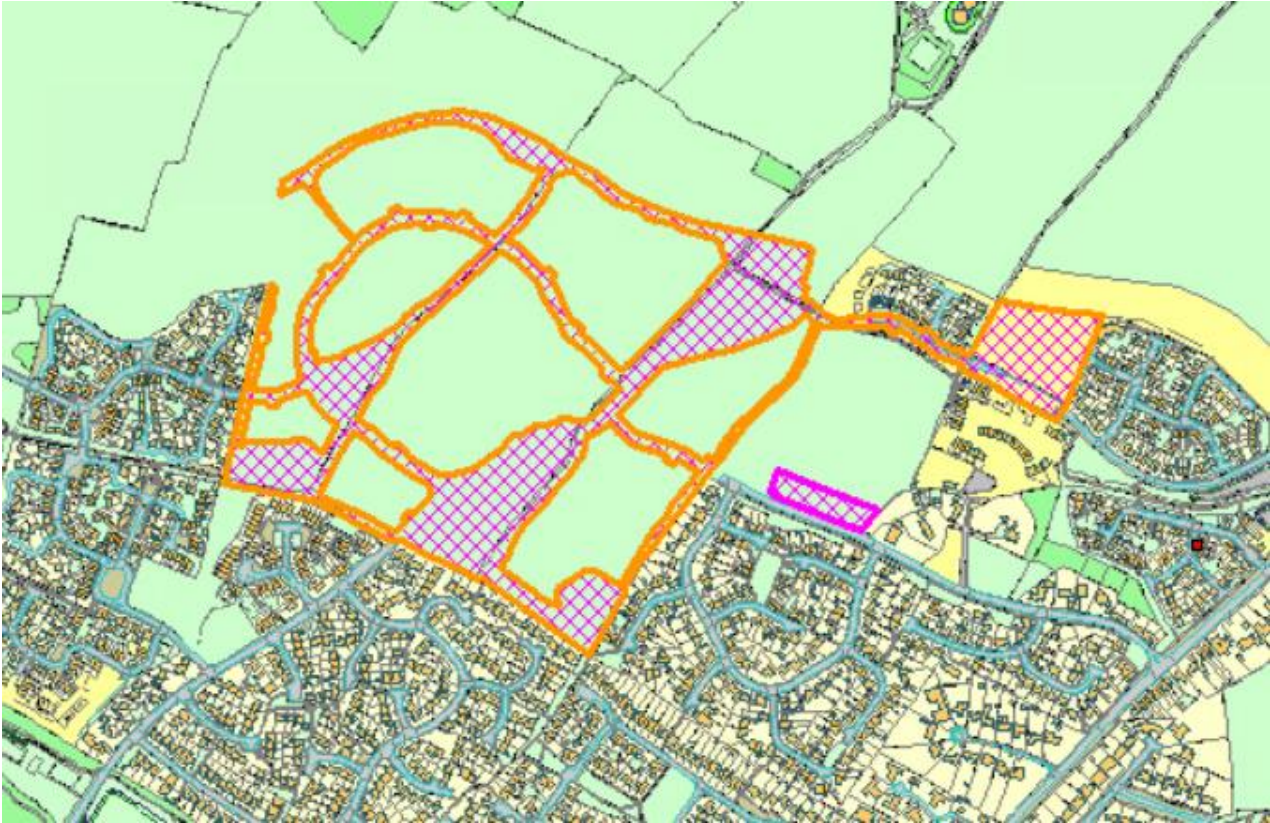
15. Tree Root Guard details - prior to installation

Prior to the installation of the street trees the full details of the proposed root guards 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.

Reason: To ensure that trees which form an important part of the character of the approved streets are able to be retained into the future without detriment to highway infrastructure as part of a high-quality development in accordance with the North West Haverhill Masterplan, policies DM2, DM11, DM12 and DM13 of the Joint Development Management Policies Document 2015, policy CS12 of the St Edmundsbury Core Strategy 2012 Document and Chapter 15 of the National Planning Policy Framework

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/20/0614/RM](https://www.stedmundsbury.gov.uk/DC/20/0614/RM)



This page is intentionally left blank

Development Control Committee 6 July 2022

Planning Application DC/19/2347/FUL – Land East of Russet Drive Bilberry Close and Parsley Close, Manor Wood, Red Lodge

Date registered:	29 November 2019	Expiry date:	28 February 2020
Case officer:	Gareth Durrant	Recommendation:	Approve application
Parish:	Red Lodge	Ward:	Iceni
Proposal:	Planning Application - 141 no. dwellings and associated infrastructure including roads, parking, sustainable drainage, pumping station and public open space, as amended.		
Site:	Land East of Russet Drive Bilberry Close and Parsley Close, Manor Wood, Red Lodge		
Applicant:	Crest Nicholson (Eastern) 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:

Gareth Durrant

Email: gareth.durrant@westsuffolk.gov.uk

Telephone: 01284 757345

Background:

This planning application is reported to the Development Control Committee as the proposals are for 'major' development and the officer recommendation is contrary to the views of the Parish Council. Furthermore, part of the site (the woodland public open space) is situated outside of the limits of the Local Plan allocation and beyond the settlement boundaries of the village.

Proposal:

1. Detailed (full) planning permission is sought for the erection of 141 dwellings and associated infrastructure (including public open space). The development would be served by a single vehicular access to Thistle Way towards the south-western part of the site.
2. Details of the numbers, mix and heights of the dwellings and maisonettes are provided in the table below.

Name	Type	No. on site	No. of beds	Approx. height	Internal Floorspace (sqm)
Chesham	Private dwelling	6	3	7.7m	92.07
Cromer	Private dwelling	17	2	8.4m	70.61
Dorking	Private dwelling	2	4	8.3m	140.47
Evesham	Private dwelling	13	3	9m	86.21
Filey	Private dwelling	8	3	9.1m	102.38
Keswick	Private dwelling	12	4	7.7m	113.53
Lancing	Private dwelling	3	4	7.5m	122.35
Marlborough	Private dwelling	7	4	7.7m	122.82
Redgrave	Private dwelling	16	3	8.9m	85.93
Romsey 3	Private dwelling	2	3	8.5m	108.97
Romsey 4	Private dwelling	8	4	8.5m	108.97
Winkfield	Private dwelling	5	4	8m	126.90
2B4P	Affordable dwelling	17	2	8m	79.15
3B5P	Affordable dwelling	12	3	8m	93
4B6P	Affordable Dwelling	3	4	8.1m	107.67
HT 540-631	Affordable Maisonette	10	1	8.1m	50.17

3. A small palette of external building materials has been selected. These are as follows;
- Bricks – i) Ibstock Surry Red Multi, ii) Ibstock Surrey County Red, iii) Ibstock Leicester Multi Yellow Stock
 - Roof tiles – i) Forticrete Gemini Mixed russet, ii) Forticrete Gemini Sunrise Blend, iii) Forticrete Pantile Mixed Blend, iv) Forticrete Pantile Brown, and v) Forticrete SL8 Slate Grey
4. Amendments were made to the application during the course of its consideration involving some changes to the design and layout of the scheme. The significant amendments were the subject of further public and stakeholder consultation. Other more minor amendments were not the subject of full re-consultation. All comments received in response to consultations (including those received outside consultation periods) are reported below.

Application supporting material:

5. The planning application (as supplemented/amended) is accompanied by the following plans and documents:
- Application form, including ownership and agricultural declarations.
 - Elevations and floorplans of the house types and garaging.
 - Location plan
 - Layout plans
 - Ecological enhancement plan
 - Materials plan
 - Parking provision plan
 - Affordable housing plan
 - Refuse strategy plan
 - Fire strategy plan
 - Connectivity plan
 - Soft landscaping plans
 - Hard landscaping plans
 - Street elevations
 - Indicative ramped rumble strip section plan
 - Tree Protection plans
 - Street lighting plans
 - Woodland works plan
 - Ecological Appraisal (including technical note)
 - Arboricultural information
 - Landscape and ecological management and maintenance plan
 - Flood risk assessment and drainage design statement
 - Security fencing detail
 - Habitats Regulations Assessment information
 - Substation details
 - Site investigation report (land contamination)
 - Rapid Health Impact Assessment Matrix
 - Transport Statement and Travel Plan
 - Archaeological Desk Based assessment

- Design and Access Statement
- Planning Statement
- Construction Method Statement
- Utilities Statement
- Noise Assessment

Site details:

- The site is situated to the east of the village immediately adjacent to the 'Kings Warren' housing development. The site is predominantly agricultural land (Grade 4) and used to contain some of the SuDS infrastructure for the Kings Warren housing estate to the west of the site. The site is bounded by woodland and a farm track to the east. The track also serves a small industrial unit within the woodland (and outside of the application site). To the north are the fenced playing fields of the new 'Pines' primary school and to the south a large area of open space to be provided as part of the 'yellow land south' housing development located more distantly to the south of the site. Vehicular access would be provided from Hundred Acre Way via Thistle Way.

Planning history:

Reference	Proposal	Status	Decision date
F/2007/0706/ESO	700 dwellings (outline)	Refused	07/12/2007
DC/19/2347/FUL	Planning Application - 141 no. dwellings and associated infrastructure including roads, parking, sustainable drainage, pumping station and public open space, as amended.	Pending Decision	n/a

Consultations:

- Full copies of all consultation responses received in relation to this planning application can be accessed on the Council's website. This section of the report includes a summary of the key matters arising out of correspondence received.
- The planning application was received in November 2019 with amendments subsequently submitted in March 2020, September 2020, November 2020, May 2021 and March 2022. All of the above, with the exception of the March 2022 submissions (which did not include significant amendments) were the subject of consultations. The results of all of the consultations are reported below (noting that some matters raised therein will have been addressed by subsequent submissions).
- Natural England (December 2019):** requested the submission of further information to illustrate potential impacts to the Breckland Special Protection Area (SPA), specifically, stone curlew records within 1500m of the site within the past 5 years, assessment of direct and indirect impacts to stone curlew present both within and nesting outside of the SPA and

appropriate measures to offset any impacts to the SPA and SSSI if necessary.

10. In April 2020, **Natural England** again requested the submission of further information to determine impacts of the development upon designated sites. A stone curlew survey was requested.
11. In October 2020 (following submission of the stone curlew survey report) **Natural England** again requested the submission of further information to determine impacts upon designated sites. Further stone curlew survey information was requested (a further years' worth of survey information).
12. In June 2021 noted that the information submitted at that time did not address their previously stated concerns and referred back to their October 2020 comments.
13. In December 2021 following the submission of additional confidential information by the applicant (ref Aspect Ecology report September 2021) relating to stone curlew survey work, **Natural England**. The body confirmed that, based on the outcome of the additional survey work, they were satisfied there would be no significant impacts to Stone Curlews within the SPA alone nor in-combination with the impacts of other plans and projects. However, Natural England expressed concerns at this time that the applicant had not provided sufficient evidence about potential impacts on Stone Curlew nests, including those within 1.5km of the application site but located outside of the SPA designation boundaries. Natural England confirmed it cannot be certain that the proposed development will not impact nesting Stone Curlew. Further information was suggested and requested in order to satisfy those concerns.
14. In providing its advice to the Council in December 2021, Natural England also advised that although the land parcels not surveyed by the applicant (so far) are outside of Breckland SPA, Stone Curlews are a priority species listed under Section 41 of the 2006 Natural Environment and Rural Communities Act. Therefore where Stone Curlews form part of the wider environment population, predicted impacts on them should be fully assessed and any significant impacts identified should be offset.
15. In March 2022, following submission of further confidential stone curlew information with the planning application, **Natural England** confirmed that it no longer held any concerns about the planning application. It advised that the recently submitted Technical Note combined with the previously submitted Stone Curlew Survey Report addresses the issues previously raised.
16. **RSPB (December 2019):** Offer their view that the Habitats Regulations Assessment (HRA) is incomplete noting that much of the areas adjacent to the proposed development site has not been surveyed for stone curlews since 2000 and some areas not at all. The Society advises that additional stone curlew surveys are required. Without this information the main conclusions of the applicants material (that no impacts would arise to the SPA) are undermined and cannot be substantiated.
17. In April 2020 (following consultation on amendments including a Technical Briefing Note) the **RSPB** provided the following comments:

- A project level HRA should include a significantly higher level of detail than that in a strategic HRA. The proponent needs to “provide such information as the competent authority may reasonably require for the purposes of the assessment ...” (Reg. 63 (2) of the Habitats Regulations 2017). It is standard practise for a project level HRA to include survey work in areas where there is no recent species data. In the case of stone-curlews the survey area is 1500m radius of the development site. The Applicant has been provided with RSPB stone-curlew data for part of the area, but there is a considerable area of suitable stone-curlew habitat not monitored by RSPB and hence with no data available. This was communicated to the Applicant at the time with the suggestion that further survey work may be required. Due to these missing data, we query whether the mitigation land at Herringswell takes account of the full extent of the stone-curlew population affected by the development.
18. In October 2020, following submission of a Stone Curlew Survey Report, the **RSPB** advised of their view that the report is seriously flawed for the following reasons:
- **Assessment of suitable habitat** - The assessment of suitable habitat took place in July and the majority of land parcels were identified as unsuitable for stone-curlews due to the crops being too dense or too tall. This would certainly be typical of most crops in July, however, during the peak egg laying time for stone-curlews in April and May most of these crops are likely to have been in suitable condition. In fact, many of the crop types mentioned, such as maize, barley, onions and carrots, are regularly nested in by stone-curlews.
 - **Timing of surveys** - The surveys took place on 13th and 24th July. Surveys on these dates would have been too late to properly assess presence of breeding stone-curlews. Most stone-curlew breeding attempts take place from April to June and pairs can have finished breeding and left the area by the dates the surveys took place. Also, as mentioned above, if monitoring had taken place earlier then there would have been considerably more suitable nesting habitat available to survey.
 - **Survey method** - Most suitable land parcels received a single survey and two received a dusk survey followed by a dawn survey the next day, and the survey method was by observation and listening from a vantage point. Stone-curlews are notoriously difficult birds to monitor, particularly when they have eggs or chicks, when they will very much avoid drawing attention to themselves by remaining as quiet and still as possible. They are most active at night and can be very difficult to observe during the day as they can remain still for long periods and are very well camouflaged. It can therefore be extremely difficult to observe stone-curlews through observation and listening from a vantage point alone. To effectively survey stone-curlews a transect should be walked through suitable areas as well as observation from a vantage point. This was not done in this case.
 - As stone-curlews are very easy to miss a single visit is not sufficient to conclude that a field parcel does not hold stone-curlews, particularly as stone-curlews could nest at any point during the breeding season whilst

suitable habitat is available. A comprehensive stone-curlew survey should involve regular visits throughout the breeding season, a minimum of once a month from April to August.

- Changes of habitat suitability from year to year due to crop rotation may mean that fields which are in the most suitable location for other reasons (lack of disturbance, topography, size etc) may not have suitable crop types in some years, and therefore monitoring should take place over a period of years (at least 3) to allow for this.
- **Missing records** - Section 3.3.17 says that there are no newer nesting records beyond 2010 in the Rectory Farm area, and this is shown on the Stone-curlew Survey Results map. However, we are aware of further stone-curlew nests in that area up to 2014, which are not shown on the map. We believe this information was shared with the authors of the report in 2016.

19. In November 2021, following consultation, the **RSPB** confirmed it had "serious concerns" about the quality of the stone curlew surveys and the conclusions reached. The Society noted the conclusions of the report are based on two years of stone-curlew surveys and rule out a third year of surveys due to a complete lack of stone-curlew nesting habitat in the survey area. Their concerns were listed as follows:

- The first year of surveys in 2020 does not constitute a full survey as only one survey visit was made to each site and that was made between 13-24 July, which is after the peak of the stone-curlew breeding season.
- In both years (2020 and 2021) the majority of field parcels were identified as unsuitable for stone-curlew nesting and so were not surveyed. In section 3.1.3 the crops barley, maize, onions, potatoes, root crops, and carrots were identified as unsuitable for stone-curlew nesting. However, these are all typically spring sown crops in the Brecks and so normally provide bare or sparsely vegetated ground in the spring which can be suitable for stone-curlews. Similarly, Table 1 refers to several field parcels as containing 'spring cereal, crop likely to get too tall by May'. This is often the case, but stone-curlews will attempt to breed in spring barley in April whilst the crop is still short. It therefore appears that some potential stone-curlew nesting habitat may not have been surveyed.
- Other field parcels were identified as unsuitable due to their small size, proximity to buildings, or adjacent roads being used by dog walkers. We agree that these factors can significantly reduce the likelihood of stone-curlews nesting but they do not rule it out completely. We would have expected a comprehensive survey to include these fields in order to be certain that stone-curlews were not using them.
- For the reasons stated in points 2 and 3 above we do not think that a survey in 2022 should be ruled out due to lack of suitable habitat.

20. The Society concludes its comments by confirming it does not think that the stone-curlew surveys undertaken to date provide enough evidence to inform the Habitats Regulations Assessment. The Society recommends that at least one more full breeding season survey is carried out and that it should cover

all areas of spring sown cropping (and any other suitable habitats) within the survey area.

21. In the light of the above concerns, the Society recommends:
 - A programme of stone-curlew surveys take place within 1500m of the development site for a period of three years, with surveys once a month from April- August (inclusive) as a minimum.
 - The surveys should include walked transects of suitable habitats.
 - The missing historical data should also be included in the assessment.
22. **Suffolk Wildlife Trust (June 2021):** submitted holding objections to the planning application, noting [at that time] that further information had been requested by both Natural England and the RSPB. The Trust confirmed it shared that view and requested the results of further field survey work are carried out and submitted prior to the determination of the planning application. The Trust also requested that Natural England's Biodiversity Metric 2.0 should be used to calculate measurable net gain for the development (NPPF para 175d). The Trust believe the development should seek a minimum of 10% biodiversity net gain. Hedgehog permeable boundaries and increased provision of swift nest bricks are also requested.
23. In November 2021, the **Suffolk Wildlife Trust** confirmed its concerns about the survey methodology used in the applicants Habitats Regulations work, given that surveys were undertaken over 2 years with insufficient visits to some land parcels. The Trust recommended a further year's worth of survey work should be carried out (2022 nesting season) to the standards set out by the RSPB.
24. **Suffolk Fire & Rescue (December 2019):** Submitted advisory comments in relation to access for firefighting facilities, water supplies for fire- fighting (hydrants) and sprinklers.
25. **Anglian Water Services (December 2019):** Draw the applicants attention to their assets close/within the site and provide guidance as to addressing the matter. Confirm that foul drainage from the development is in the catchment of Tuddenham Water Recycling Centre which will have available capacity for the additional flows. They also comment that the sewerage system (between the site and Tuddenham) has available capacity for the additional flows. These comments were repeated in April 2020.
26. **Environment Agency (December 2019):** did not wish to comment and repeated this position in April 2020 and again in June 2021.
27. **Suffolk Public Health (December 2019):** recommend the applicant to undertake Health Impact Assessment using the tool developed by Suffolk Public Health and set out further advisory comments relating to neighbourhood, housing, healthier food environment, natural & sustainable development and transport.
28. **Highways England (December 2019):** offer no objections (these were repeated in April, September and October 2020 and again in June 2021).

29. **West Suffolk CCG (December 2019):** comments as follows (summarised);
- The proposed development will likely have an impact on the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development.
 - The planning application does not appear to include a Healthcare Impact Assessment (HIA) or propose any mitigation of the healthcare impacts arising. The NHSPS has therefore prepared an HIA to provide the basis for a developer contribution.
 - The HIA demonstrates there is a capacity deficit in the area and a developer contribution of £81,200 would be required to mitigate the capital costs to the NHS for the provision of additional healthcare services arising directly as a result of the proposals. The contribution should be payable before the development is first occupied.
 - NHSPS would not wish to raise objections in the event that an appropriate level of mitigation is secured through a S106 Agreement.
30. The **West Suffolk CCG** repeated its comments and infrastructure funding request in October 2020.
31. **Suffolk Constabulary – Design Out Crime (June 2020)** expressed some concerns about the development. In summary those areas of concern are real long access paths, garages away from dwellings and designs of carports, permeability, gable end windows and concerns for access to dwellings by emergency vehicles.
32. The above comments were largely repeated in June 2021 following a further consultation period with additional commentary provided relating specifically to plot 120 (security fencing) and the open spaces and woodland areas (which they advise should be secured with estate fencing) and protection of the substation.
33. **SCC Highways Development Control (January 2020):** provided the following comments:
- SCC cannot adopt the proposed Calor Gas installation, despite the applicants intentions. SCC will not adopt any highway that has calor gas beneath or close to it.
 - The junction from Thistle Way into the development site has been designed with minimal pedestrian and cycle provision. As all the traffic from the site will be accessing this junction. This junction should be changed to enable cycle and pedestrian protection/ priority and not car etc.
 - The cycle path to the north of the site should link into the existing remote cycle network to enable school children to access the school without travelling through the neighbouring housing estates.
 - The access to plots 90-98 needs to meet Suffolk Design Guide.

- There are some dwellings that are short of parking spaces. All two beds should now have 2 spaces assigned to them. Visitor parking should be 33 spaces (there are 28).
 - All trees and hedges should be out of visibility splays of all junctions and accesses and 2.5m from the edge of adoptable highway (if the gas issue can be resolved), and 5m from streetlights.
 - Further clarification is needed in relation to the specification of the cycle crossing close to plots 11 and 87.
34. In May 2020 following re-consultation, **SCC Highways Development Control** repeated its earlier concerns about the calor gas installation, requested further information to assist with its assessment of the parking proposals, and submitted comments about some of the design aspects needing to comply with the Suffolk Design guidance. The Authority also requested S106 contributions for Real Time Passenger Information screens at the closest bus stops to the development (£30,000) and for the provision of an extra bus service (£100,000). No conditions were recommended at this point given the need for further information. The submitted travel plan was also criticised as failing to comply with the requirement of the Suffolk Travel Plan guidance and requested an updated travel plan prior to the determination of the planning application. The Authority offered an option to deliver the Travel Plan on behalf of the developer with an agreed contribution secured via a S106 Agreement.
35. In December 2020, following a further period of consultation, the **SCC Highways Development Control** again repeated its comments about the presence of gas apparatus as part of the road infrastructure. They also confirmed they were content with the parking arrangement proposed, subject to the car ports being of sufficient width and the transition to shared surface roads not removing visitor parking. The Authority also provided advice about trees in proximity to the highway and visibility for drives and junctions. Commentary was also provided about pedestrian crossings of junctions and the need for these to comply with the Suffolk Design Guide. Examples were given where this was not the case. Advice was also provided about cycle access, pedestrian safety and accommodating prams. The earlier requests for S106 infrastructure funding and advice relating to travel planning were repeated.
36. In July 2021, the **SCC Highways Development Control** team repeated earlier advice about the proposed gas installation and the inability to adopt the roads. They also commented that visitor parking was well spaced out across the development and that parking provision complies with the Suffolk Standards. Further advice is provided about visibility splays to junctions and pedestrian cyclist interaction with the junctions. However the Authority did not provide 'full' design comments because [at that stage] the roads were not considered to be adoptable owing to the gas infrastructure issue. Requests for S106 developer contributions and comments about the travel plan were repeated from earlier correspondence (see above).
37. **SCC Flood & Water Management (December 2019):** expressed holding objections to the proposals and requested the submission of additional information in relation to the proposals for surface water management and disposal.

38. Following the submission of further drainage information in March 2020, in April 2020 the **SCC Flood & Water Management** withdrew its holding objections and were satisfied with the proposed surface water regime. They recommended approval, subject to standard SW drainage conditions (detailed design of a drainage scheme, submission of details of SuDS and piped components of the scheme and a surface water drainage scheme for the construction phase of the development). These comments were repeated in October 2020 and again in June 2001 following further separate periods of consultation.
39. **SCC Archaeology (December 2019):** recommend standard archaeological conditions relating to the implementation of a program of archaeological works (including reporting of findings). The Unit also comments:
- The application area is situated in an area of archaeological potential recorded on the County Historic Environment Record.
 - Archaeological investigations to the south identified activity dating from the Early Neolithic period. This included pits and post holes, a 45m diameter ring ditch (likely a funerary barrow) dated to the Early Bronze Age for its original construction and Iron Age pits. A rectilinear enclosure was imposed around the ring-ditch in the early Roman period and it was re-cut and infilled in the Late Roman period. A small rectangular structure with painted plaster walls and a tile roof was constructed to the immediate east of the ring-ditch. Identified as a possible religious shrine, placed 'head and hoof' deposits of pig remains were found in association, with other possible votive material recovered elsewhere within the enclosure. Further evidence of settlement and occupation included a possible well, a tile-lined flue-like structure and an adult inhumation.
40. Following submission of an archaeological evaluation document by the applicant (in November 2021) **SCC Archaeology** confirmed that no planning conditions would be required for archaeology given the findings of the document.
41. **SCC Development Contributions Manager (December 2019)** - submitted the following requests for S106 contributions:
- Primary School capital contribution (£647,163)
 - Secondary School capital contribution (£551,126)
 - Sixth Form contribution (£136,428)
 - School transport contribution (to Mildenhall secondary school over a 5-year period - £110,400)
 - Preschool capital contribution (£254,943)
 - Libraries contribution (£2,256)
42. The above requests were repeated in March 2020.
43. In October 2020 the **SCC Development Contributions Manager** wrote to update their requests for S106 contributions as follows:
- Primary School capital contribution (£676,764)

- Secondary School capital contribution (£573,367)
 - Sixth Form contribution (£142,650)
 - School transport contribution (to Mildenhall secondary school over a 5-year period - £138,575)
 - Preschool capital contribution (£266,604)
 - Libraries contribution (£2,256)
44. In March 2021, the **SCC Development Contributions Manager** updated the S106 request. These remained as per the October 2020 request with the exception of the libraries contribution which increased from £2,256 to £30,456 for improvements to Newmarket facilities and pop-up provision on Red Lodge. These requested were repeated in December 2021.
45. **West Suffolk Senior Landscape & Ecology Officer** in January 2021 provided comment about a number of issues she considered needed to be addressed by the applicants. These issues are not set out in detail given that amendments have been made to address these concerns and later comments are available.
46. In August 2021, the **West Suffolk Senior Landscape and Ecology Officer** identified the remaining issues with the planning application as:
- Northern boundary of the woodland needs to be protected against vehicular access.
 - Other matters pertaining to the woodland (confirmation required on extent of tree thinning, 'no-dig' construction and provision of information boards).
 - The Landscape & Ecology Maintenance Plan should detail emptying of dog and litter bins (at least once a week) and scope of maintenance of paths to include the informal and woodland paths.
 - Opportunity to link the development to Russet Drive at the bottom of Bilberry Close across the disused 'SuD' for children to gain access to the play park. This is important as no play space is included in the development. Policy SA9d) requires that adequate cycle and pedestrian links should be provided within the sites and where appropriate connections to the existing network.
 - The current proposals also have an adverse visual effect when viewed from Russet Drive given the current vista across the open SUD.
 - The current proposal for a wire mesh security fence on the eastern side of the development is not acceptable. The use of a security fence to form the boundary with the countryside is out of character. A post and rail, or post and wire fence alongside hedgerow planting would be more appropriate in this location. The attractiveness of the perimeter path is dependent on the route taking advantage of the rural outlook. The tall security fence interrupts views to the adjacent countryside and the adjacent woodland.
 - It is true that in some locations in Red Lodge a security fence has been constructed adjacent to footpaths, however this is where the adjacent

use, such as a school or a business, requires this type of secure barrier.

- Provision of measures for influencing recreation in the surrounding area, to avoid a damaging increase in visitors to Red Lodge Heath SSSI and Breckland SPA - There is potential for the eastern path on the farm track/perimeter path to provide a suitable alternative dog walking route and contribute to the cycle/footways in Red Lodge but there remains concern about the amenity of the route (see also comments above). An important consideration when completing a HRA is whether the measures can be effective in mitigating the effects identified. Connectivity to the south and deliverability remain a significant concern.
- It remains the case that further information is required in relation to the impact of the proposals on Breckland Special Protection Area (SPA) and Breckland Farmland Site of Special Scientific Interest (SSSI) both alone and in-combination with other plans and projects as set out by Natural England's in their letter of 26 October 2020.
- Conditions are recommended in the event that planning permission is granted (Mitigation in the ecology report to be implemented in full, method statement for the woodland, Landscape and Ecology Management plan to be implemented in full, implementation of landscaping, public access to the perimeter path secured, soft, measures to protect the SPA, interpretation boards and a lighting strategy for biodiversity).

47. In June 2022, having reviewed all of the latest submissions from the applicant the **West Suffolk Senior Landscape and Ecology Officer** identified the remaining issues with the planning application as:

- **Woodland** (points repeated from bullets 1 and 2 from the previous paragraph)
- **Biodiversity net Gain** - The applicant has not demonstrated biodiversity net gain (BNG). Whilst currently a minimum of 10% BNG (as will shortly be mandated in the Environment Act) cannot be required, the Defra metric is a method by which the applicant can demonstrate that the enhancement measures are additional to the mitigation required to achieve 'no net loss of biodiversity' on this site.
- The NPPF requires, in section 174, that planning decisions should contribute to and enhance the natural and local environment minimising impacts on and providing net gains for biodiversity.
- Local plan policy DM 12 requires that measures should be included 'for the protection of biodiversity and the mitigation of any adverse impacts. Additionally, enhancement for biodiversity should be included in all proposals, commensurate with the scale of the development'.
- Local Plan policy CS2 requires that 'Where mitigation measures are employed, they will result in a net gain of biodiversity for the district'.
- It is not clear whether the application is compliant with this aspect of policy as there is no demonstration that once the existing habitat losses have been mitigated against, there would be any biodiversity gains.

- **Species specific** - Hedgehog links are not included on the most recent version of the enhancement plan although it is noted these are shown on the landscape plans. It is not clear how the applicant will retain the hedgehog linkages on this site once the site becomes operational, and information to residents in relation to the adaptations for wildlife, including hedgehog access and bird and bat boxes should be made available.
- **Swift boxes** – Swifts are gregarious birds that like to nest in groups. Two or three swift bricks should be placed near to each other in the locations selected to allow for this.
- **Landscape and Environmental Management Plan** - Emptying of dog bins and litter bins should be included in the LEMP. It is recommended that these are easily available to facilitate this and are emptied at least once a week.
- The scope of section 4.17 of the LEMP, which relates to hard surfaces, should be widened to ensure it covers the maintenance and repair of all different types of paths including informal and woodland paths not just those formed using paving units.
- **Access and circulation** – The matters set out in the fourth and fifth bullet points of the preceding paragraph (August 2021 consultation response) had not been addressed and the comments set out at those bullet points were therefore repeated.
- **Eastern site boundary** – *It was noted that the height of the fenced barrier along this boundary had been reduced to 1.5 metres and the following advice was provided:*
 - The current proposal for a wire mesh security fence on the entire eastern boundary of the development is not acceptable. The applicant has proposed that this barrier is reduced in height to 1.5m, however this change on its own is not sufficient given that the fence will be located on the edge of the perimeter path for approximately half of the length of the site. The use of a security fence to form the boundary with the countryside is out of character. A post and rail, or a post and wire fence with hedgerow planting would be more appropriate in this location on the edge of the woodland.
 - The attractiveness of the perimeter path is dependent on the route taking advantage of the rural outlook towards the adjacent woodland. Whilst the height of the security fence might have been reduced to 1.5m – which is about eye-level, without softening and screening by vegetation such as a hedge, the presence of the security fence alone is enough to detract from the amenity of the path and the views to the adjacent woodland that would otherwise be available.
 - Guidance for delivery of alternative recreational facilities, including the Accessible Natural Greenspace Study (FHDC 2017) is clear that suitable alternative natural greenspace (SANG) must be perceived as semi-natural spaces, with intrusion of artificial structures limited to areas close to developed edges except for essential infrastructure

such as way-markers and benches. The proposed security fencing which would form the boundary between the perimeter path (farm track) and adjacent woodland should be replaced with a more appropriate barrier to reduce its impact on the new footpath connection and to give the space a more rural character.

- The boundary fence in its current form has a detrimental effect on the amenity of the route and strongly and adversely influences the character of the space such that the effectiveness of the measures in reducing visits to the SPA is in doubt.
- It is true that in some locations in Red Lodge a security fence has been constructed adjacent to footpaths, however this is where the adjacent use, such as a school or a business, requires this type of secure barrier. For this reason, this fence would be acceptable for the short section adjacent to the existing business although where possible this should also be softened with planting.

48. **West Suffolk Public Health and Housing (December 2019)** – commented that the noise assessment which explored the potential impacts of noise from the existing Engineering use adjacent to the site upon the new dwellings is satisfactory and demonstrates no likely impacts or conflicts would arise. No mitigation is required (albeit screening measures are recommended – e.g. fencing). The details contained in the construction method statement which identify measures to be taken for controlling dust and noise during construction phases are also accepted (subject to that scheme being adopted). The team did not wish to add further comment in April and October 2020 and again in June 2021.
49. **West Suffolk Environment Team (December 2019)** – recommend the standard contaminated land condition (in light of the recommendations of the applicants report) and a condition requiring provision of electrical vehicle charge point infrastructure.
50. In March 2020, following submission of a Site Investigation report, the **West Suffolk Environment Team** amended the wording of its suggested condition to require a remediation strategy to address the findings of the report. These comments were repeated in October 2020 and again in June 2021.
51. **West Suffolk Senior Urban Design Officer (January 2020)** – provided the following comments:
 - Generally, in terms of context and character, further work is required to help to illustrate the key characteristics of the development's two character areas of different density. In terms of the design concept and built form there is scope to create more of an organic street layout and reflect more village characteristics within the heart of the development. Buildings could also be reoriented to address key spaces. In terms of connectivity and movement, consideration needs to be given to permeability, particularly connectivity across the site to create more usable green space at the key gateway to the development. A more detailed plan is also required showing the proposed sustainable movement network within the development.

52. In June 2020, following consultation on amended plans, the **West Suffolk Senior Urban Design Officer** set out the following comments:
- Overall, the latest plans have a better-defined sustainable movement network and some improvements have been made to make the building line less regimented and to follow the curvature of the street to add visual interest. However, the Design and Access Statement does not adequately convey wider character traits or development patterns of the surrounding area which could be reinterpreted within the development. There is also an opportunity to create a more distinctive sense of place and focal point in the heart of the development which would reinforce the stated aim of creating more of a village street character distinct from the adjoining cul-de-sacs.
53. In October 2020, following consultation on amended plans, the **West Suffolk Senior Urban Design Officer** provided the following comments:
- In the Connectivity Plan and Development Layout (Option 6), the development has improved permeability to the perimeter path creating a more fine-grained movement network and encouraging active travel which is emphasised in new urban design guidance such as Building for a Healthy Life - A Design Code for neighbourhoods, streets, homes and public spaces. Importantly this also helps to open up the cul-de-sacs on the eastern side of the development.
 - High quality streets and spaces are required to create a distinct identity and sense of place, recognising the importance of the community function of streets as spaces for social interaction. The aspiration to create social spaces within the cul-de-sacs is therefore supported.
 - The DAS states that the main route takes the form of a traditional street. The DAS also states that the site is not considered to be large enough to require the buildings to create landmarks in themselves. The two and a half storey semi-detached dwelling at Plots 6 and 7 helps to terminate the vista from the perimeter path and one of the centrally located cul-de-sacs. However, it is considered that Plot 89 does not turn the corner well or enhance this potential focal point of the village street character area.
 - As indicated in previous urban design comments it is still recommended that consideration is given to changing the priority of this section of the spine road to reduce the linearity of the spine road, create a more distinctive sense of place and focal point in the heart of the development which would reinforce the stated aim of creating more of a village street character distinct from the adjoining cul-de-sacs.
54. In June 2021, The **Urban Design Officer** did not wish to comment further on amended plans at that time given the changes were mainly highway and landscaping based.
55. **West Suffolk Strategic Housing Team (March 2020):** expressed support for the scheme which delivers 30% affordable housing (42.4 affordable dwellings) with the 0.3 being secured by way of a commuted sum. Policy compliant tenure mix (70% rented and 30% intermediate housing) is proposed. The affordable housing mix meets the current housing

need for Red Lodge. The approach to evenly disperse the affordable housing (no greater than 15 dwellings in a cluster) is supported as it will help to create a balanced and sustainable community. The affordable units should be built as a minimum to the national space standards and the stock secured via s106 Agreement. The team did not wish to comment further in October 2020 nor in June 2021, following further consultations.

56. In July 2021, and in response to updates National Planning Policies (in the NPPF), the **West Suffolk Strategic Housing Team** made some changes to the recommended mix for the affordable housing.
57. **West Suffolk Waste Operations Manager (October 2020):** commented that providing that the 'Emergency turning points' can be used by our trucks, and the road surface is suitable for them to turn on, there's no objection. If not, then the bins need to be presented on the main service road for our crew to empty. In June 2021, following re-consultation, the service did not wish to comment.
58. **West Suffolk Environmental Management Officer (June 2022)** following receipt of the applicants energy statement in May 2022, provided the following comments:
- We have reviewed the Design and Access Statement dated November 2019, and the Energy Statement, undertaken by AES Sustainability Consultants Ltd, and are satisfied that the proposal shows compliance with policy DM 7 and the Building Regulations Part L 2013. We are pleased to see that consideration has been given to the 2021 Building Regulation standards and that thermal bridging, air permeability and fabric specifications (except for sloping roofs) will comply with the 2021 standards. The target emission rate will also be complied with through the use of the fabric specifications and providing all heating requirements through air source heat pumps resulting in 50% reductions (on average) upon the 2021 regulations.
 - Further consideration should be given to the installation of solar PV which would reduce electricity bills for occupants, reduce electrical grid capacity requirements, and reduce the carbon intensity of electricity powering the heat pumps.

Representations:

59. **Red Lodge Parish Council (December 2019):** objects to the planning application for the following reasons:
- Parking should be restricted to one side of Thistle Road with double yellow lines on the other side.
 - There should be a wider review of the local road network by the Highway Authority, including Thistle Way.
 - The additional housing and resultant population increase will create additional pressures on the services and facilities in Red Lodge. The infrastructure does not support this increase. There should be S106 funds to alleviate this problem and the PC should be consulted.
 - Any management company set up to manage the landscaped areas of the site should involve the residents as Directors.

60. In April 2020 the **Parish Council** maintained its objections to the proposals on the following grounds:
- The access routes for traffic via Thistle Way are inadequate, this road is congested with parked cars, this will cause an increase in collisions, residents oppose this suggestion.
 - The infrastructure is insufficient for the increased housing, this places a huge burden on pre-existing doctors, dentists, schools and other local amenities.
 - The area is known to flood and is marsh-like and therefore not ideal to build on.
61. In July 2021, the **Parish Council** re-affirmed its objections to the proposals raising parking issues and traffic/highway matters with the following comments:
- The access route via Thistle Way is not ideal, this area is already difficult to negotiate with parked cars. Using Thistle Way poses the risk of increasing road traffic accidents.
 - There are a number of issues that still remain unresolved from the previous submission.
 - The utilities are unapproved.
 - There is no clarity on the adoption of the roads.
 - A residential management company is not being offered.
 - There is a lack of infrastructure, there are insufficient doctors and dentists surgeries, the current amenities will not support the further development.
62. In December 2021 the **Parish Council** re-affirmed its objections to the proposals and repeated the concerns and issues it had raised previously.
63. **Four letters** have been received from local residents across the various consultations raising concerns and/or objections against the proposals. The matters raised are summarised as follows:
- The access along Thistle Close is not viable for a project of the size because of parked cars on a blind bend. This will be exacerbated by the additional cars from the proposed development.
 - A single road access into the development is not appropriate. Emergency vehicles would not be able to get through should they need to.
 - On street parking is a significant safety issue in the village and these properties should be provided with adequate access and parking.
 - Noise and vibrations from construction.

- Development has started on the land – that is not right.
- Many recently built properties remain unsold. Therefore there is no need for these additional houses.
- More shops should be built.
- Overlooking of properties currently on the edge of the residential area (adjacent to the application site).
- Devaluation of existing properties.
- Mitigation must be considered for the equestrian community (who face danger and high risk of accident by using roads for riding or to connect existing off-road routes). The British Horse Society believes this development provides great opportunities to provide safe off-road links for equestrians and they should support the automatic inclusion of horse riders on shared off-road routes unless there are specific reasons why this is not possible. Exclusion of any equestrians from any safe access provision for cyclists is not only discriminatory and contrary to the ethos of the Equalities Act 2010, but it also puts equestrians in increased danger. It is to be avoided. Safe access must be available to all vulnerable road users. The applicant's proposals should include all vulnerable road users, not only pedestrians and cyclists.

Policy:

64. 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.
65. The following policies of the Joint Development Management Policies Document, the Forest Heath Core Strategy 2010, the 'Single Issue Review' and the Site Allocations Local Plan have been taken into account in the consideration of this application:

Single Issue Review (2019)

66. The following policies from the Single Issue Review of Core Strategy Policy CS7 are considered relevant to this planning application:
 - CS7 – Overall Housing Provision and distribution.

Site Allocations Local Plan (2019)

67. The following policies from the Site Allocations Local Plan are considered relevant to this planning application:

- SA1 – Settlement boundaries
- SA9 – Housing Allocations in Red Lodge (SA8b) allocates the application site (5.5ha – excluding the woodland component) for a housing development (indicative capacity 140 dwellings).

Joint Development Management Policies Document (2015)

68. The following policies from the Joint Development Management Policies document are considered relevant to this planning application:

- DM1 – Presumption in Favour of Sustainable Development
- DM2 – Development Principles and Local Distinctiveness
- DM5- Development in the Countryside
- DM6 – Flooding and Sustainable Drainage
- DM7 – Sustainable Design and Construction
- 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
- DM14 – Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards.
- DM20 – Archaeology
- DM22 – Residential Design.
- DM42 – Open Space, Sport and Recreation Facilities
- DM44 – Rights of Way
- DM45 – Transport Assessments and Travel Plans
- DM46 – Parking Standards

Core Strategy (2010)

69. The Core Strategy was the subject of a successful legal challenge following adoption. Various parts of the plan were affected by the High Court decision, with Policies CS1 CS7* and CS13 being partially quashed (sections deleted) and section 3.6 deleted in its entirety. Reference is made to the following Core Strategy policies, in their rationalised form.

- Policy CS1 – Spatial Strategy
- Policy CS2 – Natural Environment
- Policy CS3 – Landscape Character and the Historic Environment
- Policy CS4 – Reduce Emissions, Mitigate and Adapt to future Climate Change.
- Policy CS5 – Design Quality and Local Distinctiveness
- Policy CS6 – Sustainable Economic and Tourism Development
- Policy CS9 – Affordable Housing Provision
- Policy CS10 – Sustainable Rural Communities
- Policy C12 – Strategic Transport Improvement and Sustainable Transport
- Policy CS13 – Infrastructure and Developer Contributions

*Policy CS7 of the original Core Strategy has since been replaced by policy CS7 of the 'Single Issue Review'.

Other planning policy:

Supplementary Planning Documents

70. The following Supplementary Planning Documents are relevant to this planning application:
- Joint Affordable Housing Supplementary Planning Document (September 2013)
 - Open Space, Sport and Recreation Supplementary Planning Document (August 2011)
71. Whilst not formally adopted as a Supplementary Planning Document, the Suffolk Advisory Parking Standards (as amended 2019) are referenced by Development Plan policy and are thus a material consideration to be given appropriate weight in the consideration and determination of planning applications.

National Planning Policy Framework (NPPF)

72. The Government continues to update and amend national planning policies in the National Planning Policy Framework (hereafter referred to as the Framework or the NPPF). The policies set out in the Framework are material to the consideration of this planning application and are discussed below in the officer comment section of this report.

How does the NPPF define sustainable development?

73. The Framework defines the objective of sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs. It goes on to explain there are three overarching objectives which need to be pursued in mutually supportive ways:
- i) economic (to help build a strong, responsive and competitive economy),
 - ii) social (to support strong, vibrant and healthy communities) and,
 - iii) environmental (contributing to protecting and enhancing our natural, built and historic environment)
74. The Framework explains (paragraph 9) that these objectives should be delivered through plan making and applying NPPF policies. It goes on to advise that planning decisions should play an active role in guiding development to sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
75. The National Planning Practice Guidance (NPPG) is an on-line Government controlled resource which assists with interpretation about various planning issues and advises on best practice and planning process.

Officer comment:

76. This section of the report begins with a summary of the main legal and legislative requirements before discussing the principle of the development

and in particular compliance with the Development Plan. It then goes on to analyse other relevant material planning considerations (including national/local policy and site-specific considerations) before reaching conclusions on the suitability of the proposals.

Legal Context

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

77. Given the scale of development proposed, being under the 150 dwelling threshold advised by the National Planning Practice Guide, the planning application does not need to be screened under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Furthermore, whilst the site is located in a 'sensitive area' (inside the precautionary buffers to the Breckland Special Protection Area and potentially affecting stone curlew nests outside of the SPA designation), detailed consideration of the planning application and final consultation response from Natural England also supports the overall conclusion that EIA screening is not necessary in this case.

The Conservation of Habitats and Species Regulations 2017 - (hereafter referred to as the Habitats Regulations).

78. Given the location of the various designated nature sites in the vicinity of the application site (including the Breckland Special Protection Area and Special Area of Conservation) consideration has been given to these Regulations.
79. The application site is in the vicinity of designated (European) sites of nature conservation but is not within a designation. Regulation 63 states the decision-making authority before deciding to...give permission...for a plan or project which is likely to have a significant effect on a European site and is not directly connected with or necessary to the management of that site, must make an 'appropriate assessment' of the implications of the plan or project for that site in view of that site's conservation objectives.
80. The Council has not yet carried out an appropriate assessment of the proposals in order to comply with the regulatory requirements. This will be carried out prior to the determination of the planning application and following construction of a necessary connecting footpath to the south of the application site. Provision is made within the officer recommendation at the end of the report.

Natural Environment and Rural Communities Act 2006

81. The Act 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 potential impact of the application proposals upon biodiversity interests is discussed in preceding paragraphs above and later in this report (Natural Heritage section).

Planning and Compulsory Purchase Act 2004 (as amended)

82. 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 Development Plan comprises the policies set out in the Single Issue Review of Core Strategy Policy DM7 (adopted September 2019), the Site Allocations Local Plan (adopted September 2019), Joint Development Management Policies document (adopted February 2015) and the Core Strategy Development Plan document (adopted May 2010). National planning policies set out in the Framework are also a key material consideration.

Planning (Listed Buildings and Conservation Areas) Act 1990

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

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.

84. 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.

85. The implications are discussed later in this report under the 'built heritage' subheading.

Crime and Disorder Act 1998

86. 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 but the proposal does not raise any significant issues.

Equality Act 2010

87. Officers have considered the provisions of the Act, including the potential impact of the development on people with 'protected characteristics' in the assessment of the planning application but the proposals do not raise any significant issues in this regard. The Building Regulations would ensure the dwellings are provided with nationally prescribed minimum accessibility standards as part of the construction.

Human Rights Act 1998

88. The proposals have been considered against the provision of the Human Rights Act and, for the same reasons set out above in connection with the Equalities Act, no significant issues arise.

Community Infrastructure Levy Regulations 2010

89. These generally set out regulations relating to the Community Infrastructure Levy, but Part 11 refers specifically to planning obligations (including those

in S106 Agreements) and is relevant to the consideration of this planning application and will influence the final content of a potential S106 Agreement (in the event that planning permission is granted. Regulation 122 imposes limitations on the use of planning obligations and states (where there is no CIL charging regime), a planning application may only constitute a reason for granting planning permission for the development if the obligation is-

- (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.

90. Following legislative amendments in 2019, Regulation 123 which imposed limitations on the pooling of planning obligations, no longer applies.

Principle of Development

National Policy context

91. The Committee will be aware of the obligation set out in section 38(6) of the Planning & Compulsory Purchase Act 2004 for 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. NPPF policies may support a decision in line with the Development Plan or they may provide reasons which 'indicate otherwise'.
92. Paragraph 60 of the Framework states to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
93. The presumption in favour of sustainable development is "at the heart of the Framework" and this set out at paragraph 11. This states that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means (inter alia):
- *approving development proposals that accord with an up-to-date development plan without delay;*
94. Paragraph 12 of the Framework qualifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. It advises that where a planning application conflicts with an up-to-date development plan permission should not usually be granted.

Adopted Local Plan policy context

95. Vision 1 of the Core Strategy confirms development will be focussed in the towns and key service centres. Vision 6 (and policy CS1) confirms Red Lodge (which has delivered the required primary school and local centre) as a key

service centre. Spatial Objective H1 seeks to provide sufficient homes in the most sustainable locations to meet the needs of communities. Policy CS10 confirms the Towns and Key Service Centres will be the focus of new development (providing service to surrounding rural areas).

96. Core Strategy Policy CS13 confirms the release of land for development will be dependent on there being sufficient capacity in the existing local infrastructure to meet the additional requirements from development.
97. Policy CS1 states (in Red Lodge) land will be allocated for a minimum of 800 dwellings on brownfield or mixed brownfield or greenfield sites. It also clarifies that no greenfield extensions will come forward before 2021.
98. Core Strategy policy CS6 states that economic and tourism growth at Red Lodge will be in broad alignment with the scale of housing development to discourage commuting and achieve a homes/jobs balance.
99. The application site (with the exception of the woodland component) is allocated for housing development as part of the adopted Site Allocations Development Plan (SALP) document. Policy SA9(b) confirms the allocated 5.5-hectare site will deliver a mixed-use development to include circa 140 dwellings. The policy also requires the following matters to be addressed/satisfied:
 - Include measures to influence recreation in the surrounding area (SPA and SSSI safeguarding). To include enhancement and promotion of dog friendly access routes. For the application site, the policy requires measures to avoid an increase in recreational activity in adjacent farmland, such as barriers to access.
 - Information to demonstrate no adverse effects to the SPA.
 - Strategic landscaping and open space.
 - Necessary archaeological evaluation (prior to determination)
 - Cycle and pedestrian links within the site and where appropriate connections to the existing network.
 - Have regard to the proper functioning of the existing SuDS infrastructure located on the site.
100. The proposals are considered against the requirements at various points later in this report.
101. The inclusion of an area of existing woodland as public open space to serve the development (and wider village needs) means the red-lined application site includes land that is situated outside the settlement boundary of the village and outside the confines of the land identified as an allocation in the Site Allocations Local Plan.
102. The woodland area has been included within the application site as a consequence of the Habitats Regulations Assessment that informs the proposals. The woodland constitutes additional public open space provision over-and-above normal planning policy (DM42) requirements. All public

open space provision that is required by the Development Plan to serve the development proposals is provided within the settlement boundary (and land forming the allocation in policy SA9(b)). Accordingly, and as the provision of public open space outside of the settlement boundary (and allocation) does not facilitate additional dwellings than would otherwise be the case, there is no financial or development advantage arising and no conflict with the spatial policies of the Development Plan.

103. The allocation of the site for housing development in the adopted Site Allocations Plan means the application proposals (including the woodland public open space provisions) are, subject to the specific policy criteria being met (and other material considerations satisfied), acceptable in principle.

Impact upon the countryside/landscape

104. The Framework confirms the planning system should protect and enhance 'valued landscapes'. It also recognises i) the intrinsic character and beauty of the countryside and ii) the benefits of the best and most versatile agricultural land and of trees and woodland.
105. Core Strategy Policies CS2 and CS3 seek to protect, conserve and (where possible) enhance the quality, character and local distinctiveness of the landscape.
106. Policy DM13 of the Joint Development Management Policies Document seeks to protect landscape character (including sensitive landscapes) from the potentially adverse impacts of development. The policy seeks proportionate consideration of landscape impacts and calls for the submission of new landscaping where appropriate. It also calls for landscape mitigation and compensation measures so there is no net loss of characteristic features.
107. The Site Allocations Local Plan, in allocating the application site for the proposals included in this planning application via policy SA9(b) requires that (inter alia) strategic landscaping ... must be provided to address the individual site requirements and location.
108. The application site is categorised as 'Estate Sandlands' by the Suffolk Landscape Character Assessment (SLCA). The Assessment states that despite the presence of so much forestry, the views in this landscape are often long and there can be a powerful sense of isolation. The 'planned' nature of the landscape over such a large area does, however, mean that there is little variation in the views.
109. The SLCA recognises that one of the key forces for change is the expansion of existing settlements into this landscape and creation of new settlement patterns and clusters associated with infrastructure development.
110. The development would be harmful to the character of the countryside as a matter of principle given that it would ultimately change currently undeveloped land into a developed housing estate. However, the site is allocated for these proposals in an adopted development plan and is within an existing settlement boundary policy designation.
111. The impact of the development proposals upon the landscape qualities and character of the wider countryside could be significant given the village edge location of the site. However, this is reduced significantly by the enclosing

effect of the woodland belt to the east of the site which would visually contain a development on the application site, from exposure in the wider landscape. Opportunities exist to provide new strategic planting in order to strengthen site boundaries and further soften the impact of development upon the countryside.

112. The impact of the proposed development upon the landscape and thus the wider countryside, is considered acceptable, with any minor adverse effects arising capable of mitigation via the introduction of the new landscaping proposed in the application.

Sustainable transportation (accessibility) and impact upon the local highway network (highway safety).

113. The Framework states transport issues should be considered from the earliest stages of ... development proposals, so that:

a) the potential impacts of development on transport networks can be addressed;

b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;

c) opportunities to promote walking, cycling and public transport use are identified and pursued;

d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and

e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

114. The NPPF goes on to confirm the planning system should actively manage patterns of growth in support of these objectives. Furthermore, it advises that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes (which can help to reduce congestion and emissions and improve air quality and public health). However it also recognises opportunities to maximise sustainable transport solutions will vary between urban and rural areas and concedes this should be taken into account in both plan-making and decision-taking.

115. With regard to considering development proposals, the Framework states that, in assessing specific applications for development, it should be ensured that:

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 reflects current national design standards.

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.

116. It is national policy that 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.
117. Core Strategy Spatial Policy T1 aims to ensure that new development is located where there are the best opportunities for sustainable travel and the least dependency on car travel. This is reflected in Policies CS12 and CS13 which confirms the District Council will work with the partners (including developers) to secure necessary transport infrastructure and sustainable transport measures and ensure that access and safety concerns are resolved in all developments.
118. Policy DM44 of the Joint Development Management Policies document states improvements to rights of way will be sought in association with new development to enable new or improved links to be created within the settlement, between settlements, and/or providing access to the countryside or green infrastructure sites as appropriate.
119. Policy DM45 requires the submission of a Transport Assessment to accompany planning applications that are likely to have significant transport implications (including preparation and implementation of a Travel Plan). The policy states where it is necessary to negate the transport impacts of development, developers will be required to make a financial contribution, appropriate to the scale of the development, towards the delivery of improvements to transport infrastructure or to facilitate access to more sustainable modes of transport. Policy DM46 sets out parking standards for new development proposals (and links to Suffolk County Council's adopted standards (November 2014)).
120. The Core Strategy categorises Red Lodge as a Key Service Centre and is thus regarded as a 'sustainable' location which could support growth. Local employment opportunities are restricted given the small take up so far of available employment land to the north of the village. Employment land provision to the north of Red Lodge remains a policy focus of the Development Plan with 8 hectares of land allocated for employment related uses in the Site Allocations Local Plan (reference policy SA10). The majority of working people at Red Lodge are likely to need to travel away from the village to their place of work. There is a range of community facilities in the village, including some shops, services, two primary school, churches and other meeting rooms which serve to contain a number of trips within the village.

Information submitted with the planning application

121. The planning application is accompanied by a Transport Statement. The statement notes that Thistle Way (the vehicular access road into the

proposed development) was designed as a major access road (width 6.1 metres) to provide access and egress to the land east of Red Lodge. The Transport Statement confirms it can therefore be assumed this road has adequate capacity to serve the proposed development. The development will have a secondary emergency access road to the south, exiting onto earlier phases of the development. In the short-term further emergency access will be provided to the north-east with this route upgraded as a formal road link in future.

122. The Transport Statement goes on to describe the new road infrastructure:

The proposed development is to be served by a main spine road with all the properties accessed from the spine road or from shared surface roads. The road alignment together with the tie-in from Thistle Way will continue the principle of a shared access road to provide traffic calming and keep vehicle speeds to a minimum.

123. With respect to traffic generation and movement, the Transport Statement advises:

The development is anticipated to generate approximately 140 trips per day. This equates to approximately 35 trips to the peak hour trip rate and this will have a negligible effect on the road network.

124. And, on transport matters, the document concludes:

We are satisfied that the Phase D development will be well served by a transport network capable of providing the needs of the residents. This includes cycling, walking, access to public transport such as buses and trains, in addition to a good highway infrastructure, the capacity of which will not be compromised by this development.

Officer comment on transportation matters

125. Following completion of construction of the St Christopher's' School and the 'village centre' facilities (both secured as part of the 'Kings Warren' development), the Core Strategy categorises Red Lodge as a Key Service Centre. In planning policy terms, the village is thus regarded as a 'sustainable' location which could support growth. This is confirmed by the allocation of the site for a housing development of scale within the Site Allocations Local Plan.

126. It is likely that occupiers of the dwellings proposed in this planning application would need to travel to meet their employment, retail and entertainment needs. Some of these journeys could be lengthy and, consequentially, the majority would be undertaken by car. However, there are a range of services and facilities in the village that will prevent or reduce the need for travel to some facilities. The proposals accord with the 'settlement hierarchy' set out at Policy CS1 of the Core Strategy. Given the large-village scale of Red Lodge and its relatively self-contained situation in a rural area, the development proposals are considered to accord with relevant accessibility policies in the Framework and officers' therefore consider they are sustainable in transport terms.

127. The planning application is accompanied by a Transport Statement which

examines the potential impacts of development on highway safety and congestion. The conclusions of the document are summarised above. Neither Highways England (strategic road network) nor Suffolk County Council Highway Authority (local road network) has objected to the planning application and thus these bodies accept the findings of the assessment.

128. The Highway Authority has to date not examined in detail the proposed new estate road network within the proposed development given they had not previously anticipated that the roads would be 'adoptable' by them. This was because the applicants were proposing to provide gas storage tanks beneath the new road infrastructure in order to provide gas fuel to the dwellings. The applicants strategy has changed recently however and they no longer propose to provide Calor gas as a fuel source to serve their proposed development. The roads therefore qualify for 'adoption' and the applicant intends to ensure the design and specification of the main spine road meets adoptable standards. This is likely to necessitate some minor changes to the design and specification of the road and/or its foot and cycle ways. The applicant is making minor changes to the plans in order to ensure the road is adoptable by Suffolk County Council in future. The conversation between the applicant and highway authority is continuing and amended plans showing some minor changes to the road and path infrastructure have been received. The recommendation at the end of the report has been prepared to ensure the matter is fully resolved before a positive decision notice is issued.
129. Access to the proposed development is considered safe and suitable and the development would not lead to significant highway safety issues or hazards. Furthermore, the applicant has offered to provide contributions towards the enhancement of passenger information boards at the closest existing bus stops to the site. Having considered the evidence and comments received from the Highway Authority, your officers are content the proposed development would not lead to traffic danger or congestion of the highway network, including during am and pm peak hours.

Impact upon natural heritage

130. The Framework confirms that planning decisions should (inter alia) protect and enhance sites of biodiversity value and minimise impacts on and provide net gains for biodiversity. The following principles should apply when determining planning applications:
- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
 - b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
 - d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
131. The NPPF also confirms that the 'presumption in favour of sustainable development' does not apply where the proposals are likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.
132. Spatial Objective ENV1 of the Core Strategy aims to conserve and enhance the habitats and landscapes of international, national and local importance and improve the rich biodiversity of the District. This objective forms the basis of Core Strategy policy CS2 which sets out in greater detail how this objective will be implemented.
133. Policy SA9(b) of the Site Allocations Local Plan, which allocates the application site for the development proposed by the planning application, also seeks to protect natural heritage interests. The policy sets out the following requirements in the interests of protecting the SPA and SSSI designations:
- *Development on all sites [included in Policy SA9] must provide measures for influencing recreation in the surrounding area, to avoid a damaging increase in visitors to Red Lodge Heath SSSI and Breckland SPA. Measures should include the enhancement and promotion of dog friendly access routes on the immediate vicinity of the development and/or other agreed measures. Measures to avoid an increase in recreational activity in adjacent farmland, such as barriers to access, should be considered for site SA9(b).*
 - *The developer is required to submit information that clearly demonstrates that the measures would result in no adverse effects on the integrity of Breckland SPA. This information will include:*
 - *details of the timetable for implementation of all measures*
 - *availability of measures at the time of occupation of the new dwellings – including any phasing plan if applicable*
 - *details of adoption and future management of measures (as required)*
 - *Planning permission will not be granted unless this information is sufficient to allow the local planning authority (as competent authority) to conclude that the requirements of the Habitats Regulations 2017 (or any replacement regulations) are satisfied.*
134. Policy DM10 of the Joint Development Management Policies Document sets out more detailed provisions with respect to the impact of development

upon sites of biodiversity and geodiversity importance. Among other things, the policy introduces (in a local policy sense) the need to consider cumulative impacts upon these interests. Policy DM11 addresses proposals that would have an impact upon protected species. Policy DM12 sets out requirements for mitigation, enhancement, management and monitoring of biodiversity. The policy states that all new development (excluding minor householder applications) shown to contribute to recreational disturbance and visitor pressure within the Breckland SPA and SAC will be required to make appropriate contributions through S106 Agreements towards management projects and/or monitoring of visitor pressure and urban effects on key biodiversity sites.

135. Policy DM44 states improvements to rights of way will be sought in association with new development to enable new or improved links to be created within the settlement, between settlements, and/or providing access to the countryside or green infrastructure sites as appropriate.

Impact upon internationally and nationally designated sites

136. The designated Special Protection Area (SPA) is situated to the east of Red Lodge. Its qualifying features include the Stone Curlew (breeding), the European Nightjar (breeding) and the Woodlark (breeding). It comprises a number of SSSI's which are designated for similar reasons. The application site is outside the SPA boundaries but about two-thirds of the application site are situated within the 1.5km precautionary buffers drawn around its boundaries.
137. Part of the site is also situated within the 1.5km buffer to Stone Curlew nests recorded in locations outside the Special Protection Area designation. Stone Curlew are protected species, including birds nesting outside of the formal SPA designation.
138. The SPA is also vulnerable to increased recreational visitor pressure (indirect impact) from new housing developments located at distances greater than 1.5km from the SPA boundaries. In light of the above direct and indirect impacts upon the conservation interests of the SPA and its species cannot automatically be ruled out and, in accordance with the requirements of Core Strategy Policy CS2, further consideration of potential impact is required, initially via a project level Habitats Regulations Assessment.
139. The approach to be taken to considering a development proposal that might affect an SPA is set out in ODPM Circular 06/2005. The first stage in the process is to establish whether the proposed development is directly connected with, or necessary to, nature conservation management of the SPA. That is not the case with the application proposals, so consideration passes to the second stage. The second stage is to determine whether the proposals are likely to have a significant effect on the interest features of the site, either alone or in combination with other plans or proposals.
140. Two of the three qualifying features of the SPA, namely Nightjar and Woodlark breeding areas are located sufficient distances away from the application site such there would be no direct impacts upon them arising from development in isolation or in combination with other plans and projects. The potential direct impacts of development upon Stone Curlews nesting locations inside and outside the SPA and indirect impacts arising

from increased recreational pressure (human recreational activity) requires closer examination and consideration.

141. The applicants have submitted Habitats Regulations Assessment information with the planning application. The information has been prepared by a suitably qualified Ecologist (Aspect Ecology). The report considers the direct and in-direct impacts of development (the scheme in isolation and in-combination with other plans and projects) and reaches the following conclusions;
- *A screening exercise identified the potential for effects to occur in relation to recreational pressure and Rex Graham Reserve SAC, Breckland SAC and Breckland SPA. The exercise also identified the potential for adverse effects to occur in relation to urban edge/disturbance effects on Stone Curlew associated with Breckland SPA.*
 - *An assessment was carried out to identify likely significant effects. Likely significant effects could not be ruled out in relation to the proposals alone and in-combination with other plans or projects for recreational pressure at Breckland SPA and accordingly an Appropriate Assessment was carried out in this regard. Likely significant effects were not identified in relation to the other elements and therefore no further assessment was required.*
 - *The Appropriate Assessment identified a number of measures and opportunities set out in local policy and the associated evidence base which would/could mitigate effects of increased recreational pressure on Breckland SPA. These measures allowed the HRA of the SALP to conclude there would be no effects on the integrity of the SPA. These measures were considered in relation to the proposed on-site green space and linkages to the wider area which will be delivered at the site. The assessment concluded that with the implementation of the measures set out, there would be no potential to affect the integrity of Breckland SPA in view of the designations' conservation objectives in relation to the proposals alone. Accordingly, there would be no residual effects which could combine with other plans or projects to generate new or additive effects, such that no effects on integrity are anticipated in combination with other plans or projects.*
 - *Based on the screening exercise and Appropriate Assessment, further assessment (i.e. proceeding to stage 4) is not required.*
142. The applicant's Habitats Regulations Assessment has been the subject of public consultation. Natural England (in April 2000) advised that further information should be sought from the applicant to enable the application to be properly considered. Stone Curlew survey information was requested.
143. A Stone Curlew Survey Report was prepared and submitted by the applicants following two years (two nesting seasons) of survey results. The Report is a confidential document so does not appear on the Council's website.
144. The report reached the following conclusions:

- Aspect Ecology has carried out specific Stone Curlew survey and assessment work of suitable land parcels within 1.5km of the site in between 2020 and 2021. This included a desk-based habitat assessment, which identified 76 parcels of habitat with the potential to support Stone Curlew (nesting or foraging). A field-based habitat assessment was subsequently carried out of these parcels which identified eight that warranted further survey work to identify whether Stone Curlew were present in 2020. Dusk and/or dawn surveys were therefore carried out at these parcels to search for Stone Curlew in July 2020.
- The 2020 surveys identified two adult Stone Curlew in parcel 43 during one of the dawn surveys. The Stone Curlew were located approx. 1.4km north of the site and 3km northwest of Breckland SPA, and parcel 43 is located 1.2km from the site and 2.8km from the SPA at its closest point. No Stone Curlew were recorded during the 2021 surveys.
- A review of Stone Curlew nesting records in the area was carried out, and the new records from the 2020 surveys appear likely to be associated with a known population to the east of Rectory Farm. This population lies more than 3km from Breckland SPA and therefore it would not be necessary to consider the 2020 records in a project-level HRA.
- Notwithstanding the identified Stone Curlews are not likely to be associated with the SPA, an assessment of the effects of the proposals was carried out on Stone Curlew. Due to the distance from the site, and the separation from it by a range of unsuitable Stone Curlew habitats (such as settlement and industrial areas), it is not anticipated that the proposals would have an adverse effect on the Stone Curlew identified in parcel 43. There is no evidence for Stone Curlew being present elsewhere within 1.5km of the site. Therefore, in conclusion, no further mitigation is required in addition to that already delivered at Herringswell. Furthermore, having reviewed the planned cropping patterns for 2022, a third year of Stone Curlew surveys is not warranted.

145. In response to consultation following receipt of the survey information, Natural England (in December 2021) were content to advise:

"on the basis of the survey submitted there will be no impact on Stone Curlews within the SPA from the proposed development alone. The proposal would therefore also not contribute any impacts to an in combination assessment and would not result in adverse effects on the integrity of the SPA in combination with other plans and projects."

146. Natural England went on confirm the survey information had not addressed all of its concerns and included the following advice with respect to Stone Curlew nests located outside of the SPA designation:

- *"Outside of the SPA, but within 1.5km of the proposed development, although a further eleven land parcels were subject to Stone Curlew surveys in 2021, the remaining land parcels were ruled out as unsuitable for surveying in 2021 and all were ruled out for potential surveying in 2022. We agree with the assessment that fields of pigs,*

scrub / bracken and a quarry would be unsuitable throughout the breeding season. However, land parcels have been excluded from surveying due to their proximity to habitation, enclosure by trees and size of field (too small). Although these factors tend to decrease the likelihood of Stone Curlew nesting, nests are not excluded from these and the birds will nest in suitable habitat close to habitation or trees, or in smaller fields.

- *Some land parcels are also excluded from surveying on the basis of crop type and height. Stone Curlew breeding starts in April and may extend until September. Over this time crop height will vary according to time of sowing and harvesting. Stone Curlews may make a first nesting attempt in spring sown crops, whilst attempts later in the season may be in fields where the crop has been harvested, or in areas where bare ground is available for other reasons. The report does not assess the crop heights at different times of the breeding season, and rules out spring crops from any surveying, even though early nesting could have taken place.*
- *On the basis of the evidence presented therefore, we cannot be certain that there were no Stone Curlew nesting outside the SPA but within 1.5km of the proposed development. Therefore we cannot be certain that the proposed development will not impact nesting Stone Curlew. Were evidence to be presented in the report that crop or vegetation height in each land parcel prevented Stone Curlews from nesting for the entire duration of the breeding season we would be able to agree with a conclusion that no Stone Curlew nests were present. If this determined that there was some potential for nesting and the only other reasons for ruling out surveying at present were on the basis of proximity to habitation, enclosure by trees or size of field, the only way to determine whether Stone Curlew nests are present would be by further surveys in another breeding season.*
- *Although the land parcels not surveyed are outside of Breckland SPA, please note that Stone Curlews are a priority species listed under Section 41 of the 2006 Natural Environment and Rural Communities Act. Therefore where Stone Curlews form part of the wider environment population, predicted impacts on them should be fully assessed and any significant impacts identified should be offset."*
- In response to the same consultation both the RSPB and Suffolk Wildlife Trust were less inclined to accept the conclusions of the survey (shared by Natural England) that there would be no impacts upon the SPA designation. These bodies commented that the survey information was flawed insofar as the justification for not carrying out a third years-worth of surveys was concerned. The RSPB concluded that the surveys do not provide enough information to inform the Habitats Regulations Assessment and recommended at least one more full breeding season survey is carried out.
- In March 2022, the applicant responded to Natural England's continuing concerns about the survey information used to inform assessment of impacts to nests outside of the SPA designated boundaries (and within 1.5km of the application site) in the form of a Technical Note. The applicants ecologist provided further justification for the various land

parcels that had been excluded from the survey (i.e. the parcels that had generated Natural England concerns). The following conclusions were reached in the document:

- Natural England's consultation response highlighted concerns about the 2021 Stone Curlew surveys carried out within the 1.5km zone surrounding the application site, in respect of certain parcels having been excluded from survey on the basis of proximity to habitation, enclosure by trees and size of field, as well as crop type and height. As described above, none of the parcels was excluded from survey based on the presence of proximity to habitation, enclosure or field size alone; a combination of factors was used to exclude parcels from survey, including proximity to the A11 and also habitat suitability / crop type. Regarding the latter, an analysis of the crop types and heights throughout the breeding season demonstrates that none of the parcels is likely to provide early (or indeed late) season nesting opportunities for Stone Curlew. Furthermore, no Stone Curlew were found in the surveyed parcels that were more suitable for this species.
- It is therefore concluded that the risk of successful Stone Curlew nesting attempts having been missed due to excluding certain parcels from survey is extremely low. Therefore, it is concluded that potential impacts on Stone Curlew have been appropriately assessed and there is sufficient certainty to conclude there will be no significant impacts on the wider population outside of the SPA as a result of the proposed development, and no offsetting is required. Furthermore, it is concluded that reasonable and proportionate survey effort has been employed and no further survey work is necessary to inform the application. As such, the Local Authority has sufficient information available to discharge its duty under the 2006 NERC Act to have regard, so far as is consistent with the proper exercise of its functions, to the purpose of conserving biodiversity.

147. Following consideration of the further justification set out in the applicants Technical Note, Natural England commented:

- *We advise that this Technical Note, combined with the Stone Curlew Survey Report (September 2021) meet the requirements which we have previously communicated and that the technical note addresses the issues we raised in previous response to West Suffolk Council (our ref 377212, dated 15 December 2021). We recognise that any survey is a snapshot of the real world in time and geographical space. Therefore we agree that the environmental constraints associated with the land parcels scoped out from surveying are likely to have a significant negative impact on breeding Stone Curlew.*

148. Natural England the Government adviser and legal consultee to the Council under the Habitats Regulations has confirmed its view, based on the information submitted by the applicants, that the development proposals would not have a significant impact upon the SPA designation, nor upon Stone Curlew species nesting outside of the SPA (both alone and in combination with other plans and projects). Whilst the RSPB and Suffolk Wildlife Trust have expressed concerns about the reliability and robustness of the survey information, the Committee is recommended to accept the advice of Natural England, noting that a required Appropriate Assessment

of the project is still to be carried out.

149. Similarly, officers are content to advise the Committee there would unlikely be any significant impacts upon stone curlew nests outside of the SPA and within 1.5 kilometres of the site.

Recreational Impacts to the SPA/SAC designations

150. Given the proximity of the application site to the SPA designation, the SPA is also vulnerable to harm arising from additional recreational pressures caused by the increased local population residing at the development and travelling into the SPA for recreational activities. Stone Curlew tend to avoid areas within the SPA where there is human activity, particularly so where dogs are present. Accordingly, it is necessary for development projects, particularly larger developments, to mitigate or avoid increased demands being placed upon the SPA designation for recreational activity. This is often resolved in the form of a 'SANG' (Suitable Alternative Natural Greenspace).
151. The application proposals do not include a full 'SANG', but instead provide an additional large area of public open space (over and above standard planning policy requirements) and a linked and accessible recreational path. There are three components to the mitigation/avoidance strategy. These are:
- i) To provide policy compliant public open space development to serve the day-to-day needs of the new community created.
 - ii) Provide additional quantities of public open space to avoid increased recreational pressure upon the SPA (i.e. by attracting the existing population to use the space instead of travelling to the SPA), and
 - iii) To link into and extend the permissive path that runs along the eastern boundary of the site and village.
152. The policy compliant quantities of public open space are provided within the development site (and within the confines of the local plan allocation). This is sufficient to meet the normal open space needs of the population of the development. Children's' play equipment is to be provided off-site at a nearby play park at the request of the Council's Parks Team.
153. An existing woodland area adjacent (east of) the site allocated in the Local Plan is to be made accessible to the public and would form an additional quantity of open space provision that is targeted towards avoiding or reducing recreational pressure to the SPA. Paths would be provided within the woodland for public access and these would be linked to the other public open space provision and the eastern permissive path.
154. The applicants strategy is considered likely to avoid increased recreational pressure from occurring to the SPA. However, the applicants have included proposals for 1.5m high metal mesh fencing along significant parts of the eastern external boundary of the site. The purpose of the fencing is to secure the private farmland beyond. Whilst officers consider some form of barrier is likely to be needed along the eastern site boundary in order to protect the farmland beyond it from unauthorised recreational disturbance, the form of fencing currently selected is urban in character and appearance and is likely

to detract from the attractiveness of the permissive path route. The proposed fenced barrier would also visually jar with the 'rural lane' character officers are attempting to achieve for the permissive path.

155. The oppressive urban nature of the fencing might actually hinder the aims of the SPA avoidance/mitigation strategy if village residents are put off from using the new spaces and the footpath route as a consequence. Accordingly, the applicants have been advised to re-consider the style, form and materials of fencing proposed for the eastern site boundary. An acceptable solution needs to be found and the application amended before the Council carries out its 'Appropriate Assessment' of the proposals and thus before it grants planning permission for the proposals. The recommendation at the end of this report accommodates this requirement.

Protected species.

156. The planning application was accompanied by an Ecological Appraisal (dated September 2020). This reached the following conclusions;
- The available information confirms that no statutory or non-statutory nature conservation designations are present within or adjacent to the site, and none of the designations within the surrounding area are likely to be adversely affected by the proposals (European level designations are considered in a separate document).
 - The Phase 1 habitat survey has established that the site is dominated by habitats not considered to be of ecological importance, whilst the proposals have sought to retain those features identified to be of value. Where it has not been practicable to avoid loss of habitats, new green space and compensatory planting is proposed.
 - The habitats within and adjacent to the site have the potential to support several protected species, including species protected under both national and European legislation. Accordingly, a number of mitigation measures have been proposed to minimise the risk of harm to protected species, with compensatory measures proposed, where appropriate, in order to maintain the conservation status of local populations.
 - In conclusion, the proposals have sought to minimise impacts and subject to the implementation of appropriate avoidance, mitigation and compensation measures, it is considered unlikely that the proposals will result in significant harm to biodiversity. On the contrary, the opportunity exists to provide a number of biodiversity benefits as part of the proposals, most notably by implementing enhancements to Park Wood and bringing it into active management, and by delivering a number of faunal enhancements targeted to Priority Species.
157. The implementation of the recommendations set out in both Phase 1 and Phase 2 Ecological Assessments could be secured by a suitable method statement required by planning condition.
158. Officers are satisfied that the development proposals would not adversely affect important sites of ecological interest in the area and would not harm populations or habitats of species which are of acknowledged importance (protected or unprotected).

159. The Council's Landscape and Ecology officer and the Suffolk Wildlife Trust have both expressed some concerns that the future statutory target of 10% measurable ecological enhancement of the site (measured against existing baseline conditions) would not be met by the development proposals. Whilst that is true and the applicant acknowledges the 10% future target provision is not accommodated in the scheme, it is important to note that the 10% target for ecological enhancements is not presently a national or local planning policy requirement. The scheme does provide ecology enhancements and as such does accord with the Development Plan provision which requires "enhancement for biodiversity should be included in all proposals, commensurate with the scale of the development" (policy DM12). The NPPF simply presently requires "net gains for biodiversity" (paragraph 174) and does not specifically require the 10% enhancement.
160. There is presently no evidence to dispute the applicants view that the proposed development is likely to result in net ecological gains at the site. The delivery of the mitigation and enhancement measures at the site could be secured via appropriately worded planning conditions.

Impact upon built heritage

161. The Framework recognises that heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance. When considering the impact of proposed development upon the significance of a designated heritage asset, great weight should be given to the asset's conservation. The term 'heritage asset' used in the Framework is defined as a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets (A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation) and assets identified by the local planning authority (including local listing).
162. The Framework advises that LPA's should require an applicant to describe the significance of any heritage assets affected, the level of detail being proportionate to the importance of the asset and sufficient to understand the potential impact upon their significance.
163. Core Strategy Spatial Objective C4 aims to protect and enhance the Historic Environment. This objective is implemented via Policy CS3.
164. Policy DM17 of the Joint Development Management Policies Document sets out detailed criteria against which proposals within, adjacent to or visible from a Conservation Area will be considered. Policy DM20 sets out criteria for development affecting Scheduled Ancient Monuments and/or archaeological sites (including below ground sites).
165. The development proposals would not impact upon any listed buildings, (including their settings) and would not impact upon any Conservation Area (there is no Conservation Area designation at Red Lodge).
166. The application site contains no designated heritage assets and would not

affect the setting of any designated heritage assets.

167. An archaeological evaluation report was submitted during the consideration of the planning application. This consisted of sample trial trench evaluation. The archaeological unit at Suffolk County Council were consulted and confirmed that no planning conditions would be required for archaeology given the findings of the applicants document.
168. The development proposals would have no impacts upon heritage assets.

Impact upon local infrastructure (utilities)

169. The 'economic' dimension of the definition of sustainable development set out in the Framework confirms the planning system should (inter alia) identify and co-ordinate the provision of infrastructure.
170. Core Strategy Policy CS13 sets out infrastructure requirements and developer contributions. The policy opens with the following statement:

"The release of land for development will be dependent on there being sufficient capacity in the existing local infrastructure to meet the additional requirements arising from new development".
171. The policy lists the main areas as health and social care facilities, educational requirements, strategic transport improvements, wastewater treatment capacity, energy supply (electricity), access and safety, open space, sport and recreation. The policy confirms arrangements for the provision or improvement of infrastructure will be secured by planning obligation or (where appropriate) conditions attached to planning permission to ensure infrastructure is provided at the appropriate time.
172. The policy concludes that all development will be accompanied by appropriate infrastructure to meet site specific requirements and create sustainable communities.
173. Matters pertaining to highway, education, health and open space infrastructure are addressed later in the report. This particular section assesses the impact of the proposals upon utilities infrastructure (wastewater treatment, water supply and energy supply).

Wastewater treatment infrastructure

174. Details submitted with the planning application confirms the proposed development would connect to existing foul water systems in the village. The village is served by Lakenheath Wastewater Treatment Works.
175. The Infrastructure Delivery Plan (IDP) which identifies infrastructure needs to support the Single-Issue Review and Site Allocations Local Plan documents confirms there are no specific infrastructure requirements for the former Forest Heath area in terms of ... drainage. It also notes in particular that sewerage capacity is sufficient to accommodate proposed development at Red Lodge.
176. The available evidence confirms the proposed development is acceptable with regard to waste water infrastructure. Indeed this conclusion has been

corroborated by Anglian Water Services, the statutory sewerage undertaker which has not objected to the application and has not requested the imposition of any conditions relating to the treatment of wastewater arising from the development.

Water supply

177. The IDP identifies there are no water provision infrastructure requirements to support new development in the former Forest Heath area. Anglian Water Services has not identified water supply as a constraint on this development as part of their comments about the planning application.

Energy supply

178. The IDP does not identify any issues with capacity in the energy supply network and, as such, this is not a constraint on the development.

Flood risk, drainage and pollution

179. Policies for flood risk set out in the Framework aim to steer new development to areas with the lowest probability of flooding. The Framework policies also seek to ensure that new development does not increase the risk of flooding elsewhere and where appropriate, applications should be supported by a site-specific flood risk assessment. The Framework also advises that major developments should incorporate sustainable drainage systems unless there is clear evidence this would be inappropriate.
180. The Framework states that planning decisions should contribute to and enhance the natural and local environment by (inter alia) preventing new and existing development from or being adversely affected by (inter alia) pollution. It should also remediate contaminated (and other spoiled) land, where appropriate. It also confirms that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.
181. Core Strategy Policy CS4 states the Council will support development proposals that avoid areas of current and future flood risk and which do not increase the risk of flooding elsewhere. The policy confirms sites for new development will be allocated in locations with the lowest risk of flooding (Environment Agency Zone 1 flood category) and will seek the implementation of Sustainable Urban Drainage Systems (SUDS) into all new development proposals, where technically feasible.
182. Policy DM6 of the Joint Development Management Policies Document requires the submission of flood information, including SUDS drainage where possible, to accompany planning applications for development. Policy DM14 seeks to protect proposed development from existing 'pollution' sources and existing development from proposed 'pollution' sources. This includes noise, light and air pollution. The policy also requests the submission of information and sets out requirements for remediation for development proposals of potentially contaminated land.
183. The application site is in Flood Zone 1 (low risk of flooding).
184. The 'Flood Risk Assessment and Drainage Design Statement' submitted with

the planning application confirms the site is at little or no risk from flooding (e.g. from rivers or surface water sources). There is no reason to dispute this.

185. The document confirms that surface water runoff from the carriageways, footpaths and cycleway is proposed to discharge to a new filter trench system whilst private roofs and hardstandings (where these are not porous) are to drain to locally located and suitably designed shared soakaways in rear gardens.
186. Part of the application site had previously been used to accommodate an infiltration pond constructed as part of the adjacent 'Kings Warren' development. It was agreed in 2013 that the pond and connecting ditches could be disconnected and filled as these had never received any surface water due to the excessive safety factors used in the design of the Kings Warren soakaway system.
187. The new surface water drainage systems serving the proposed development would be maintained privately (i.e. most likely via a Management Company) and the foul drainage within public areas handed to Anglian Water for adoption.
188. The planning application is accompanied by a Phase I desk study Ground Contamination Report. This study did not find evidence of contaminated soils at the site. The report did note, however that a limited risk of ground gases was identified for the backfilled balancing pond area and gardens that coincide with this area may require validation (of risks) at completion. The report recommends a formal remediation strategy and verification plan should be agreed with the regulatory authorities.
189. The Council's Environmental Health team has requested the imposition of a condition requiring the submission of a remediation strategy to include the area around the substation gas protection measures (including agreeing the scope of investigation for gas protection).
190. The application proposals, in isolation, would not give rise to any concerns about potential impacts arising upon air quality at the site or wider village/transport routes. A planning condition requiring the provision of capability for vehicle charge equipment for electric vehicles to be easily fitted at each dwelling could reasonably be imposed.
191. The Environment Agency, Anglian Water Services Council's Environmental Officer and the Flood Water Management Team at Suffolk County Council have not objected to or raised concerns about the application proposals. Reasonable conditions to secure appropriate mitigation are recommended for imposition upon any potential planning permission.
192. The proposals are considered acceptable with regard to flood risk, surface water drainage and pollution (contaminated land and potential contamination of water supply and air quality) considerations.

Design and Layout

193. The Framework states the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve.

Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

194. It also advises that planning decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
195. The Framework goes on to reinforce these statements by confirming that development that is not well designed should be refused.
196. Core Strategy Spatial Objective H2 aims to provide a sufficient and appropriate mix of housing that is ... designed to a high standard. Design aspirations are also included in Spatial Objectives ENV4 (high standard of design) and ENV5 (community safety and crime reduction through design). The Objectives are supported by policies CS5 and CS13 which require high quality designs which reinforce local distinctiveness and take account of the need for stronger and safer communities. Policy CS5 confirms design that does not demonstrate it has had regard to local context and fails to enhance character will not be acceptable.
197. Policy DM2 of the Joint Development Management Policies Document sets out general design criteria to be applied to all forms of development proposals. DM7 does the same but is specific to proposals for residential development.

Design and Access Statement.

198. The planning application was accompanied by a Design and Access Statement. The design and access statement explains the design rationale and strategies which have informed the proposals and is available on the website.

Relationship to context.

199. Red Lodge is not a typical Suffolk village, as it does not have a recognisable historic or central core, having developed along the A11 after the Second World War. Until the 1995 Local Plan, the village was dominated by the A11, associated transportation businesses and a large low density mid-20th Century housing estate.
200. The allocation of land for new development by the 1995 Local Plan and associated Red Lodge Masterplan has seen the village rapidly expand in last couple of decades, predominantly to the east of Turnpike Road but also various land parcels to the west of the village. The largest expansion has been the 'Kings Warren' housing development which has delivered circa 1250 dwellings, a new village centre, a primary school, sports pavilion and large areas of public open space and formal sports areas. That development was delivered by the current applicants and other developer partners.
201. The application site effectively 'bolts-on' to the 'Kings Warren' development and continues the development that has largely been completed to the south (beyond the large area of public open space) and proposes to develop land allocated for housing in the Site Allocations Local Plan. The proposal's organic, informal layout, mixture of standard house types, and materials is considered to reflect the character of the existing housing in the 'Kings Warren' development.

Connectivity.

202. Owing to the 'backland' location of the site away from the main village roads there are limited opportunities for road connections to be made back into the village footpath and its main highway network. There is one main vehicular access route into the site taken from Thistle Way. The layout of the main spine road for the scheme provides an opportunity to make a vehicular connection into the Red Lodge North mixed use land allocation in future.
203. There are various pedestrian/cycle only connection points to the north and south of the site where existing footpath and public open space infrastructure exists. The layout includes a permissive path along the entire eastern boundary connecting from the path to be provided beyond the southern boundary to an existing path to the north-western corner (which presently provides good pedestrian/cycle access the new primary school site).
204. There are two further connections proposed through the western boundary. One of these is the vehicular access and the other a pedestrian/cycle access into Russet Drive a short distance to the north of the vehicular access. There is potential opportunity to make a further pedestrian connection onto Russet Drive from the development further north, an opportunity identified by the Council's Landscape and Ecology Officer, but the applicant has asked the Council to proceed to determine the planning application without that particular connection. The applicant is concerned that accommodating this additional potential connection would necessitate significant amendments to the design and layout of the north part site which would have implications for the public open space in this area (by disaggregating it into smaller parcels).

205. Whilst the applicant has not demonstrated a solution to include the connection at his point of the site for consideration, it is clear from the proposed layout drawings that significant changes would be required and the public open spaces re-sited and re-designed in order to accommodate the link.
206. Whilst a further connection at this point of the site would have been a benefit given it would have provided a more direct route to the existing (off site) play park in Russett Drive for centrally located residents, it would most likely have come at the cost of disaggregated public open space provision. Given there would be a link provided at another point a short distance to the south of this potential further connection point, it is not considered so significant as to warrant a reason to refuse planning permission. Notwithstanding this, it does count as a negative consideration against the proposals.

Design implications of car parking

207. It is important to ensure car parking provision is well designed and adequate such that it would not lead to on-street parking on the new and existing estate roads in unsuitable locations. The vast majority of the dwellings proposed have parking contained within curtilage (garaged or hardstanding/car ports). Communal parking courts are not required, which is a positive for the design quality (visual in particular) of the development layout.
208. In the main, car parking is provided to the side of dwellings with garages, car ports or hard standings provided. There are some areas where car parking is provided forward of buildings (plots 11-16 and 17-28 in particular, but also some other individual plots) with the consequence that vehicles will be prominent in views along some areas of some streets. However, there are relatively few examples of this parking solution in the overall layout of the scheme.
209. There are unlikely to be general parking problems arising from the proposed design and layout of the scheme.

Efficiency of layout

210. The site is clearly pressured, in terms of the quantity and mix of housing it is expected to accommodate, and as a consequence it needs to be laid out efficiently in order to achieve an acceptable outcome.
211. The use of single-sided access roads serving plots has been minimised in the scheme and this has been achieved without 'hardening the edges of the site or the housing turning its back on the countryside.
212. Some inefficiencies of layout are an inevitable result of the absence of a main highway frontage at the site and the consequential fixed points of access which, to an extent, constrain the layout. Other inefficiencies flow from the demands of the local authorities, such as the requirement to provide secondary access for emergency vehicles and for the provision of public open space and the need to provide it with natural surveillance and enclosure. Consequences flow, in terms of place-making, from the efficiency with which the site is used. These are considered in the following

paragraphs.

Placemaking

213. It is perfectly reasonable to use standard house types in new development but essential to configure them to contribute to quality of place. The quality of the urban design of the scheme has been established by the configuration of standard house types which provide a sense of quality of space.
214. It is possible to discern, from the proposed site layout, that there would be a creation of a sense of place; for example the use of an 'open' perimeter block strategy for the layout which conceals rear gardens from key public movement routes through the development and a sense of enclosure to the main street, but with enough space retained to allow for some planting and a sense of spaciousness.
215. The provision of on-curtilage parking for the vast majority of the plots (with most of these being to the side/off-set from dwellings) and the close knit spacing of the built form to create enclosed streets but punctured with street trees and small green spaces (wide verges and front gardens) provides the layout with a sense of quality and fore-thought. There are some examples which would be less successful in place-making terms including parking being provided in front of buildings to some of the plots as already discussed, but such examples are not commonplace and are not significant when assessing at the design of the scheme as a whole with high quality street formation and the visually pleasing spaces that would be created.
216. The proposed treatment of the eastern boundary with metal mesh fencing is discussed elsewhere in this report and as the applicant is presently considering an alternative solution this concern is anticipated to be resolved in due course. The fencing is therefore not raised as a significant matter in this design based discussion. The recommendation at the end of the report makes provisions for an acceptable solution to the fencing to be agreed prior to any planning permission being issued.
217. Assessment of any proposal on design matters is a matter of judgement and balance; criticism is normally comprised of 'missed opportunities' and matters which could be improved upon rather than significant concern which actually causes harm. The future residents of the proposed scheme (Phase A) would experience a high-quality living environment with well-designed homes, pleasant streets and open spaces, off-street parking, and large areas of public open space and secluded private gardens.

External materials

218. The proposed materials (ref paragraph 3 above) would be contiguous with those used on existing and progressing adjacent housing developments using similar colours and textures. The materials palette is considered acceptable.

Cycle and bin storage provision

219. Occupiers of the private and affordable dwellings would be able to utilise their own space to provide for bin and cycle storage. All have access to private rear amenity spaces such that bins and cycle stores could be stored

away from the public realm. This has been demonstrated on a refuse strategy plan and separate parking plan, Delivery of these facilities could be secured by an appropriately worded planning condition.

Conclusions on design matters

- 220. The relatively hard, urban character of the housing area would be adequately balanced by the open spaces, landscaped internal spaces and existing mature planting adjacent to the eastern and northern boundaries.
- 221. Some elements which would contribute to the character of the development are as yet not fully specified or would require to be secured by conditions (e.g. public lighting). However, there is no indication that any of these matters would not result in a satisfactory outcome if left to be resolved via planning conditions.
- 222. The layout takes a consistent approach to the question of frontages which leads to efficient use of land and creation of attractive streets and spaces with sufficient space for some planting. Efforts at place making is evident and a strong sense of character would be created by the development, with only occasional examples of less successful place making.
- 223. After considering the elements which would contribute to the character of the development (and assuming that the poor boundary fencing to the eastern boundary is replaced with an appropriate feature, as discussed), it is concluded that the scheme would deliver a high quality, well connected and liveable housing development. The proposal is considered to comply with the NPPF and relevant design policies in the Development Plan.

Impact upon residential amenity

- 224. The Framework states that planning decisions should ensure that a site is suitable for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.
- 225. It also advises that, in doing so, planning decisions should (inter alia) avoid noise giving rise to significant adverse impacts on health and the quality of life. In the context of achieving well designed places, the Framework confirms that planning decisions should create places with a high standard of amenity for existing and future users.
- 226. Vision 1 of the Core Strategy seeks to provide 'a higher quality of life' for residents. Policy DM2 of the Joint Development Management Policies Document seeks to safeguard (inter alia) residential amenity from potentially adverse effects of new development and not site sensitive development where its users would be significantly and adversely affected by (inter alia) noise, unless adequate and appropriate mitigation can be implemented.
- 227. The original planning application was accompanied by a noise assessment. The Assessment considers impact of identified noise sources upon the proposed dwellings. The workshop building to the east of the application site, used to repair vintage racing vehicles, was identified as a potential

source of noise disturbance to the new residents.

228. Relevant noise surveys were undertaken with the results presented in the report. The report concluded that typical operations at the workshop and external sources (boiler flue and pneumatic air compressor) would result in a low impact at the location of the proposed development site. The report therefore confirmed that no special noise mitigation measures (i.e. above the standard Building Regulations requirements) were required and the amenity of future residents will be sufficiently protected.
229. Comments were received from the Council's Public Health and Housing Team including confirmation that the submitted Noise Assessment is adequate for the purposes of considering and assessing potential effects from noise impacts.

Impact of the proposed development upon existing residents.

230. The amenities of occupiers of dwellings abutting the application site to the west would not be adversely affected by the proposed development given the adequate separation distances that would generally remain between existing and proposed dwellings. Where existing dwellings are positioned adjacent to the western site boundaries, the new dwellings proposed adjacent to these have been carefully positioned so they do not lead to overlooking or over-shadowing of the existing dwellings. Accordingly, there would be no significant issues with overlooking, dominance or overshadowing of existing dwellings and their garden areas when the proposed housing scheme is built out.
231. There is potential for existing residents to be impacted adversely during the construction phase/s of development. Best endeavours can be taken to eradicate or minimise these potential conflicts via a Construction Management Plan (or method statement). It is recommended that such a plan is required to be submitted for consideration and approval prior to commencement of development. This could be secured via a suitably worded planning condition.

Loss of agricultural land

232. The Framework states that planning decisions should contribute to and enhance the natural environment by (inter alia) recognising the economic and other benefits of the best and most versatile land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.
233. The application site is Grade 4 agricultural land (poor quality - land with severe limitations which significantly restrict the range of crops and/or level of yields). The loss of grade 4 agricultural land is not considered significant, particularly so when considered in the light of the allocation of the land within the adopted Development Plan for mixed use development.

Sustainable construction and operation

234. Section 19 (1A) of the Planning and Compulsory Purchase Act 2004 requires

local planning authorities to include in their Local Plans “policies designed to secure that the development and use of land in the local planning authority’s area contribute to the mitigation of, and adaptation to, climate change”.

235. The Framework confirms 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, minimise vulnerability and improve resilience.

236. The document expands on this role with the following policy:

In determining planning applications, local planning authorities should expect new development to:

- *comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*
- *take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.*

237. The importance the Government places on addressing climate change is reflected in the Core Strategy Visions (Vision 1) and Spatial Objectives (ENV2 and ENV3). Core Strategy Policies CS4 and CS5 set out requirements for sustainable construction methods.

238. Policy DM7 of the Joint Development Management Policies Document reflects the up-to-date national planning policy on sustainable construction and places lesser requirements upon developers than Core Strategy Policy CS4. Policy DM7 requires adherence to the broad principles of sustainable design and construction (design, layout, orientation, materials, insulation and construction techniques), but in particular (for residential schemes) 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).

239. The documentation submitted in support of this planning application includes an energy statement. This document was submitted in May 2022 following a step change in the applicants chosen method of energy supply to the development. Whilst the initial strategy was to supply the development with natural gas stored in tanks beneath the highway infrastructure, this has been changed recently to more sustainable (and longer term affordable) supply methods. The energy statement also updates the planning application material to reflect imminent changes to the Building Regulations that have been recently announced.

240. The new energy strategy is to utilise electricity supply to all dwellings supported by the use of air source heat pumps representing the best opportunities for a significant carbon reduction. The applicants will also consider use of solar PV if further carbon emissions are required by future national standards.

241. The energy strategy document confirms the applicants intentions to comply with the policy DM7 requirements to reduce water use in new development

(110 litres use per person). These standards are an optional requirement of the Building Regulations that are triggered if they are also a requirement of a planning condition. It is no co-incidence that policy DM7 of the Joint Development Management Policies Document requires more stringent water use efficiency requirements to match those optional reductions applied via the Building Regulations.

242. The evidence and justification for the application of tougher water use measures forms part of the evidence base of the Development Plan and, with respect to the requirements of Policy DM7, is consistent with the policies of the NPPF. Accordingly, (and to ensure the applicants intended water reduction measures are implemented via the Building Regulations) it is appropriate to impose a planning condition requiring the more stringent Building Control (and Policy DM7) water use measures to be incorporated into the construction and fitting out of this development.

243. The energy strategy document has been reviewed by the Council's specialist Environmental Management Officer whom has confirmed she is:

"satisfied that the proposal shows compliance with policy DM7 and the Building Regulations Part L 2013. We are pleased to see that consideration has been given to the 2021 Building Regulation standards and that thermal bridging, air permeability and fabric specifications (except for sloping roofs) will comply with the 2021 standards. The target emission rate will also be complied with through the use of the fabric specifications and providing all heating requirements through air source heat pumps resulting in 50% reductions (on average) upon the 2021 regulations".

244. A planning condition is recommended.

Planning Obligations

245. The Framework states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. It repeats the tests of lawfulness for planning obligations which are derived from Regulation 122 of The Community Infrastructure Levy Regulations 2010. These are set out at paragraphs 89 & 90 above. The Framework (and the National Planning Policy Guidance) also advises with respect to the approach to be taken in relation to development viability.

246. Core Strategy Spatial Objective ENV7 seeks to achieve more sustainable communities by ensuring facilities, services and infrastructure are commensurate with development. Core Strategy Policy CS13 sets out requirements for securing infrastructure and developer contributions from new developments.

247. A formal Agreement under S106 of the 1990 Act is in the process of being developed by the relevant parties. The planning obligations proposed to be secured from the development, which includes a 'policy compliant' package of affordable housing provision, are 'viable' insofar as these would not deem the development 'undeliverable' in financial terms. Accordingly a full level of affordable housing provision would be secured.

248. The following developer contributions are proposed to be secured in the

Affordable Housing

249. The Framework states the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing). Where a need for affordable housing is identified, the Framework advises that planning policies should specify the type of affordable housing required and expect it to be met on-site unless off-site provision or a financial contribution in lieu can be robustly justified.
250. Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. There are some exceptions to this blanket policy, but none that relate to the application proposals.
251. Core Strategy Spatial Objective H2 seeks to provide a sufficient and appropriate mix of housing that is affordable, accessible and designed to a high standard. Core Strategy policy CS9 requires 30% of the proposed dwellings to be 'affordable'. The policy is supported by Supplementary Planning Guidance which sets out the procedures for considering and securing affordable housing provision (including mix, tenure, viability and S106).
252. Core Strategy Policy CS9 requires 42.3 of the 1411 dwellings (net) to be secured as 'affordable' with a mix of affordable rent and shared ownership, incorporating 'affordable home ownership'. The 0.3 of a unit is to be compensated by means of a commuted payment to be used towards delivery of affordable housing elsewhere.
253. The affordable housing mix has been agreed with the Council and meets national and local planning policy requirements. The affordable housing is shown on the approved plans and will be secured by the S106 Agreement. The affordable housing secured from this development is considered CIL Regulation 122 compliant.

Education

254. The Framework states that strategic planning policies should make sufficient provision for (inter alia) community facilities, such as education infrastructure. It also advises on the importance that a sufficient choice of school places is available to meet the needs of existing and new communities. It advises that Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education and should give great weight to the need to create expand or alter schools through decisions on applications.
255. Core Strategy Policy CS13 (b) considers educational requirements as a key infrastructure requirement. This is built upon, in a general sense, in Policy DM41 of the Joint Development Management Policies Document which

states (inter alia) the provision of community facilities and services will be permitted where they contribute to the quality of community life and sustainable communities. The policy confirms, where necessary to the acceptability of the development, the local planning authority will require developers of residential schemes to enhance existing community buildings, provide new facilities or provide land and financial contributions towards the costs of these developments, proportional to the impact of the proposed development in that area (through conditions and/or S106 Agreements).

256. The Local Education Authority (Suffolk County Council) has requested developer contributions to be used towards 'bricks and mortar' construction of i) the Pines Primary school at Red Lodge and ii) the new Mildenhall College Academy (which includes a sixth form). Both of these schools have already been constructed via forward funding. The Education Authority is seeking retrospective developer contributions towards these recently completed school buildings given these were designed (and costed) to accommodate future growth. This is a legitimate strategy which complies with the CIL regulations (Regulation 122). A forward funding strategy such as this is a way to provide infrastructure at the point of or ahead of the need for it.
257. The education authority has also confirmed a need for the development to provide a contribution to be used towards pre-school provision in the area to cater for the educational needs of pre-school children (aged 2-5) that are forecast to emerge from the development. Furthermore a contribution to be used towards the transport costs of pupils accessing the secondary school at Mildenhall has also been requested. All of these provisions have been agreed by the applicants and are in the process of being secured in the S106 Agreement. All of the requests are considered to conform to the legal tests included at CIL Regulation 122.

Public Open Space

258. The Framework confirms that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users (e.g. by adding links to existing rights of way networks).
259. Core Strategy Spatial Objective CS2 seeks to promote an improvement in the health of people in the District by maintaining and providing quality open spaces, play and sports facilities and better access to the countryside. Policy CS13 (g) considers provision of open space, sport and recreation as a key infrastructure requirement.
260. Policy SA8 of the adopted Site Allocations Local Plan confirms that open space must be provided on sites allocated for housing development to address individual site requirements and location.
261. Policy DM42 of the Joint Development Management Policies Document states proposals for the provision, enhancement and/or expansion of amenity, sport or recreation open space or facilities will be permitted subject to compliance with other policies in the Development Plan. It goes on to state where necessary to the acceptability of development, developers will be required to provide open space and other facilities or to provide land and

financial contributions towards the cost and maintenance of existing or new facilities, as appropriate (via conditions and/or S106 Agreements).

262. These Development Plan policies are expanded upon via the adopted Supplementary Planning Document for public open space, sport and recreation. This document sets out the requirements for on-site and off-site provision and maintenance. The document imposes a formula based approach to calculating developer contributions from development proposals, albeit this is sometimes superseded by a negotiated scheme if local evidence dictates. Given the need to mitigate recreational impacts to the nearby SPA designation, it is important that at least policy compliant levels of public open space are secured on site from the development. Policy compliant levels of public open space provision are illustrated on the layout drawings.
263. The 'strategic public open space' provision within the woodland area adjacent to the housing development is also proposed as part of the planning application (which is to be provided in addition to normal SPD public open space requirements). This will also be secured by means of S106 and/or planning condition. Planning conditions will require details of the timing of delivery of the strategic open spaces, works required and strategy for future management and maintenance.

Transportation

264. The Highway Authority has requested contributions i) to be used towards upgrading of existing bus stops in the vicinity of the site with real time passenger information facilities. These contributions, which officers consider meet the tests of CIL Regulation 122 are included in the completed S106 Agreement.
265. A contribution previously requested to be used towards provision of an additional bus service (as a trial) has been dropped given that it would be disproportionate for the development to fund the whole service and was thus deemed not relevant to the development proposals and out-of-proportion with the scale and likely impacts on bus service demand and capacity.

Libraries

266. Suffolk County Council has identified a need to provide library facilities for the occupiers of this development and has requested a capital contribution from the developer. The County Council has confirmed the monies would be used towards providing improvements to the existing library facility at Newmarket and 'pop-up' provision at Red Lodge. The applicant has agreed to fund the request and officers consider it meets with the requirements of Regulation 122 of the CIL Regulations.

Health

267. The NHS Property Services has confirmed there is insufficient capacity in the existing health infrastructure (i.e. GP surgeries) to cater for the additional demand for local services this development would generate. Accordingly, a health contribution has been requested to provide additional capacity in the vicinity of the site (i.e. to serve the population of the

development). Again the contribution, which officers conclude meets the tests at CIL Regulation 122, has been agreed by the applicant and is to be secured via the completed S106 Agreement.

Summary

268. With these provisions in place the effects of the proposal on local infrastructure, including affordable housing, open space, recreational facilities, education, health services, transportation and libraries would be acceptable. The proposal would comply with Core Strategy Policy CS13 by which the provision or payment is sought for services, facilities and other improvements directly related to development. The planning obligations secured in the S106 Agreement are considered to meet the CIL Regulation 122 tests set out at paragraphs 89 & 90 above.

Conclusions:

269. This report finds the application proposals are consistent with the dominant operative policies of the Development Plan for the area. This is principally owing to the allocation of the site for the proposed development in the adopted Site Allocations Development Plan document.
270. Following later amendment to include proposals for more sensitive treatment of the eastern boundary of the application site, the report also finds the proposals consistent with the environmental requirements of the site allocation. The proposals will, however, still need to 'pass' appropriate assessment when the scheme is ready for detailed assessment. Furthermore, having examined the proposals against other material planning considerations, none have been identified that would on their own, or in combination, lead to contemplation of a refusal of planning permission.
271. Officers' analysis, as set out in this report, triggers the 'presumption in favour of sustainable development' set out at paragraph 11 of the NPPF, on the assumption that Appropriate Assessment is favourable subsequently. In the event that circumstance arrives it means *"approving development proposals that accord with an up-to-date development plan without delay"*. Furthermore, the direction at Section 38(6) of the 2004 Planning Act that the proposed development *"must be made in accordance with the Development Plan unless material considerations indicate otherwise"* firmly points towards the granting of planning permission in this case.
272. Having carefully considered all of the issues raised by the planning application proposals, including the evidence and opinions submitted on behalf of the applicants, the contributions of key consultees, the views of the Parish Council and members of the public whom have participated, your officers' recommend that planning permission is granted, following prior completion of a S106 Agreement to secure necessary developer contributions and subject to a number of controlling and safeguarding conditions, including the 'pre-conditions' set out in the recommendation below.

Conclusion:

273. In conclusion (and subject to later compliance with the minor outstanding matters discussed in the report), the principle and detail of the proposed

development is considered acceptable and in accordance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

274. Following (to the satisfaction of the Director (Planning and Growth)):

- i) Receipt of drawings illustrating the main estate roads, footpaths and cycleways are designed to adoptable standards, and
- ii) Satisfactory amended proposals for the barrier treatment of the eastern boundary of the site,
- iii) A positive 'Appropriate Assessment' of the project to accord with the strict provisions of Regulation 63 of the Habitats Regulations, and
- iv) Completion of a Planning Obligation (or equivalent) under S106 of the Town and Country Planning Act to secure:
 - Affordable housing provision (30%)
 - Public Open Space provision and maintenance (unless forming separate planning conditions)
 - Developer contributions towards off-site play equipment provision
 - Contribution towards primary education (£647,764)
 - Contribution towards secondary (£573,367) and sixth form (£142,640) education
 - Developer funding to be used towards student travel to their place of secondary education (£138,575)
 - Developer contributions towards pre-school education (£266,604)
 - Developer contributions towards real time passenger information boards at bus stops serving the development (£30,000)
 - Developer contributions towards health care capacity in the vicinity of the site (£30,456)
 - Developer contributions towards off-site provision of childrens play equipment (£220,155)

The Director (Planning and Growth) be authorised to GRANT planning permission subject to conditions, including

- i. Standard commencement condition (development to commence within 3 years of the date of the planning permission).
- ii. Listing of the approved plans (as standard)
- iii. Materials (further precise details to be provided)
- iv. Sustainable construction and operation methods
- v. Water efficiency measures (requiring stricter optional standards of the Building Regulations)
- vi. Bin and cycle storage strategy (to be implemented as per the plans prior to the occupation of the dwelling to which it relates)
- vii. Hard and Soft Landscaping details (further details if required, implementation on site and management and maintenance thereafter)
- viii. Implementation of woodland management scheme

- ix. Retention and protection during construction of existing trees and hedgerows
 - x. Ecology (implementation of mitigation measures and enhancements at the site, including hedgehog routes and swift boxes)
 - xi. Construction management plan (to maintain environmental and amenity controls, including, contractors parking, provisions for loading and unloading, storage of plant and materials, wheel washing facilities, controls over dust emissions, construction and demolition waste recycling scheme, construction hours, construction lighting, surface water management during construction)
 - xii. Highway related conditions, including precise details of the proposed access, timing of surfacing of the access, precise details of estate roads and footpaths (including drainage), timing of provision of estate roads and footpaths, travel plan details, retention of areas for manoeuvring and parking of vehicles (including turning spaces).
 - xiii. Contamination & remediation (as per the submitted contamination report)
 - xiv. Means of enclosure details to individual plots (details to be submitted with relevant Reserved Matters submissions)
 - xv. Removal of permitted development rights to public areas and site boundaries (other than where house curtilages abut site boundaries)
 - xvi. Provision and position of fire hydrants to be agreed.
 - xvii. Details of the design of the 'SUDS' surface water drainage scheme (full details to be submitted prior to commencement of development).
 - xviii. Landscape and ecology management plan to be extended to include management of dog bins and all footpaths, including those within the woodland, and subsequent implementation of the plan.
 - xix. Details of management and maintenance of the public open spaces to be agreed.
 - xx. Provision of public access to the public open spaces (including footpaths) in perpetuity.
 - xxi. Implementation of the bin storage strategy and secure cycle storage
 - xxii. Visitor information/interpretation boards to the Woodland (details to be agreed and thereafter a scheme to be implemented)
 - xxiii. Ecology information pack for residents of the scheme (including SPA and on-plot hedgehog provision information).
 - xxiv. Infrastructure provision for Electric vehicle charge points (1 per dwelling with on-plot parking space)
 - xxv. Lighting design strategy for ecology – to species are not disturbed by street lighting.
 - xxvi. Details of measures to secure the boundaries of utilities plant.
275. If in the event that points (i), (ii) and/or (iv) of paragraph 274 above are not achieved to the satisfaction of the Director (Planning and Growth) within a reasonable time period, the planning application be returned to the Committee for further consideration and a new resolution.
276. In the event that the project achieves a negative appropriate assessment under the provisions of Regulation 63 of the Habitats Regulation (point (iii))

of paragraph 274 above) the Director (Planning and Growth) be authorised to refuse planning permission for the reasons specified and/or described in the Appropriate Assessment.

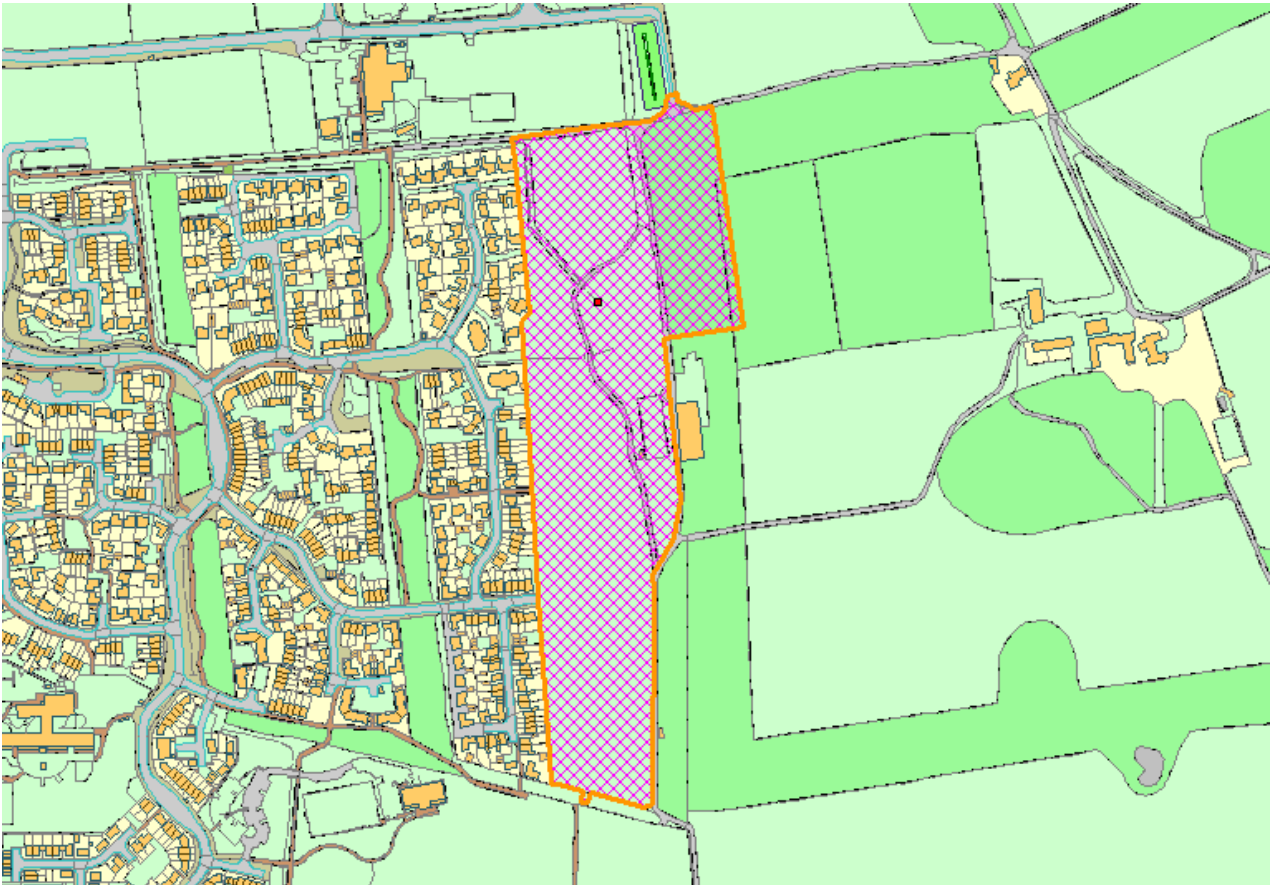
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/19/2347/FUL](#)

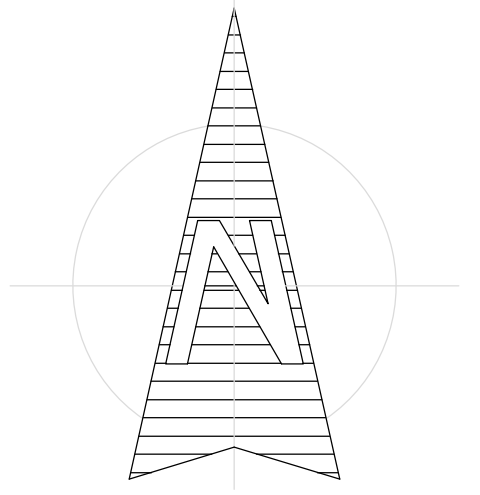
This page is intentionally left blank



DC/19/2347/FUL - Land East Of Russet Drive Bilberry Close And
Parsley Close, Manor Wood, Red Lodge



This page is intentionally left blank



Legend

Boundary Treatments

- 1.8m high Close board timber fence
- 1.8m Larch Lap timber fence
- 1.8m high x 2m length privacy timber fence panel
- 0.9m high post and wire
- 1.8m high closed board gate
- 600mm High Timber Knee Railing
- 600mm Timber Bollard

Surfaces

- Road:- Block paved, Brindle
- Road:- Block paved, Charcoal
- Road:- Asphalt
- Footpaths:- Asphalt
- Access path (level access)
- Permissive path

Park Wood

This page is intentionally left blank

Development Control Committee

6 July 2022

Planning Application DC/22/0364/FUL and Listed Building Consent DC/22/0365/LB – The Deanery, 3 The Great Churchyard, Bury St Edmunds

Date registered:	24 March 2022	Expiry date:	EOT 08 July 2022
Case officer:	Amey Yuill	Recommendation:	Grant Full Planning Application Refuse Listed Building Consent Application
Parish:	Bury St Edmunds Town Council	Ward:	Abbeygate
Proposal:	<p>Planning application - a. single storey extension to north wing; b. alterations to garage and addition of garden/woodshed; c. provision of bicycle storage (following removal of shed); d. external window and door alterations; e. electric charging points; f. provision of call point on south pedestrian gate; g. gratings over window areas; h. associated landscaping; i. relocation of amenity space for west wing; j. installation of flue liners and cowls</p> <p>Application for listed building consent - External alterations to include; a. single storey extension to north wing to include partial demolition of rear wall and window; b. external door and window alterations to include replacement and reinstatement of window and doors to rear elevation; c. provision of gratings to basement window areas; Internal alterations involving remodelling of internal layouts to include; demolition of staircase to main entrance hall to allow for large dining area; b. partial relocation of modified staircase from main entrance hall to new stairwell within existing laundry room; c. demolition of internal partition between existing bedroom one and two; d. provision of new attic staircase; e. upgrading of thermal elements to existing attic accommodation together with provision of shower room; f. upgrading of internal doors to half hour fire resistance; g. renewal of services to include electrics, heating and plumbing together with other modifications</p>		
Site:	The Deanery, 3 The Great Churchyard, Bury St Edmunds		

Applicant: The Very Reverend Joe Hawes

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 applications and associated matters.

CONTACT CASE OFFICER:

Amey Yuill

Email: amey.yuill@westsuffolk.gov.uk

Telephone: 01284 763233

Background:

These applications were considered at Delegation Panel on 17 May 2022 as the officer recommendation for refusal of the Listed Building Consent application is contrary to the Town Council's 'recommended approval' comment. It was agreed by the Delegation Panel that the matters should be referred to the Development Control Committee for determination.

A site visit is due to take place on Monday 4 July 2022.

Proposal:

1. This proposal has been submitted following in depth pre-application advice with both West Suffolk's Conservation Officer, The Victorian Society and Historic England.
2. Planning permission and listed building consent is sought for extensive work externally and internally.
3. Planning permission is sought for a flat roof single storey rear extension to the north wing measuring 2.74 metres in depth, 4.57 metres in width and 3.94 metres in height, alterations to the existing garage and the addition of a garden/woodshed, the provision of bicycle storage (following removal of an existing shed), external window and door alterations, installation of electric charging points, the provision of a call point on the south pedestrian gate, gratings over window areas, landscaping, the relocation of amenity space for the west wing and installation of flue liners and cowl.
4. Listed building consent is sought for a single storey rear extension to the north wing (as detailed above) to include partial demolition of rear wall and window, external door and window alterations to include the replacement and reinstatement of window and doors to rear elevation, the provision of gratings to basement window areas, remodelling of internal layouts to include the demolition of the existing staircase to the main entrance hall to allow for large dining area, the partial relocation of the modified staircase from main entrance hall to new stairwell within existing laundry room, demolition of an internal partition between the existing bedrooms one and two, the provision of a new attic staircase, upgrading of the thermal elements to the existing attic accommodation, together with provision of a shower room, upgrading of the internal doors to half hour fire resistance, renewal of the services to include electrics, heating and plumbing, together with other modifications.

Application supporting material:

5.
 - Application Form
 - Existing Floor Plans (Drawing No. C250.3.13 02D)
 - Existing Elevations (Drawing No. C250.3.13 03C)
 - Proposed Basement Floor (Drawing No. C250.3.13 04D)
 - Proposed Ground Floor (Drawing No. C250.3.13 06F)
 - Proposed First Floor (Drawing No. C250.3.13 10F)
 - Proposed Attic Floor (Drawing No. C250.3.13 13D)
 - Existing Entrance Hall Plan (Drawing No. C250.3.13 15)

- Existing Sections (Drawing No. C250.3.13 16)
- Staircase Details A and C (Drawing No. C250.3.13 17)
- Staircase Details C (Drawing No. C250.3.13 18)
- Existing Internal Elevations (Drawing No. C250.3.13 19A)
- Proposed Entrance Hall Floor (Drawing No. C250.3.13 20A)
- Proposed Internal Elevations (Drawing No. C250.3.13 21A)
- Proposed Staircase Floor (Drawing No. C250.3.13 22)
- Proposed Sections A-A (Drawing No. C250.3.13 23)
- Proposed Sections B-B and C-C (Drawing No. C250.3.13 24)
- Proposed Sections D-D and Handrail (Drawing No. C250.3.13 25A)
- Proposed Sections E-E (Drawing No. C250.3.13 26A)
- Proposed Section F-F (Drawing No. C250.3.13 27A)
- Proposed Sections G-G (Drawing No. C250.3.13 28A)
- North Wing - Existing Floor Plan and Section (Drawing No. C250.3.13 34)
- North Wing - Proposed Floor Plan and Section (Drawing No. C250.3.13 35A)
- Proposed Elevations (Drawing No. C250.3.13 36B)
- Stairs – Existing and Proposed Attic Plan (Drawing No. C250.3.13 37A)
- Attic – Existing Stair Sections (Drawing No. C250.3.13 38)
- Window Details - Sections (Drawing No. C250.3.13 68)
- Stair – Proposed Section (Drawing No. C250.3.13 39A)
- Location Plan (Drawing No. C250.3.13 42B)
- Bathroom Detail – First Floor Plan (Drawing No. C250.3.13 44A)
- Attic Floor Plan (Drawing No. C250.3.13 45A)
- En-suite Floor Plan (Drawing No. C250.3.13 46A)
- Kitchen – Proposed Elevation and Floor Plan (Drawing No. C250.3.13 47)
- Existing Elevation and Floor Plan (Drawing No. C250.3.13 48)
- Proposed Basement Floor Plan (Drawing No. C250.3.13 50)
- Proposed Ground Floor Plan (Drawing No. C250.3.13 51)
- Proposed First Floor Plan (Drawing No. C250.3.13 52)
- Proposed Attic Floor Plan (Drawing No. C250.3.13 53)
- Garage – Existing Elevations and Floor Plan (Drawing No. C250.3.13 54)
- Garage – Proposed Elevations and Floor Plan (Drawing No. C250.3.13 55)
- Existing and Proposed Door Details DG2 (Drawing No. C250.3.13 56)
- Door and Window Details (Drawing No. C250.3.13 57)
- Window Details (Drawing No. C250.3.13 58)
- Window Details (Drawing No. C250.3.13 59)
- Window Details (Drawing No. C250.3.13 60)
- Window Details (Drawing No. C250.3.13 61)
- Ground Floor Plan (Drawing No. C250.3.13 62)
- Partition Details (Drawing No. C250.3.13 64)
- Cycle Plans (Drawing No. C250.3.13 65)
- Attic Sections (Drawing No. C250.3.13 66)
- Door Details (Drawing No. C250.3.13 67)
- Grating – Window Details (Drawing No. C250.3.13 69)
- Guttering Details (Drawing No. C250.3.13 70)
- Existing and Proposed North Terrace (Drawing No. C250.3.13 71)
- Existing Block Plan (Drawing No. C250.3.13 01E)
- Proposed Block Plan (Drawing No. C250.3.13 14G)
- Services Plan (Drawing No. C250.3.13 49B)
- Site Location Plan (Drawing No. C250.3.13 49B)

- Existing Block Plan (Drawing No. C250.3.13 01F)
- Staircase Details A and C (Drawing No. C250.3.13 14D)
- Section F-F (Drawing No. C250.3.13 14D)
- Section F-F (Drawing No. C250.3.13 27A)
- Services Plan (Drawing No. C250.3.13 49B)
- Window Details WG, WG 14 WF2-4 (Drawing No. C250.3.13 68)
- Heritage Statement
- Heritage, Design and Access Statement
- Schedule of Works
- Specification of Repairs

Site details:

6. The Deanery and attached Clopton Cottage is a Grade I Listed building, located to the northern side of The Great Churchyard. The land on which the building sits is scheduled (Scheduled Monument - Bury St Edmund's Abbey including the monks' cemetery and outer precinct and vineyard walls) and is located within The Abbey Gardens and Precincts - a grade II listed Historic Park and Garden. It is also located within the Bury St Edmunds Town Centre Conservation Area, which is restricted by an Article 4 Direction, as well as the Housing Settlement Boundary of Bury St Edmunds.
7. Originally built c1744 as Almshouses known at the time as The Clopton Asylum, the building is constructed of red brick with stone dressings and quoins. It has a tiled roof with a parapet and stone cornice.
8. In 1898 the building was sold to the Church to serve as a Vicarage. It is thought Clopton's Cottage to the east was separated off from the vicarage to provide a separate dwelling around the same time. In 2018 permission was granted/approved (DC/18/1387/FUL and DC/18/1388/LB) to subdivide the Deanery (former vicarage) into two separate residential units, with the intention of The Deanery remaining within the central unit flanked by Clopton's Cottage to the east and West Wing to the west. To the front of the site is a footpath up to the front door, to the side is a gravel driveway behind a gate and to the rear is a garden which overlooks the Abbey Gardens.

Planning history:

Reference	Proposal	Status	Decision date
DC/18/1387/FUL	Planning Application - Subdivision of the dwelling to create 2no. dwellings	Application Granted	4 October 2018
DC/18/1388/LB	Application for Listed Building Consent - (i) subdivision of dwelling to create 2no. dwellings; (ii) internal alterations to create the division at ground, first and attic floor levels; (iii) removal of an existing cloakroom and provision of a new	Application Granted	4 October 2018

	cloakroom for the new west wing; (iv) installation of shower room for the Deanery; (v) extension and alteration of gas, electricity, water and waste drainage systems within the building; (vi) new gas balanced flue on the north wall; (vii) 2no. extract vent exhausts; (viii) 1no. extract vent exhaust under eaves and (ix) new gate in existing fence within the site		
DC/18/2566/LB	Application for Listed Building Consent - (i) to install an airing cupboard adjacent to the existing bathroom; (ii) to install extract fan in existing bathroom; (iii) external repairs including pointing and brick renewals on the west elevation	Application Granted	5 February 2019
DC/19/1224/LB	Application for Listed Building Consent - (i) Creation of en-suite shower room in the south bedroom of the Deanery west wing (ii) installation of 2no. extract vents in roof tiling behind the south parapet	Application Granted	12 August 2019

Consultations:

9. **Suffolk County Council Highway Authority** – No objections raised subject to conditions regarding cycle parking, vehicle parking and manoeuvring, and bin storage and presentation areas.
10. **Suffolk County Council Fire and Rescue** – No objections raised but advice provided.
11. **Suffolk County Council Archaeological Service** – Deferred to advice provided by statutory advisers, however, advised if permission is to be granted, would assist in wording a satisfactory archaeology condition.
12. **The Victorian Society** – Object to the removal of the imperial staircase, stating that the staircase contributes positively to the significance of the building, and it is mentioned specifically in the listing entry. It is one of the clearest indicators of the change of use from almshouse to high-status residence, and by its impressive design and quality communicates the status of the Church of England clergy in the early part of the 20th century. Therefore, its removal would cause harm to the significance of

the building and especially the understanding of its adaptation from use as an almshouse. This harm would not be mitigated by its partial reuse within the building, the staircase would be removed from its original setting and its character as piece of architecture designed to impress would be lost.

13. **Historic England** – Raised concerns regarding the proposal, stating that the application would result in a high level of less than substantial harm to the character and significance of this grade I listed building and therefore recommended that the local planning authority should weigh up the planning balance as described by paragraph 202 of the NPPF. It was considered by Historic England that the removal of the central staircase would result in harm to the understanding and appreciation of the later part of this building's history which has become a large part of its significance. The vicarage stage of the development of this building is remarkably intact and the removal of the staircase would result in further changes to this plan form that would be harmful to the significance of the building. They therefore considered that the requirements of paragraphs 199 and 200 of the NPPF have not been met.
14. **Conservation Officer** – Object to the listed building consent proposal and recommend refusal, stating that the proposed development has been the subject of lengthy pre- application discussions and site meetings when both Historic England and Conservation set out their concerns regarding a number of the proposed works and these concerns have not been resolved.
15. The impact of the removal of the staircase on significance not only relates to the loss of historic fabric, but fabric which relates to a key phase in the building's history, the design and detail of which was clearly intended to make a statement upon entry and is attributed to a known architect whose work has been acknowledged on at least one occasion with listed status.
16. The proposed works, specifically the demolition, remodelling and relocation of the grand staircase and the substantial removal of the internal partition between bedrooms 1 and 2 would not only prove detrimental to architectural and historic features but would fail to have regard to the historic internal layout which contributes towards significance. Consequently, the proposed development would fail to accord with policy DM15 causing harm to significance.
17. Whilst it is appreciated the space resulting from the removal of the staircase may be an ideal space for the bishops to gather and entertain in West Suffolk, the public benefits resulting from this, if any, would be limited and would not outweigh the harm caused by the proposed works. In addition, whilst it is also appreciated there may be a keenness by others for the opportunity to utilise the space as a smaller meeting venue this does not demonstrate that existing smaller meeting venues within the town are oversubscribed supporting the need for further smaller venues or a justification for the harm.
18. No issues are raised, however, with the proposed works within the planning application which include works to the garage, bike and bin store, the subdivision of the curtilage, provision of electric charge point. This conclusion is subject to conditions regarding compliance with plans, the

provision of brick material samples and drawn details for all new or replacement gates.

Representations:

19. **Town Council** – The Bury St Edmunds Town Council recommended the application be approved, subject to conditions proposed by Suffolk County Council.

Ward Member – No comments received

20. **Neighbour Representation** – Ten representations were received from residential properties, as well as local businesses during the course of the application's consultation period who support the application, a list of which can be seen below:

Gatehouse Caring in East Anglia
The Bishops House
Abbey Garden Friends
Cleves Cottage 24 Hengrave Road
St Edmundsbury Cathedral Fabric Advisory Committee
Beech Cottage
Bid For Bury
Our Bury St Edmunds
Churchgate Area Association
2 Woolhall Street

Many of the comments received specifically supported the removal of the staircase and stated that it would allow for a use of space for the local community.

Policy:

21. 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.
22. The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy 2010 & Bury Vision 2031 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 DM15 Listed Buildings

- Policy DM16 Local Heritage Assets and Buildings Protected by an Article 4 Direction
- Policy DM17 Conservation Areas
- Policy DM19 Development Affecting Parks and Gardens of Special Historic or Design Interest
- Policy DM20 Archaeology
- Policy DM24 Alterations or Extensions to Dwellings, including Self Contained Annexes and Development within the Curtilage
- Policy DM46 Parking Standards
- Core Strategy Policy CS3 Design and Local Distinctiveness
- Bury Vision Policy BV1 Presumption in Favour of Sustainable Development

Other planning policy:

23.National Planning Policy Framework (NPPF)

24.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:

Full Planning Application

25.The issues to be considered in the determination of the full planning application are:

- Principle of Development
- Impact on Character, Conservation Area and Article 4 Direction
- Impact on Listed Building
- Impact on Residential Amenity
- Other Matters

Principle of Development

26.Policy DM24 states that planning permission for alterations or extensions to existing dwellings, self-contained annexes and ancillary development within the curtilage of dwellings will be acceptable provided that the proposal respects the character, scale and design of existing dwellings and

the character and appearance of the immediate and surrounding area, will not result in over-development of the dwelling and curtilage and shall not adversely affect the residential amenity of occupants of nearby properties.

27. In the case of this application, the dwelling is located within a curtilage which is able to accommodate the proposed degree of external extension and alteration without overdevelopment of the plot occurring, nor an adverse impact on character to the dwelling itself or surrounding area and no adverse impact on neighbouring amenity is anticipated. Therefore, the principle of development in terms of the planning application is deemed to be acceptable.

Impact on Character, Conservation Area and Article 4 Direction

28. Policies DM2, DM24 and CS3 all seek to ensure that proposed extensions and alterations to dwellings respect the character, scale and design of the host dwelling and the surrounding area.

29. Policy DM2 states that proposals for all development should (i) recognise and address the key features, characteristics, landscape/townscape character, local distinctiveness and special qualities of the area and/or building and (ii) maintain or create a sense of place and/or local character.

30. Policy DM24 states that development will be permitted provided that the proposal (i) respects the character, scale and design of the existing house and the character and appearance of the immediate and surrounding area.

Policy DM15 and DM16 state that proposals to alter, extend or change the use of a building protected by an Article 4 Direction or where the building is listed will be permitted where they demonstrate a clear understanding of the significance of the building and its setting. The proposed development must contribute to the preservation of the building and must not be detrimental to the building's character, appearance or any architectural, archaeological, artistic or historic features that contribute towards its special interest. The works must be of an appropriate scale, form, height, massing and design.

31. Furthermore, 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.

32. Policy DM2 and DM17 states that proposals for development within, adjacent to or visible from a Conservation Area should preserve or enhance the character or appearance of the Conservation Area or its setting, and views into, through, and out of the area.

33. The proposed extension, alterations to the existing garage, addition of a garden/woodshed, the provision of bicycle storage (following removal of an existing shed), external window and door alterations, installation of electric charging points, the provision of a call point on the south pedestrian gate, gratings over window areas, landscaping, the relocation of amenity space for the west wing and installation of flue liners and cowls are all deemed to be acceptable in terms of their impact on the character of the surrounding area and the dwelling itself.

34. The proposed rear extension is modest in depth and single storey in height, therefore serving as a subservient addition to the dwelling. The proposed materials for the extension are red brick to the external elevations and a stone cornice finish to the edge of a sedum roof. These materials are considered to compliment the building, with the red brick to match the existing dwelling's red brick and the window to the east elevation is to be reused from the existing rear elevation. The window on the north elevation of the extension will be new, however, is proposed to match the window on the eastern elevation. Views of the proposed extension will be limited from anywhere other than within the site. However, it is acknowledged that glimpses of the top of the stone cornice may be visible from within the highest point of the Abbey Gardens during winter, when trees are not in full leaf. No concerns regarding this view have been raised by any of the specialists, therefore, it has been deemed to be acceptable.
35. The other proposed alterations to the dwelling and the surrounding grounds are considered to be acceptable, with the changes to the garage and addition of a shed and store for storage of garden equipment, wood, bicycles and bins being modest and the addition of the flue liners and cowl respecting the character of the existing building.
36. Therefore, in terms of the impact on the character of the Listed dwelling, its surroundings and the Conservation Area and Article 4 Direction, officers consider the planning application is compliant with the development plan policies and the NPPF.

Impact on Listed Building

37. Section 66 (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 a listed building or its setting or any features of special architecture or historical interest which it possesses.
38. Policy DM15 states that proposals to alter, extend or change the use of a listed building or development affecting its setting will be permitted where they are of an appropriate scale, form, height, massing and design which respects the existing building and its setting. In this case the building is Grade I listed.
39. Paragraph 202 of the National Planning Policy Framework (2021) states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
40. The Conservation Officer stated that they have no objection to the works proposed within the planning application, such as the proposed extension, alterations to the garage, addition of bicycle storage etc., subject to conditions requiring compliance with plans, the provision of brick material samples and drawn details for all new or replacement gates. These conditions are considered reasonable by the case officer; therefore, the proposal is considered to be acceptable in terms of its impact on the Grade I Listed Building.

Impact on Residential Amenity

41. Policy DM2 states that developments will not adversely affect the amenities of adjacent areas by reason of noise, smell, vibration, overlooking, overshadowing, loss of light, other pollution (including light pollution), or volume or type of vehicular activity generated; and/or residential amenity.
42. Furthermore, policy DM24 supports this by stating that development should not adversely affect the residential amenity of occupiers of nearby properties.
43. The proposed extension to the rear of the property is modest in depth, is stepped away from the adjoining neighbours on both sides and is single storey in height. Therefore, officers consider it would have a limited impact on neighbouring amenity in terms of loss of light, an overbearing impact or loss of privacy.
44. The other alterations to the dwelling, such as the shed, garage alterations and subdivision of the plots are also deemed to be acceptable in terms of their impact on neighbouring amenity, with the subdivision of the plots providing West Wing with their own amenity space by way of a hedged courtyard and parking spaces.
45. The proposal is therefore considered to be compliant with policies DM2 and DM24 in terms of impact on residential amenity.

Other Matters

46. Policy DM46 states that all proposals must comply with Suffolk Parking Guidance and Local Planning Authorities will seek to reduce over-reliance on the car and to promote more sustainable forms of transport. In addition, Policy DM2 of the Joint Development Management Policies Document seeks to ensure that proposals maintain or enhance the safety of the highway network.
47. The proposal involves alterations to the parking layout within the site, including a reduction in size to the existing garage to allow for adequate vehicle parking and turning space within the site. In addition, new secure bicycle parking is proposed in the form of a pergola next to the front boundary wall, which would also allow for a bin storage area adjacent.
48. The Suffolk County Council as Local Highway Authority were consulted during the application's consultation period and comments were provided which raised no objection to the proposal, subject to standard conditions requiring the adherence to the drawings submitted in terms of the cycle storage, vehicle parking and manoeuvring and bin storage areas. If permission were approved, such conditions considered to be acceptable and necessary.
49. 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.

50. Following consultation with the Suffolk County Council Archaeological Service, it was advised that they would defer to the advice of statutory advisors on the proposals, given the designation of The Deanery as a Grade I listed building and the designation of the surrounding land as part of the Scheduled Monument of Bury St Edmunds Abbey. The Scheduled area is legally protected, and any groundworks would therefore require Scheduled Monument Consent in addition to any planning consent, of which Historic England are primary advisors to the Secretary of State on the Scheduled Monument Consent process and would therefore take the lead on advice in relation to below ground remains. It was, however, advised that should permission be granted, the Archaeological Service would assist in the wording of a sufficient planning condition regarding the briefs for the work, review of written schemes of investigation and with processes for archiving and lodging of information into the public domain.

Conclusion

51. 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.

52. However, whilst the proposed works within the planning application are considered to be acceptable, the proposed works also required listed building consent. Listed building consent has been sought for the proposed works which are also covered within the planning application, and these are deemed acceptable. However, additional internal works have been further sought within the listed building consent application, and which do not require planning permission, but which are not considered to be acceptable, and which will therefore be discussed below.

53. Accordingly, the planning application is recommended for approval, and if so approved, and the listed building consent is refused, then a further separate listed building consent application will need to be sought for the works proposed within the planning application.

Officer comment:

Listed Building Consent

54. The issues to be considered in the determination of the listed building consent application are:

- Principle of Development
- Impact on Listed Building

55. This application seeks listed building consent for various internal and external works, as previously detailed.

Policy

56. Section 66 (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 a listed building or its setting or any features of special architecture or historical interest which it possesses.

- 57.Paragraph 199 of the National Planning Policy Framework (2021) (NPPF) states that when considering the impact of a proposed development upon the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater that weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 58.Paragraph 200 states that any harm to or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification and substantial harm to or loss of assets of the highest significance, notably scheduled monuments...grade I and II* listed budlings should be wholly exceptional.
- 59.Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 60.Policy DM15 of the Joint Development Management Policies Document (2015) (JDMPD) states that proposals to alter, extend or change the use of a listed building or development affecting its setting will be permitted where they are of an appropriate scale, form, height, massing and design which respects the existing building and its setting. In this case the building is Grade I listed.

History

- 61.Originally Built as Almshouses/Clopton Hospital, The Deanery and attached Clopton Cottage and West Wing are listed Grade I and the land on which its sits is Scheduled.
- 62.The Almshouses date back to the 18c and following its decline, the building was sold to the church in 1898 to serve as a Vicarage. The list description advises the interior still retains some evidence of the Almshouse layout but was considerably altered when the building became St James' Vicarage in the late C19 – the current entrance hall, previously the communal dining room serving the former Almshouses, still retains 'a small 18c fireplace with a plain stone surround at each end of the former communal dining room.' However, a number of the doors and doorways within the same room are referred to as having been altered, presumably as part of the conversion.
- 63.The insertion of the staircase (referred to within the list description as a large late 19c imperial stair) together with the removal of the chimney stack, chimney breast and internal wall to the west, formerly subdividing the existing drawing room in two, and the provision of the internal partitions to create a corridor on the northern side are all believed to form part of the conversion works.
- 64.It is unclear exactly when Clopton's Cottage was divided off, however, OS maps indicate the division occurred sometime between 1886 and 1904. (i.e., within an 18-year period). It is suggested alterations to the vicarage

were implemented slightly later than 1900. It is assumed the separation of Clopton's Cottage occurred after the vicarage conversion, i.e., after the insertion of the central staircase, this would then have allowed access to the first floor most easterly range prior to the construction of the rear extension.

Assessment of proposal

65.The description of the proposed works is quite extensive and many of the works are supported in principle. However, the following areas are not supported for the following reasons.

66.The removal of the central staircase (to include its remodelling and relocation) and associated blocking up of door openings and the removal of the internal partition between bedroom 1 and 2. Both points will now be addressed separately.

Removal of staircase

67.The works associated with the original conversion to Vicarage, to include the insertion of the main staircase not only represents a key stage in the building's history when the Almshouses were converted to a vicarage, but offers an insight into the social history of the town at the time when it is understood the charity (Almshouses) was suffering financial hardship due to the economic decline in agriculture and as a consequence the building was sold at auction to the church to serve as a vicarage following its conversion.

68.The conversion works themselves are attributed to John Flatman Architect and surveyor. There are a number of examples of his work within the district at least one of which, the entrance Gateways and Gates at Abington Place Stables, is listed grade II.

69.Whilst the staircase is not an original feature, the level of importance and contribution to the history of the dwelling is attributed to its special interest expressed in its materials, craftsmanship, form and layout. Furthermore, it is considered the insertion of such an ostentatious staircase (known as an imperial staircase – meaning described in para 70 below) is so far removed from what was likely to have been a more conservative interior, was clearly intended to impress and is synonymous with the change in the building's use/function to the Vicarage in an attempt to elevate its status. For reasons of material, craftsmanship, form, layout, its attribution to a known Architect and the significant point in the building's history it and its insertion represents, it is considered appropriate by the Conservation Officer to afford a high degree of significance to the staircase.

70.The proposal involves the removal of the imperial staircase (the name given to a staircase with divided flights, usually the first flight rises to a half-landing and then divides into two symmetrical flights both rising with an equal number of steps and turns to the next floor) within the entrance hall and to then reuse parts for a new stair in the north wing, followed by the removal of the first floor doors and surrounds which currently serve the staircase.

71. The impact of the removal of the staircase on significance not only relates to the loss of historic fabric, but fabric which relates to a key phase in the building's history, the design and detail of which is not only attributed to a known architect but was clearly intended to make a statement upon entry.
72. It is advised by the applicant that the proposal seeks to 'reinstate the elegant form and interior of the dining hall.' However, in the absence of evidence to demonstrate the former arrangement and detailing to include door openings, door details, floor finishes (it is understood the parquet flooring also dates from the conversion works) etc., attempts to reinstate the true interior of the dining hall would be both conjectural and incomplete and at the expense of later historic fabric which contributes towards the building's significance for reasons already advised. Other works required to reinstate the former interior of the dining hall (but not specified) would appear to include the reinstatement of the traditionally detailed sash windows of the 18th century incorporating much thicker glazing bars (reference to their replacement is made within John Flatman's specification).
73. Consequently, the removal of the staircase and the blocking up of door openings would not result in the reinstatement of the elegant form and interior of the dining hall. It would however result in the removal of a feature key to the building's original conversion to a vicarage which formed part of a much larger schedule of works.
74. In addition to the harm caused by removing the staircase from its original location, (generally the re-siting of such significant features is not considered to be good practice in the field of conservation due to loss of context) the proposed relocation of the staircase (in its fragmentary form or otherwise) to an area which it would appear has always functioned as a service area, would result in further harm due to the inappropriate grandeur of the staircase relegated to its proposed back of house location. Its modified form would not only diminish the status of the Imperial Staircase intended for front of house locations to ensure maximum effect but would appear inappropriate in its proposed location.

Removal of internal partition

75. It is proposed to open up a partition between the east bedroom and the west bedroom (bedrooms one and two) to create one large principal bedroom.
76. Whilst it is understood this may be a new/partially new partition, it appears to be of traditional lath and plaster construction and, it would appear, sits on the line of an original partition (corresponding with the cellar floor plan and the location of the former chimney breast and stack removed as part of the conversion works). Of traditional lath and plaster construction and corresponding to both the original floor plan and that of the conversion to vicarage, the substantial removal of the partition would not only result in the loss historic fabric but would compromise the floor plan of both phases.
77. As stated by Historic England in their formal comments, the removal of the internal partition between the bedrooms has not been properly justified, therefore, further justification is required in order to understand whether

this element of the proposal is acceptable, absent of which it must be considered harmful.

Justification

78. It has been detailed within the application submission that the proposed works would allow for the Dean's hospitality role to be exercised within The Deanery, whilst also maintaining family privacy. In addition, by allowing hospitality to take place within The Deanery, it would free up space within the Cathedral Centre for public use.
79. The proposal is further justified by stating that the opening up of the hall, as a result of the staircase being removed, would allow for amenity groups within Bury St Edmunds to occasionally use the space, by invitation from the Cathedral.
80. Finally, the need for the space within The Deanery to be 'usable to the maximum extent' to ensure financial stability for future maintenance costs is provided as justification for the proposed works.
81. Whilst the desire for a separate and larger entertaining space while maintaining family privacy is understood, it would appear the usable space following the removal of the staircase would not be significantly greater than that of the drawing room given the number of doors serving the entrance hall (5) to include the main entrance door and fireplaces (2) all of which would, to a degree, interfere with the usable space presenting obstacles to work around.
82. It would also appear even with the proposed arrangement it would not result in complete family privacy with both family and guests sharing corridor space which allows access to both the downstairs W.C. and potentially upper floors.
83. It is considered most likely issues of privacy and entertainment space are in part as a result of the recent subdivision of The Deanery (the financial reasons behind which are both accepted and understood will provide the much needed letting income to relieve the maintenance burden of The Deanery and to help fund ongoing maintenance of the block as a whole. The conversion was approved in 2018 it is understood the building has not as yet been let separately).
84. Whilst it is appreciated the space resulting from the removal of the staircase may be an ideal space for the bishops to gather and entertain in West Suffolk, the public benefits (i.e., those to the public at large) resulting from this, if any, would be limited and would not outweigh the harm caused by the proposed works.
85. It is also appreciated there may be a keenness by others for the opportunity to utilise the space as a smaller meeting venue, however, this does not demonstrate that existing smaller meeting venues within the town are oversubscribed supporting the need for further smaller venues or a justification for the harm.
86. Setting aside whether or not there is evidence to support the need for further smaller meeting venues, we are advised The Bury Society, The

Bury Town Trust, The Churchgates Association, to name but a few, could benefit from occasional use of the space. This suggests use would be limited over the year and to that of private groups rather than the wider public. The public benefit would be limited to the Diocese and a number of civic organisations, which are not considered to constitute a benefit to the public at large to such a scale that it would justify the harm resulting from the removal of the staircase in particular, which is considered to be at the higher end of less than substantial harm. Furthermore, and in any event, it is uncertain at this stage whether the wider public use of the space in the way suggested would constitute a material change of use for which planning permission might therefore be required and this further limits any weight which can be attached to this point in support of the works.

Conclusion

87. Given the importance of both the staircase and partition wall between bedrooms one and two and the effect of their removal and part relocation, on the building's significance, officers consider the proposed works will result in harm to the significance to the building and that harm amounts to the higher end of less than substantial harm.
88. The staircase removal would cause harm to the significance of the building and especially the understanding of its adaptation from its use as an Almshouse to Vicarage, which has become a large part of its significance. This harm would not be mitigated by its partial reuse within the building, the staircase would be removed from its original setting and its character as a piece of architecture designed to impress would be lost. Due to its grandeur its relocation to its proposed back of house position is also considered to cause harm to its significance.
89. Given the degree of less than substantial harm caused affecting an asset of the highest grade and importance, it is considered appropriate to apportion greater weight, in accordance with the NPPF, to the asset's conservation. And whilst it is understood and appreciated that there is some benefit cited by the proposed use of the hospitality space, it is not considered that the level of benefit to the public at large would be sufficient to outweigh the degree of harm caused to the highest grade listed building.
90. The proposed development would therefore fail to accord with policy DM15 for reasons detailed above, causing less than substantial harm to significance. Whilst some public benefits may be achieved, it is not considered that they would be of such significance in terms of public benefit that it would outweigh the harm caused.
91. The proposal is considered to be contrary to the provisions of the development plan, in particular policy DM15 of the Joint Development Management Policies Documents by the case officer and Conservation Officer. It is also not considered to accord with the provisions of paragraphs 119, 200 and 202 the National Planning Policy Framework (2021) and this is supported by comments of objection from Historic England and The Victorian Society.
92. There are no other material considerations which outweigh the harm arising from the proposal being contrary to the development plan and its

impact on the Grade I Listed Building. Therefore, on this basis the application for listed building consent is recommended for refusal.

Recommendations:

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

1. 001A Time Limit - Detailed
2. 14FP Approved Plans
3. Later Approved Details

94.It is recommended that listed building consent be REFUSED for the following reason:

1. When considering the impact of a proposed development on significance of a designated heritage asset, great weight should be given to the asset's conservation and the more important the asset the greater the weight should be, this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm or loss of the significance of a designated heritage asset should require clear and convincing justification, in accordance with paragraphs 199-202 of the NPPF, policy DM15 of the JDMPD and section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The staircase removal would cause harm to the significance of the building and especially the understanding of its adaptation from use as an Almshouse to Vicarage, which has become a large part of its significance. This harm would not be mitigated by its partial reuse within the building, the staircase would be removed from its original setting and its character as piece of architecture designed to impress would be lost. The grandeur of the staircase albeit it in a modified form would also appear inappropriate to its proposed back of house location.

The level of public benefit from the proposed works, resulting in the proposed use of a hospitality space, it is not considered to be of such significance that it would outweigh the degree of harm caused to the highest grade listed building.

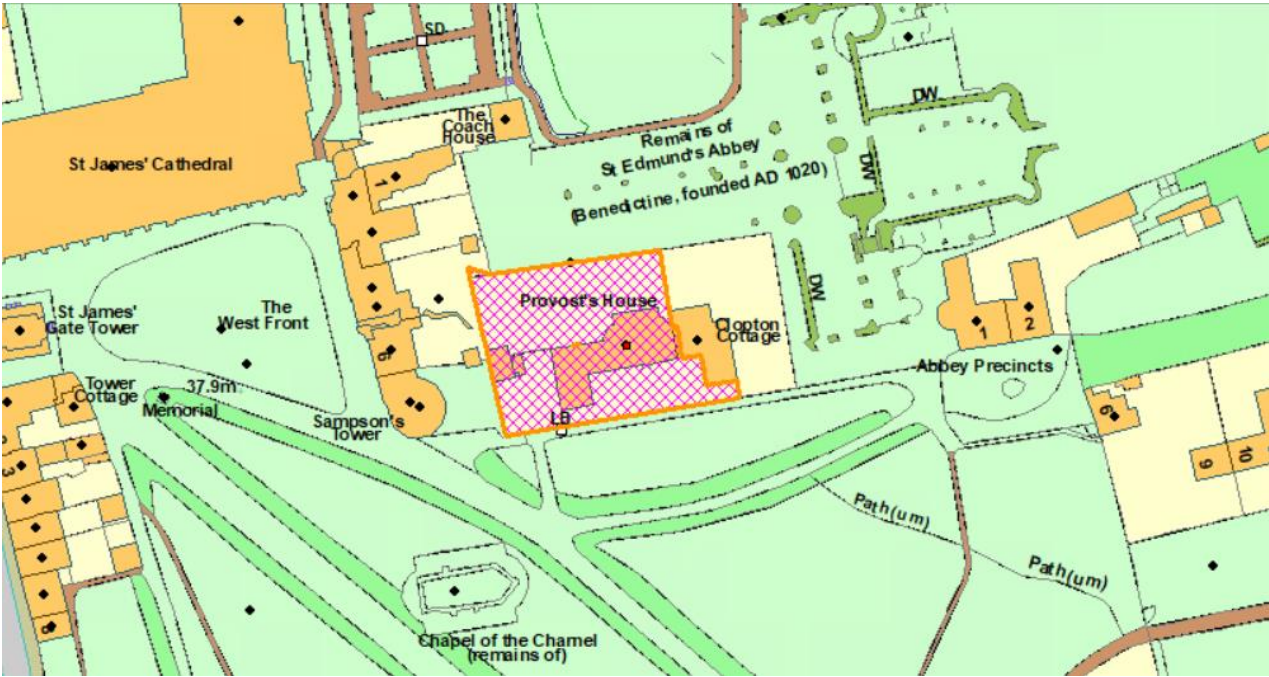
Given the importance of partition wall between bedroom one and two and the effect of its partial removal on the building's significance, insufficient justification has been provided for its removal, contrary to paragraph 200 of the NPPF.

The proposal does not therefore meet the provisions of policy DM15 or paragraphs 199-202 of the NPPF, and there are no material considerations, including the limited public benefit for the use of the hall, that outweigh this very significant conflict with the policy.

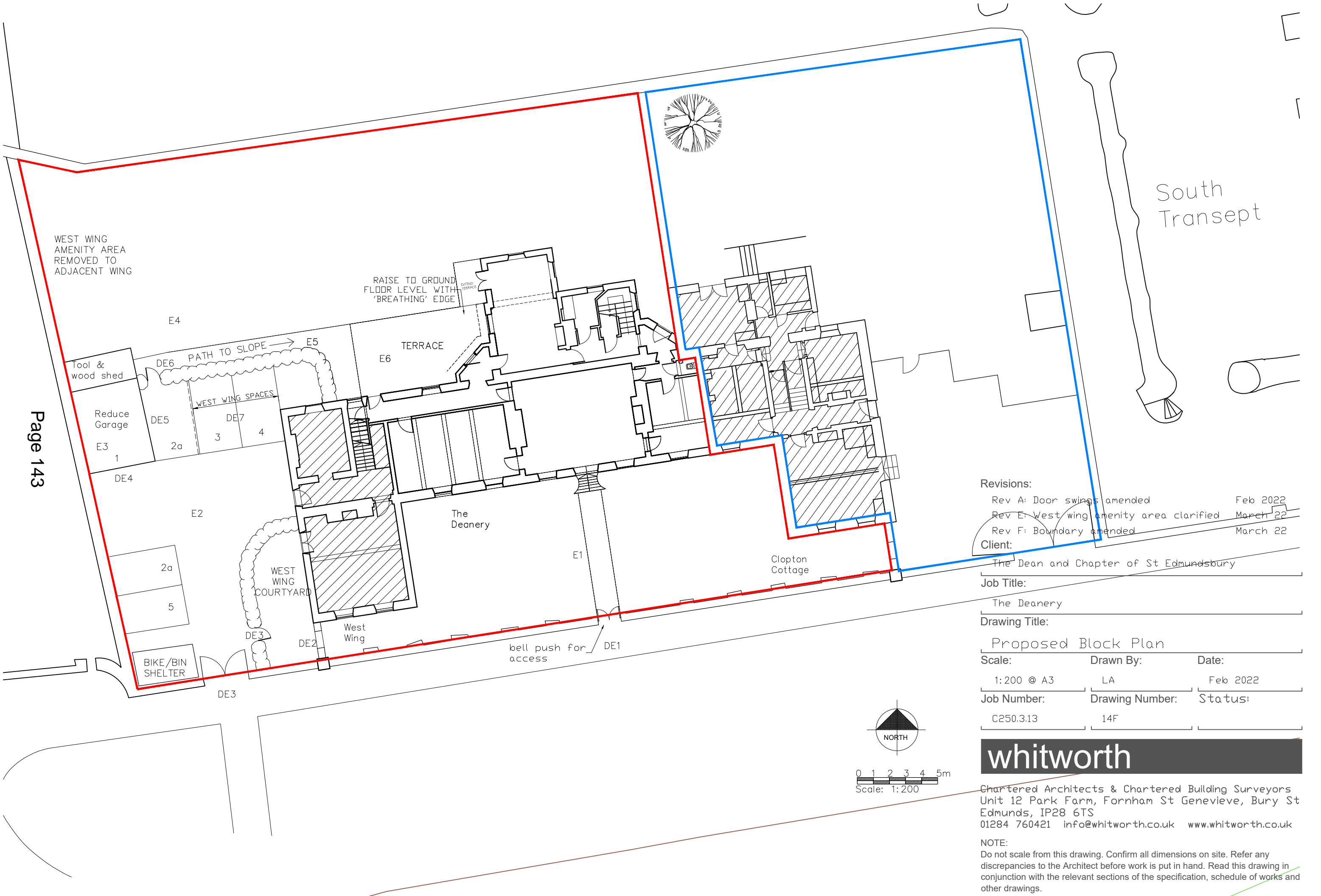
Documents:

95.All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/0364/FUL](#) and [DC/22/0365/LB](#)

This page is intentionally left blank



This page is intentionally left blank



Revisions:
Rev A: Door swings amended Feb 2022
Rev E: West wing amenity area clarified March 22
Rev F: Boundary amended March 22

Client:
The Dean and Chapter of St Edmundsbury

Job Title:
The Deanery

Drawing Title:
Proposed Block Plan

Scale: 1:200 @ A3
Drawn By: LA
Date: Feb 2022

Job Number: C250.3.13
Drawing Number: 14F
Status:

whitworth

Chartered Architects & Chartered Building Surveyors
Unit 12 Park Farm, Fornham St Genevieve, Bury St Edmunds, IP28 6TS
01284 760421 info@whitworth.co.uk www.whitworth.co.uk

NOTE:
Do not scale from this drawing. Confirm all dimensions on site. Refer any discrepancies to the Architect before work is put in hand. Read this drawing in conjunction with the relevant sections of the specification, schedule of works and other drawings.

This drawing is copyright of whitworth.

This page is intentionally left blank

Development Control Committee 6 July 2022

Planning Application DC/22/0172/FUL – Land adjacent to 1 and 2, Park Garden, West Row

Date registered:	21 February 2022	Expiry date:	18 April 2022 EOT 11.07.2022
Case officer:	Britta Heidecke	Recommendation:	Approve application
Parish:	West Row	Ward:	The Rows
Proposal:	Planning application - six dwellings with access, parking and associated site work		
Site:	Land adjacent to 1 and 2, Park Garden, West Row		
Applicant:	Mr Gavin Wells		

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: 01638 719456

Background:

This application was deferred from Development Control Committee on 1 June 2022 for a site visit and to provide further highways related information. The application remains recommended for approval.

Proposal:

1. See Working Paper 1 – para 1 to 3

Site details:

2. See Working Paper 1 – para 4 to 6

Planning history:

3. See Working Paper 1 – para 7

Consultations:

4. No further consultation undertaken or responses received.

Representations:

5. No further representations received.

Policy:

6. See Working Paper 1 – para 15 to 17

Officer comment:

7. The application was deferred at the 1 June Development Control Committee for a site visit and to provide further clarification on highway related matters.
8. Firstly, Members asked for clarification on how collision data is obtained by the highway authority, given objections from local residents which related to accidents in the vicinity. Suffolk County Council Highways does not directly record the number of traffic collisions that occur on roads in Suffolk. The highway authority has confirmed that for this application the collision data was reviewed on both Crashmap.co.uk and their internal SCC system. Crashmap.co.uk uses data from the Department of Transport (DfT) to populate the map and this is updated annually. The SCC system uses data from the police incident records and is updated around once a month. The collection and recording process is governed by the DfT. Full guidance on data collection can be viewed at:
<https://www.gov.uk/government/publications/road-accidents-and-safety-statistics-guidance>.
In summary the DfT stipulate that collision data should only consist of collisions where all the following criteria are met:
 - recorded by the police
 - occurred on a public highway
 - involved human death or personal injury
 - involved one or more vehicles and were notified to the police within 30 days of occurrence

Given there is no record of accidents in this location it is likely that the incident reported to Committee by a local resident did not meet these criteria.

9. Secondly, Members sought to better understand the context of comments provided by Suffolk County Council Highways on 23.09.2014 in relation to an outline application for three dwellings also off Parkers Drove, (DC/14/1187/OUT) attached at working Paper 3. Application DC/14/1187/OUT was considered and determined after the approval for 7 dwellings on the site subject to this application (F/2013/0329/OUT), which was approved on 26.11.2013.
10. SCC Highways advised in 2013 in response to a proposal for 7 dwellings on the site subject to this application (F/2013/0329/OUT) (see working Paper 4):
 - Visibility from Parkers Drove onto Friday Street is good and speeds are relatively slow
 - Whilst large vehicles may have difficulties turning the corner at the junction with Parkers Drove this proposed development is unlikely to result in a material increase in the traffic levels undertaking this manoeuvre
 - Whilst Parkers Drove widths falls below adoptable standards, it is the very narrowest road that can support side by side vehicles at low speeds according to Manual for Streets. From site visits, it appeared that speeds are low and therefore the safe operation of Parkers Drove should continue with a small increase in the number of houses served off Parkers Drove.
 - The proposed 7 dwellings fall below the cut off where the amount of vehicles using the road would create a safety issue.
11. The highways comments in response to DC/14/1187/OUT concurred with the comments previously made; that Parkers Drove is substandard and that this development, in addition to the existing and approved dwellings off Parkers Drove, represents an intensification of use which was not considered acceptable.
12. Moreover, the proposed development with three dwellings at the end of Parkers Drove (DC/14/1187/OUT) would have resulted in vehicular use of the continuation of Parkers Drove which is a public right of way - byway 27, resulting in further conflict between vehicular traffic and public right of way users.
13. The officer report for DC/14/1187/OUT at para 22 explains 'A previous planning application for residential development in this location was approved on the basis of the Highways Authority advice stating that it would create a minimal increase in vehicular traffic accessing Friday Street, however, at this time they advised that further intensification of this access would not be supported as there is a maximum number of dwellings that can be safely supported by Parkers Drove.'
14. DC/14/1187/OUT was subsequently refused by reasons of unacceptable impacts on highway safety as well as on a public right of way. The proposed 3 dwellings in 2014 on the site at the end of Parkers Drove were over and above those approved in 2013, whereas this current application is on the same site and same unit number as those approved in 2013.
15. Thirdly, Members raised queries regarding the proposed private waste collection service for this development to be secured by condition. Whilst the applicant has provided details of a private provider who confirmed that

they would be servicing the site, to ensure adequate waste collection an additional condition and informative are now proposed as follows:

Prior to the occupation of any of the dwellings hereby approved a waste collections strategy shall be submitted to and approved in writing by the local planning authority. Details shall be submitted to and approved by the local planning authority as to how the operation of the waste collection strategy will be secured in perpetuity. The dwellings hereby approved shall be occupied in accordance with the waste strategy thereafter unless agreed in writing otherwise.

Reason: To ensure the incorporation of waste collection, storage and recycling arrangements, 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.

Informative: The site will not be serviced by West Suffolk Council waste services. Condition 15 has been imposed to ensure waste collection will be dealt with via a private waste collection provider.

Conclusion:

16. As set out in the supplementary paper to the June committee report (see working Paper 2), the application site is within the settlement boundary for West Row where residential development is acceptable in principle in accordance with policy SA1 and CS1.
17. Moreover, planning permission DC/14/2407/OUT (with subsequent DC/16/2671/RM and DC/17/2149/RM) for 7 dwellings (2 five bed and 5 four bed properties) in this location is extant and therefore capable of implementation. This application for changes in design and layout to 6 of the 7 plots will result in the same scale of development with the same impacts on the access and highways safety. The acceptability with regards to highways safety has therefore already been established. The Highway Authority has in response to this application confirmed their previous view going back to 2013 that due to the scale of development and the good visibility and slow speeds on the bend with Friday Street the proposal will not have unacceptable impacts on highway safety. As such the proposal is acceptable assessed against policy DM2 in this respect.
18. However, members should note that whilst the proposal is considered acceptable with regards to highway safety matters, the extant permission and legitimate fallback position mean that the site is capable of being developed with 7 dwellings, 5 four bed properties and 2 five bed properties. Therefore, the main considerations in this case are the changes to detailed design and layout for 6 of the 7 approved plots.
19. In accordance with policies DM2 and DM22, the design proposed is acceptable in this location which is characterised by a variety of dwelling designs and sizes. Loss of view, per se, is not a material planning consideration and impacts on outlook or overlooking are considered to be acceptable, nor will the proposals be overbearing given the 7.5m chalet height and considerable separation from the rear boundary of between 13.3m and 20.8m. Waste collection is proposed to be provided by a

private service provider from within the site, which will be an improvement to the current approved scheme.

20. In conclusion, whilst there remains a valid fallback position to develop the site which is a material consideration for the assessment of these proposals, subject to the conditions set out below, the proposals are considered acceptable and in compliance with the Council's local plan policies and the NPPF.

Recommendation:

21. 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:

Reference number	Plan type	Date received
JP-2021-014-70 Plot 7	Proposed elevations & floor plans	2 February 2022
JP-2021-014-60 Plot 6	Proposed elevations & floor plans	2 February 2022
JP-2021-014-10 Plot 1	Proposed elevations & floor plans	2 February 2022
JP-2021-014-40 Plot 4	Proposed elevations & floor plans	2 February 2022
JP-2021-014-30 Plot 3	Proposed elevations & floor plans	2 February 2022
JP-2021-014-20 Plot 2	Proposed elevations & floor plans	2 February 2022
JP-2021-014-1 Rev.A	Location & block plan	20 April 2022

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

- 3 Before the dwelling at plot 4 hereby permitted is first occupied/brought into use, the first floor bathroom window in the south elevation shall be fitted with obscure glass to Pilkington glass level 4 privacy or an equivalent standard and shall consist only of non-operable fixed lights up to 1.70m from floor level and shall be retained in such form in perpetuity.

Reason: To prevent the overlooking of adjacent properties in order to ensure that residential amenity is not adversely affected, 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.

- 4 The Construction Management Statement already submitted with the application shall be adhered to throughout the construction period (except form the superseded domestic waste collection paragraph).

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.

- 5 No construction HGV movements, loading and unloading of vehicles or deliveries shall be taken or despatched outside the hours of 08:00 - 18:00 Mondays to Friday and 08:00 – 13.00 on Saturdays and no deliveries shall be taken or despatched on Sundays and Bank Holidays unless agreed in writing with the Local Planning Authority.

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.

- 6 Demolition or construction works shall not take place outside 8:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 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.

- 7 All construction lighting installations to be provided at the site, including those within the car parking areas, service yards and security, shall be positioned so as not to cause unacceptable glare to the residential properties in the vicinity of the site.

Reason: To prevent light pollution and 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.

- 8 All planting comprised in the approved details of landscaping detailed on drawing no P-2021-014-1 Rev A 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.

- 9 Prior to occupation the biodiversity enhancement measures shown in the approved plans shall be installed in their entirety and be retained in the

approved form thereafter.

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.

- 10 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.

- 11 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.

- 12 Prior to occupation each dwelling hereby approved shall be fitted with a domestic sprinkler systems and shall be maintained fully functional thereafter.

Reason: To enhance Firefighter safety in accordance with policy DM22.

- 13 Prior to first use of the development hereby permitted, the area(s) within the site shown on drawing No. JP-2021-014-1 Rev.A 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.

- 14 All HGV and construction traffic movements to and from the site over the duration of the construction period shall be subject to a Construction and Deliveries Management Plan which shall be submitted to the planning authority for approval a minimum of 28 days before any deliveries of materials commence.
No HGV movements shall be permitted to and from the site other than in

accordance with the routes defined in the Plan.

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

Reason: To reduce and / or remove as far as is reasonably possible the effects of HGV and construction traffic in sensitive areas, in the interest of highway 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.

- 15 Prior to the occupation of any of the dwellings hereby approved a waste collections strategy shall be submitted to and approved in writing by the local planning authority. Details shall be submitted to and approved by the local planning authority as to how the operation of the waste collection strategy will be secured in perpetuity. The dwellings hereby approved shall be occupied in accordance with the waste strategy thereafter unless agreed in writing otherwise.

Reason: To ensure the incorporation of waste collection, storage and recycling arrangements, 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.

Informative: The site will not be serviced by West Suffolk Council waste services. Condition 15 has been imposed to ensure waste collection will be dealt with via a private waste collection provider.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/0172/FUL](#)

Working Paper 1 – June committee report

Working Paper 2 – supplementary paper to June committee report

Working Paper 3 - Suffolk County Council Highways comments on DC/14/1187/OUT

Working Paper 4 – Suffolk County Council Highways comments on F/2013/0329/OUT

Development Control Committee
1 June 2022

WORKING PAPER 1

Planning Application DC/22/0172/FUL –
Land adjacent to 1 and 2, Park Garden, West Row

Date registered:	21 February 2022	Expiry date:	18 April 2022 EOT 08.06.2022
Case officer:	Britta Heidecke	Recommendation:	Approve application
Parish:	West Row	Ward:	The Rows
Proposal:	Planning application - six dwellings with access, parking and associated site work		
Site:	Land Adjacent to 1 and 2, Park Garden, West Row		
Applicant:	Mr Gavin Wells		

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:

The application has been referred to Development Control committee following consideration at the Council's Delegation Panel. The Officer recommendation for APPROVAL conflicts with the Parish Council objection on highway safety grounds and queries raised by Ward Councillor Don Waldon with regards to the commencement of a previous permission and subsequent fallback position.

Proposal:

1. Planning permission was granted on the wider application site in outline under reference DC/14/2407/OUT for 7 dwellings. Reserved matters were subsequently approved and development commenced on plot 5. Six plots have subsequently been sold to the applicant who wishes to make minor material changes to the approved 6 dwellings, hence the submission of a new full application to change the layout and design of 6 of the 7 plots. Plot 5 will be built out as already approved.
2. The application proposes 6 detached dwellings, three with attached garages and two with detached garage. Five of the dwellings will be 4-bedroom properties and one a 5 bedroom house. Plot 5, which has approval for a 5 bedroom house has been excluded from the application site and would be built under the extant permission. The site would be accessed from Park Gardens via an existing private access road and each dwelling would benefit from a private rear garden.
3. The application has been amended. Originally an area for bin presentation off Park Garden was proposed and this has now been removed (this matter is addressed in the Officer comments section of the report).

Site details:

4. The site is located to the west of the village and covers an area of approx. 0.49 hectares. It is agricultural land outside of, but adjacent to, the defined settlement boundary for West Row as defined by policy SA1 and CS1, where generally policy DM5 applies. The site is not allocated for housing. The Officer comments section below from para 22 explains why permission was originally granted despite being outside of the settlement boundary. The site is relatively rectangular and fairly level. There is no significant vegetation on site besides a hedge along the southern boundary is to be retained.
5. The site is accessed through the residential cul-de-sac at Park Garden and via Parkers Drove that leads onto Friday Street. Park Garden comprises of three detached properties that are served by the shared road that leads onto Parkers Drove. Other properties accessed from Parkers Drove are No. 4 Park Garden, Nos. 1 & 2 Parkers Drove and Nos. 6, 9 & 62 Friday Street.
6. Residential properties lie to the north, east and south-east corner of the application site and the boundaries of the rear gardens of those properties are defined by fences and/or hedges with some trees and other vegetation. Agricultural fields lie to the south and west of the site with mature vegetation and hedge along the southern boundary of the site and an established area of trees further to the west.

Planning history:

7.

Reference	Proposal	Status	Decision date
DC/14/2407/OUT	Outline Planning Application (Means of Access to be considered) - Revised Scheme of F/2013/0329/OUT - Construction of 7 detached dwellings	Application Granted	13 February 2015
DC/16/0741/RM	Reserved Matters Application - Submission of details under Outline Planning Permission DC/14/2407/OUT - scale, appearance, landscaping and layout for 7 no. dwellings	Application Refused	1 July 2016
DC/16/2671/RM	Reserved Matters Application - Submission of details under Outline Planning Permission DC/14/2407/OUT - scale, appearance and layout for 7 no. dwellings	Application Granted	22 February 2017
DCON(1)/14/2407	Application to Discharge Condition 8 (refuse collection strategy) of DC/14/2407/OUT	Application Granted	27 November 2017
DC/17/2149/RM	Reserved Matters Application - Submission of details under Outline Planning Permission DC/14/2407/OUT - the landscaping details for 7 no. detached dwellings	Application Granted	7 December 2017
DCON(B)/14/2407	Application to Discharge Conditions 4 (Soft Landscaping), 5 (Hard Landscaping), 6 (Boundary Treatment), 7 (Surface water Drainage), 10 (Construction method statement) of DC/14/2407/OUT	Application Granted	17 September 2019
NMA(A)/14/2407	Non-material amendment to DC/14/2407/OUT - Amend condition 11 from provision of Fire Hydrants (as detailed on decision	Application Granted	25 September 2019

notice DC/14/2407/OUT)
to provision of sprinkler
systems within each
dwelling: 'Prior to
occupation each dwelling
hereby approved shall be
fitted with a domestic
sprinkler systems'

F/2013/0329/OUT	Outline application: erection of 7 detached dwellings	Approve with Conditions	26 November 2013
-----------------	---	----------------------------	---------------------

Consultations:

8. Public Health And Housing

No objection subject to implementation in accordance with the submitted Construction Management Strategy and restricted construction and delivery hours and construction lighting to ensure no glare to neighbours.

9. Waste Management Operations Manager

Concerns were raised about accessibility of the site by bin lorries and if this was the intention swept paths drawing would be required. Concerns were also raised about dragging distances to the proposed collection point.

From the previous application it was clear that it is not feasible for the Council's bin lorries to enter the site. The bin collection was previously agreed within the access road. The waste team agreed, given other examples in West Row where the dragging distances have been exceeded, that on balance the proposal would be acceptable.

Officer note: The applicant has however explored alternative waste collection services which are proposed to be used for the waste collection from within the site, which is a better option in terms of amenity and convenience for future occupants. An informative will be attached to highlight this site specific arrangement.

10. Environment Team

Contaminated land:

Based on the submitted Desktop Study Report undertaken by Your Environment, reference YEX3689 dated February 2022, for the above site, this Service is satisfied that the risk from contaminated land is low.

Air quality:

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.'

Air Quality Planning Policy Guidance lists mitigation measures for reducing the impact of air quality and includes the provision of "infrastructure to

promote modes of transport with a low impact on air quality (such as electric vehicle charging points)."

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.

The Environment Team therefore recommends the below condition requesting electric vehicle charge points is attached to the planning consent, should planning be granted, to enhance the local air quality through the enabling and encouraging of zero emission vehicles.

11.Environment & Transport - Highways

No objection based on a review of the collision data of the last 10 years, actual visibility splays and speeds and pedestrian connectivity to local services. Standard conditions recommended to secure parking, cycle storage and vehicle charging points.

Representations:

12.Parish Council

Objects on '1. Access – safety to access for fire and emergency vehicles and access to bin lorry. 2. Increased traffic – number of vehicles per house'

13.Ward Councillor

Cllr Don Waldron raises concerns with regards to the commencement of the previous permission stating that 'digging a trench with no concrete is not a foundation' and that the trench should be reopened to evidence whether foundation were poured or not.

14.Objections have been received from 10 properties on Park Garden and Friday Street, which can be read in full on the application online file. They raise the following summarised concerns:

- Whether works had commenced and the 2014 planning permission is extant
- Highways safety / Access from Friday Street / Access into the site via Parkers Drove and Park Garden
- Overlooking
- Massing / outlook from Friday Street properties
- Waste collection from Parkers Drove would mean long bin dragging distances and adverse effect on visual amenity
- Damage to private road from construction vehicles
- Stress and inconvenience during construction period

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 Forest Heath District Council.

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

SA1 - SALP 2019 SA1 - Settlement boundaries

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

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 DM7 Sustainable Design and Construction

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 DM20 Archaeology

Policy DM22 Residential Design

Policy DM46 Parking Standards

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
- Layout, design and scale
- Residential Amenity
- Landscape and biodiversity
- Other Matters
- Waste collection/ Emergency access

Principle of Development

19.The principle and detail for development of the whole site by 7 dwellings (including 30% affordable housing) was established by grant of permission in outline with all matters reserved under reference F/2013/0329/OUT. Planning permission was granted despite the site being outside of the settlement boundary for West Row because at the time the Council was unable to demonstrate a five-year housing supply (at that time the supply was 3.6 years). On that basis, in accordance with NPPF, relevant development plan policies could not be considered up-to-date. The LPA was required to grant planning unless *"any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole"*.

20.The LPA concluded that West Row has been identified as a Primary Village within the Core Strategy that can accommodate growth and in terms of location, the proposed development was considered to relate well to the existing settlement and benefits from easy access to local services and facilities as well as some public transport. The concerns raised by local residents at the time had been taken into consideration and in particular, a balanced view had been taken with regard to the potential impact on highway safety. The application had to be considered against the requirements of paragraph 14 of the Framework at the time and as such, Officers concluded that the benefits of the proposal in terms of delivering housing in a sustainable location outweigh any adverse impacts. Consequently, planning permission was granted by the council's Development Control committee in 06 November 2013.

21. In February 2015, following changes to the threshold for affordable housing contributions, planning permission was then granted under reference DC/14/2407/OUT for 7 market dwellings. Whilst the Council could demonstrate a five-year housing supply when considering the 2014 application, the principle of development had already been established and the Council's housing policies were still out of date as Core Strategy policy CS7 was quashed, so there was no defined housing distribution for the District. Assessed against the NPPF 2012 as a whole, it was not considered that any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.
22. Reserved matters applications were subsequently submitted and approved under DC/16/2671/RM (scale, appearance and layout) in February 2017 and the last reserved matter under DC/17/2149/RM (landscaping) in December 2017.
23. All pre-commencement conditions had been discharged and works commenced in October 2019. As evidenced by photos and building control records, trenches were dug for the garage associated with plot 5 of the approved development.
24. The concerns by local residents and the ward member in relation to whether the works undertaken in October 2019 took place before the permission expired and whether the works constitute commencement are noted and a legal view has been obtained.
25. On the basis of the evidence available the outline permission for 7 dwellings and subsequent reserved matters (which together form one permission) has lawfully been commenced and as such is extant and can be implemented. This previous permission therefore is a fallback position (as development can still be built out under it) which establishes the principle of development and is a material consideration in the determination of this current application to change 6 of the 7 plots.
26. The threshold for claiming that development has been begun is very low. Case law established that no major works are required and trenches or part trenches do not have to have foundations poured to constitute lawful commencement. To clarify what constitutes commencement in planning terms reference should be made to The Town and Country Planning Act 1990 which deals with the issue of commencement as follows:
- By virtue of section 56(1) development of land is taken to be commenced:
- (a) if the development consists of the carrying out of operations, at the time when those operations are begun;*
 - (b) if the development consists of a change in use, at the time when the new use is instituted;*
 - (c) if the development consists both of the carrying out of operations and of a change in use, at the earlier of the times mentioned in paragraphs (a) and (b).*
27. Section 56(2) goes on to provide that development shall be taken to be begun on the earliest date on which any material operation "*comprised in the development*" begins to be carried out. The effect of section 56 is that permissions may be 'kept alive' indefinitely; i.e. remain legally extant and capable of full implementation despite expiry conditions if works or actions to implement them have lawfully commenced.

28. These "material operations" (previously referred to as "specified operations" in sec.43 of the 1971 Act) are listed at section 56(4) of the Act and they are as follows:
- A. any work of construction in the course of erection of a building;
 - AA. any work of demolition of the building;
 - B. the digging of a trench which is to contain the foundations, or part of the foundations of any building;
 - C. the laying of any underground main pipe to the foundations or part of the foundations of a building, or to any such trench mentioned in para.(b).
 - D. any operation in the course of laying out or constructing a road or part of a road;
 - E. any change in the use of the land which constitutes material development.
29. The Council's building control team has a record of commencement on site in October 2019, when a surveyor attended the site and witnessed the commencement of foundations for the garage of approved plot 5. Building Control confirmed that the works were classed as having commenced on site. Further evidence in the form of photos have also been submitted and are on the public file.
30. Officers note that concerns were raised about the fact that the trenches were backfilled. However, case law holds that a foundation trench of the requisite width and depth to contain foundations which were dug and then backfilled constituted commencement – High Peak BC v SoS for the Environment [1981] JPL 366.
31. The test to consider when establishing if permission is extant is whether the work was done in accordance with the planning permission and whether it was material in the sense of not being de minimis – East Dumbartonshire Council v SoS for Scotland and MacTaggart & Mickel Ltd [1991] 1 PLR 53
32. It is also important to note that all pre-commencement conditions have been discharged – this is known as the Whitley principle and was the case here. Works carried out under a planning permission cannot qualify as a commencement unless that work is also carried out in compliance with the conditions subject to which the permission was granted. Again, this was the case here, no conditions have been breached when the trenches were dug.

Summary on principle

33. In summary, all pre-commencement conditions had been discharged and the trenches for the garage of plot 5 were dug in October 2017 before the permission would have expired in December 2017. Notwithstanding the fact that the trenches have been backfilled works have been commenced in accordance with the approved plans and cannot be considered de minimis, the previous permission is therefore considered to have lawfully commenced.

34. On this basis the principle of development of the site has been established and only the proposed changes and their potential impacts can be considered.
35. As set out above this application seeks changes to 6 of the approved 7 plots whilst the 7th dwelling (plot 5) will be built out under the extant planning permission and does not form part of this application.

Scale, layout and design

36. The site is rectangular in shape and as previously approved, two dwellings and the former plot 5 are proposed on the western side and four dwellings on the eastern side of the central access. The access slightly curves into the site allowing a more even distribution of the properties and their rear gardens. The six dwellings proposed are of the same scale and similar layout than that already approved. The main changes are the re-orientation of plot 6 to face the access road as opposed to being gable end on, facing plot 5 to the south. The garages to plots 1 to 4 are linked rather than integrated as previously approved. A vehicle turning head and field access into the field to the west will remain as approved. There will be five 4 bedroom dwellings and one 5 bedroom dwelling, which is the same as that already approved. There would therefore be no intensification resulting from this proposed scheme when compared to the approved scheme.
37. The chalet style design is fairly traditional in appearance. The application proposes facing brickwork, traditional brick & stone - Farmhouse Blend to plot 2, 4 and 7 and facing Granchester Blend to plot 1, 3 and 6. Weatherboarding in dark grey is proposed for the garages and grey concrete tiles to the roofs. The mix of materials and the scale proposed reflect the local vernacular and will add to the variety of build development in the area. On this basis the application complies with policies DM2, DM22 and CS5 in this respect.

Residential amenity

38. Concerns have been raised by local residents, particularly off Friday Street, about potential overlooking from plot 4 and the loss of view and outlook to the rear of these properties and The Lilacs. However, the ridge height of the approved and proposed scheme is unchanged at 7.5 meters and therefore impacts in terms of outlook remain the same. Whilst staggered and slightly closer to the boundary in places when compared to the approved scheme, the distance from the rear elevation to the rear boundary of plot 4 has increased.
39. The proposed dwellings are between 13.3 meters (plot 1), 15 meters (plot 2), 14.5 meters (plot 3) and 20.8 meters (plot 4) from the rear boundary of the application site, which backs onto the rear gardens of properties on Friday Street. As such the stand-off between the proposed chalets and existing bungalows on Friday Street is well over 20m. The comments from adjacent properties are noted and whilst it is acknowledged that the presence of chalets on this currently undeveloped field will be notable loss of view is not a material planning consideration. Whilst the Council does not have adopted design standards, a back-to-back stand-off in excess of

20 meters is not considered to cause unacceptable loss of outlook or be overbearing nor would it cause unacceptable overlooking.

40. Plot 4 will be sited approximately 2.2m away from the side boundary with The Lilacs. Whilst this is closer than the approved scheme, the proposed chalet will only have an en-suite bathroom window at first floor in the side elevation towards The Lilacs, which can be conditioned to be obscure glazed, and a kitchen window at ground floor. The existing boundary hedge is to be retained and will provide additional screening, albeit a 1.8m fence will provide sufficient privacy to existing and future occupants.

41. The proposal therefore is not considered to be contrary to policy DM2 and DM22 in this respect.

Highways issues

42. The access from Friday Street into and out of Park Garden is on a bend and concerns have been raised by local residents about the safety along this junction in terms of highways safety. However, the approved scheme for 7 dwellings and the proposed scheme for 6 plus the former plot 5, will result in the same number of dwellings, 7 in total, comprising of five 4 bedroom and two 5 bedroom properties with the same amount of parking per property, which is ample and meets the current Suffolk Guidance for Parking.

43. The highway authority confirmed no objection to the proposal following a thorough assessment of the site. Based on a review of collision data of the site which reveals no recorded incidents in the past 10 years the access does not indicate an immediate highway safety risk. Visibility from the junction of Park Garden and the blind bend on Friday Street (approx. 40m) is deemed sufficient to allow for adequate inter-visibility between highway users. According to Manual for Streets, junctions within a 30mph zone require a minimum of 43m of visibility to allow for sufficient distance to allow vehicles at this speed to safely stop. It is anticipated that the speeds at this location will in fact be lower than 30mph due to the geometry of the road network which will further reinforce the suitability of the visibility splay.

44. There is sufficient pedestrian provision in the surrounding area, including public rights of ways west of the site, to allow for pedestrians to safely walk to local services such as village halls and schools. The highway authority does not consider that the scale of development would warrant any significant increase in the pedestrian provision.

45. The access utilised by the proposed development would remain as approved and given the scale of development does not change, the traffic generated from the proposed scheme must be assumed to be the same as that of the approved scheme. As such highways matters have already been accepted. The proposal would not be contrary to DM2 and DM46 in this respect.

Landscape and biodiversity

46. The application site lies on the edge of the developed envelope of West Row with open countryside beyond. A Public Right of Way runs further

west of the site. As such the development may be glimpsed in public views. The boundary treatment along this western boundary is particularly important to ensure an appropriate relationship with the countryside. As previously approved, the application proposes a 1.4m high post and rail fence along the western boundary to be planted with a native hedge. Between the plots and along the northern boundary will be close boarded fencing to provide privacy to neighbouring properties and future residents. The existing mature hedge along the southern boundary will be retained. Amenity grassland and additional trees are proposed within the site.

47. The application is supported by an ecology report, which concludes that the site does not contain suitable habitat for protected species and the likely impacts from the development on protected species are negligible. The report includes recommendations for mitigation and biodiversity enhancements, including hedgehog gaps within the close boarded fencing, a native bat friendly hedge along the western boundary and bat and bird boxes. Details of enhancement measures can be secured by condition.
48. Subject to the proposed planting of a native hedge and details for biodiversity enhancement to be secured by condition the proposal is considered to comply with policies CS3, DM11, DM12 and DM13 and the NPFF in this respect.

Other Matters

49. Archaeological fieldwork and reporting has been completed on the site and no further investigations are required in order to comply with policy DM20.

The planning history of the site does not give rise to concerns with regards to risk from contamination, as such the application does not conflict with policy DM14. Policy CS4 states that the Council will promote and encourage all development proposals to deliver high levels of building sustainability. Electric vehicle charge points as suggested by the Environment Team would be secured in accordance with the comments from the Councils Environment Team above.

The site is within flood zone 1 and states in the application form that drainage will be dealt with by soakaways. The proposal is of a scale where the details would be dealt with through building regulations. There is therefore no conflict with policy DM6 in this respect.

Construction traffic and hours of construction

50. Concern was raised about construction traffic and hours by residents. A construction management plan has been submitted with the application and Public Health and Housing have recommended standard construction hours to be imposed to ensure impacts on local amenity are minimised. Wear and tear to the private access road is a civil matter. However, it is the responsibility of the site owner, who is aware of the access constraints, and their contractors to ensure they cause no damage to private property and to rectify any damage which may be caused by them.
51. Anyone with an interest in the access may keep a photographic record of the condition of the access before the development begins and could raise any concerns with the developer to make them aware of the issues.

Independent legal advice could also be sought about the responsibilities on the owner and contractors. However, these matters are outside of the control of the planning process.

Waste collection/ Emergency access

52. The application originally proposed a collection point off Park Garden which would have meant that the residents would have to drag their bins well over the recommended maximum dragging distance set out in the West Suffolk Waste Guidance. Whilst the approved scheme already exceeds the recommended maximum dragging distance of 30m by approx. 40m, the proposed location only extends this by a further approx. 15 metres, as such, in the view of officers this alone would not be sufficient to justify refusal. The developer has explored alternative private collection services. The application proposes collection from within the site by a private provider.
53. Concerns were raised by local residents about impact on amenity from the activity associated with the bin presentation. However, whilst this would be a weekly occurrence and as such not a constant issue that would warrant refusal, the amended proposed private collection addresses this point as well.
54. SCC Fire and Rescue Services have been consulted and confirmed that subject to fire sprinklers within the properties they have no concerns or objections. These have been secured by condition on the approved scheme and would be secured again.

Summary and Conclusion:

55. The principle of development has been established through the extant outline and reserved matters permissions and a scheme for 7 dwellings can and would be implemented regardless of the outcome of this application. The changes proposed through this application relate to the layout of 6 of the 7 plots and their design. Reserved matters approval cannot be varied under the provisions of s73 of the Act, hence a new full application has been submitted for these 6 plots. The design proposed is acceptable in this location which is characterised by a variety of dwelling designs and sizes. Loss of view is not a material planning consideration and impacts on outlook or overlooking are considered to be acceptable, nor will the proposals be overbearing given the 7.5m chalet height and considerable separation from the rear boundary of between 13.3m and 20.8m. Waste collection is proposed to be provided by a private service provider from within the site, which will be an improvement to the current approved scheme.
56. The scale of the development and access will remain unchanged from the approved scheme such that there would not be an adverse effect on highway safety as a result of this revised scheme and parking provision will be in accordance with the current standards.
57. The principle and detail of the proposals, subject to conditions, are therefore considered acceptable and the application is recommended for approval subject to conditions.

Recommendation:

58. 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:

Reference number	Plan type	Date received
JP-2021-014-70 Plot 7	Proposed elevations & floor plans	2 February 2022
JP-2021-014-60 Plot 6	Proposed elevations & floor plans	2 February 2022
JP-2021-014-10 Plot 1	Proposed elevations & floor plans	2 February 2022
JP-2021-014-40 Plot 4	Proposed elevations & floor plans	2 February 2022
JP-2021-014-30 Plot 3	Proposed elevations & floor plans	2 February 2022
JP-2021-014-20 Plot 2	Proposed elevations & floor plans	2 February 2022
JP-2021-014-1 Rev.A	Location & block plan	20 April 2022

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

- 3 Before the dwelling at plot 4 hereby permitted is first occupied/brought into use, the first floor bathroom window in the south elevation shall be fitted with obscure glass to Pilkington glass level 4 privacy or an equivalent standard and shall consist only of non-operable fixed lights up to 1.70m from floor level and shall be retained in such form in perpetuity.

Reason: To prevent the overlooking of adjacent properties in order to ensure that residential amenity is not adversely affected, 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.

- 4 The Construction Management Statement received on 02 Feb 2022 shall be adhered to throughout the construction period.

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.

- 5 No construction HGV movements, loading and unloading of vehicles or deliveries shall be taken or despatched outside the hours of 07:00 - 19:00 Mondays to Saturdays and no deliveries shall be taken or despatched on Sundays and Bank Holidays unless agreed in writing with the Local Planning Authority.

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.

- 6 Demolition or construction works shall not take place outside 8:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 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.

- 7 All construction lighting installations to be provided at the site, including those within the car parking areas, service yards and security, shall be positioned so as not to cause unacceptable glare to the residential properties in the vicinity of the site.

Reason: To prevent light pollution and 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.

- 8 All planting comprised in the approved details of landscaping detailed on drawing no P-2021-014-1 Rev A 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.

- 9 Prior to occupation 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 and thereafter retained as so installed. There shall be no occupation unless and until details of the biodiversity enhancement measures to be installed have been agreed in writing by the Local Planning Authority.

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,

- 10 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.

- 11 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.

- 12 Prior to occupation each dwelling hereby approved shall be fitted with a domestic sprinkler system and shall be maintained fully functional thereafter.

Reason: To enhance Firefighter safety in accordance with policy DM22.

- 13 Prior to first use of the development hereby permitted, the area(s) within the site shown on drawing No. JP-2021-014-1 Rev.A 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.

- 14 All HGV and construction traffic movements to and from the site over the duration of the construction period shall be subject to a Construction and Deliveries Management Plan which shall be submitted to the planning authority for approval a minimum of 28 days before any deliveries of materials commence.
No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan.
The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

Reason: To reduce and / or remove as far as is reasonably possible the effects of HGV and construction traffic in sensitive areas, in the interest of highway 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.

- 15 No development above slab level shall take place until details of the facing and roof materials shall be 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.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/0172/FUL](#)

This page is intentionally left blank

Supplementary Paper

Item 9 – Planning Application DC/22/0172/FUL Land adjacent to 1 and 2, Park Garden, West Row

Case Officer – Britta Heidecke

1. West Row Settlement boundary

Following publication of the Development Control Committee Report, the site has by error been referred to in para 4 of the officer report as being outside the settlement boundary for West Row. Unlike when the previous permission was granted, the site is within the settlement boundary for West Row, which was adjusted following the adoption of the Forest Heath Site Allocations Local Plan in 2019. Reference to policy DM5 within the policy section of the report is also not relevant.

The conclusions as set out in para 55 of the officer report remain valid; the principle of development has been established through the extant outline and reserved matters permissions and a scheme for 7 dwellings can still be built out on this site. However, in addition to this fall back position, the acceptability of the principle of residential development on this site is clearly established by its inclusion within the settlement boundary of West Row. The principle of development is therefore wholly acceptable and is compliant with the spatial policies within the development plan; SA1 and CS1. The recommendation remains one of approval as set out within the report.

This page is intentionally left blank

Your Ref: DC/14/1187/OUT
Our Ref: 570\CON\2105\14
Date: 23 September 2014
Enquiries to: Samantha Bye
Tel: 01473 264740
Email: Sam.bye@suffolk.gov.uk



The District Planning Officer
Forest Heath District Council
District Offices
College Heath Road
Mildenhall
Suffolk
IP28 7EY

For the Attention of: Charlotte Ballard

Dear Charlotte

**TOWN AND COUNTRY PLANNING ACT 1990
CONSULTATION RETURN DC/14/1187/OUT**

PROPOSAL: Outline Planning application (all matters reserved) - 3 no.

four-bedroom chalet bungalows with attached garages

LOCATION: Land at Parkers Drove, West Row, Mildenhall, Suffolk

ROAD CLASS:

Notice is hereby given that the County Council as Highways Authority recommends that permission be refused. for the following reasons:

- a. Road and personal safety
- b. Vehicular and pedestrian accessibility
- c. Sustainability

Whilst the Highway Authority is keen to support Local Needs Housing unfortunately in this case the application site has associated highway difficulties. The main concerns are:

(i) The site is not located in a sustainable location as there are no footway connections to the village resulting in pedestrians, especially children, having to walk along Parkers Drove from the main road which also does not have a footway, which would have to meet current highway standards.

Parkers Drove is not fit for purpose and this development represents an intensification of use. The access onto Friday Street does not meet highway standards of a minimum width of 5.5 metres. Vehicles turning right onto Parkers Drove have to wait on a bend in the road and present a danger to oncoming traffic.

Endeavour House, 8 Russell Road, Ipswich, Suffolk IP1 2BX
www.suffolk.gov.uk

At this time it is SCC view that safe and suitable access to the site cannot be achieved for all people (NPPF 32). Additionally NPPF promotes sustainable transport where developments should be located and designed where practical to give priority to pedestrians and cycles and minimise conflicts between traffic and cyclists or pedestrians. Opportunities for sustainable transport modes cannot be taken up by potential occupiers of this proposed development.

Yours faithfully

Samantha Bye
Senior Development Management Engineer
Network Improvement Services
Economy, Skills & Environment

Endeavour House, 8 Russell Road, Ipswich, Suffolk IP1 2BX
www.suffolk.gov.uk

Your Ref: F/2013/0329/OUT
Our Ref: 570\CON\1547\13
Date: 21 August 2013
Enquiries to: JonNoble
Tel: 01473 260894
Email: jon.noble@suffolk.gov.uk



The District Planning Officer
Forest Heath District Council
District Offices
College Heath Road
Mildenhall
Suffolk
IP28 7EY

For the Attention of: Julie Sheldrick

CONSULTATION RETURN F/2013/0329/OUT

PROPOSAL: **Outline application: erection of 7 detached dwellings (Departure from the Development Plan)**

LOCATION: **Land adjacent to, 1 & 2, Park Garden, West Row**

ROAD CLASS:

Notice is hereby given that the County Council as Highway Authority make the following comments:

Further to Sam Bye's previous correspondence with conditions, I submit the following information.

Visibility on Friday Street

Visibility from Parkers Drive onto Friday Street is good in both directions and on site visits I have been able to see for a distance of approximately 60m to the right (to the bend) and at least 200m to the left. Speeds at this location on Friday Street are relatively slow.

Friday Street Road Width

There is a concern that Friday Street is very narrow and large vehicles have difficulty turning the corner at the junction with Parkers Drive. However this proposed development is unlikely to result in a material increase in the traffic levels undertaking this manoeuvre.

Parkers Drive Road Width

The approximate road width of Parkers Drive is 4.1m up to the verges. The Suffolk Design Guide states that roads serving more than 5 houses should be at least a shared surface road; this requires the road to be at least 4.1m where there is no frontage development and 5.5m where there is. Therefore this road falls below adoptable standards. In fact, this road is more akin to a shared drive which in our standards is for up to 5 houses.

However, Manual for Streets states that this is the very narrowest road that can support side by side vehicles at low speeds. From site visits, it appears that speeds are low and therefore the safe operation of Parkers Drive should continue with a small increase in the number of houses severed on Parkers Drive.

Neither Parkers Drove, nor any road taking access from it, could be adopted by Suffolk County Council.

There are other potential developments which may use Parkers Drove to access the highway network. There is a maximum number of houses that Parkers Drove can safely support and the Local Planning Authority should be conscious of this.

The number of houses that could be supported is difficult to estimate – as it is a qualitative assessment about when the amount of vehicles using the road creates a safety issue. It would be between 5 dwellings (the number of houses that are certainly appropriate for this size of road) and 25 dwellings (the maximum number for a shared surface road). At this stage, I would estimate the number of houses that can be safely accommodated to be about 15 dwellings.

The application is for seven new dwellings off of an existing small development, which falls below this cut off.

Visibility on Parkers Drove

Visibility from the site onto Parkers Drove has been shown on SK003 as 2.4m x 40m. However, the line has gone over land which does not belong to the applicant. Achievable visibility is therefore significantly less than this at approximately 2.4m x 20m. Again, speeds along Parkers Drove appear to be low. This level of visibility is appropriate for roads where most people travel at or below 17mph.

Conclusion

We have considered this application on its merits alone – there may be issues for the Local Planning Authority when considering the overall area.

While visibility onto Parkers Drove is low, it is in line with the apparent speed of traffic using the road. Parkers Drove is narrow and can not support an indefinite increase in dwellings served from it. Had this development had been for more dwellings, then we would have recommended a refusal as the intensification of access road and Parkers Drove may be detrimental to highway safety.

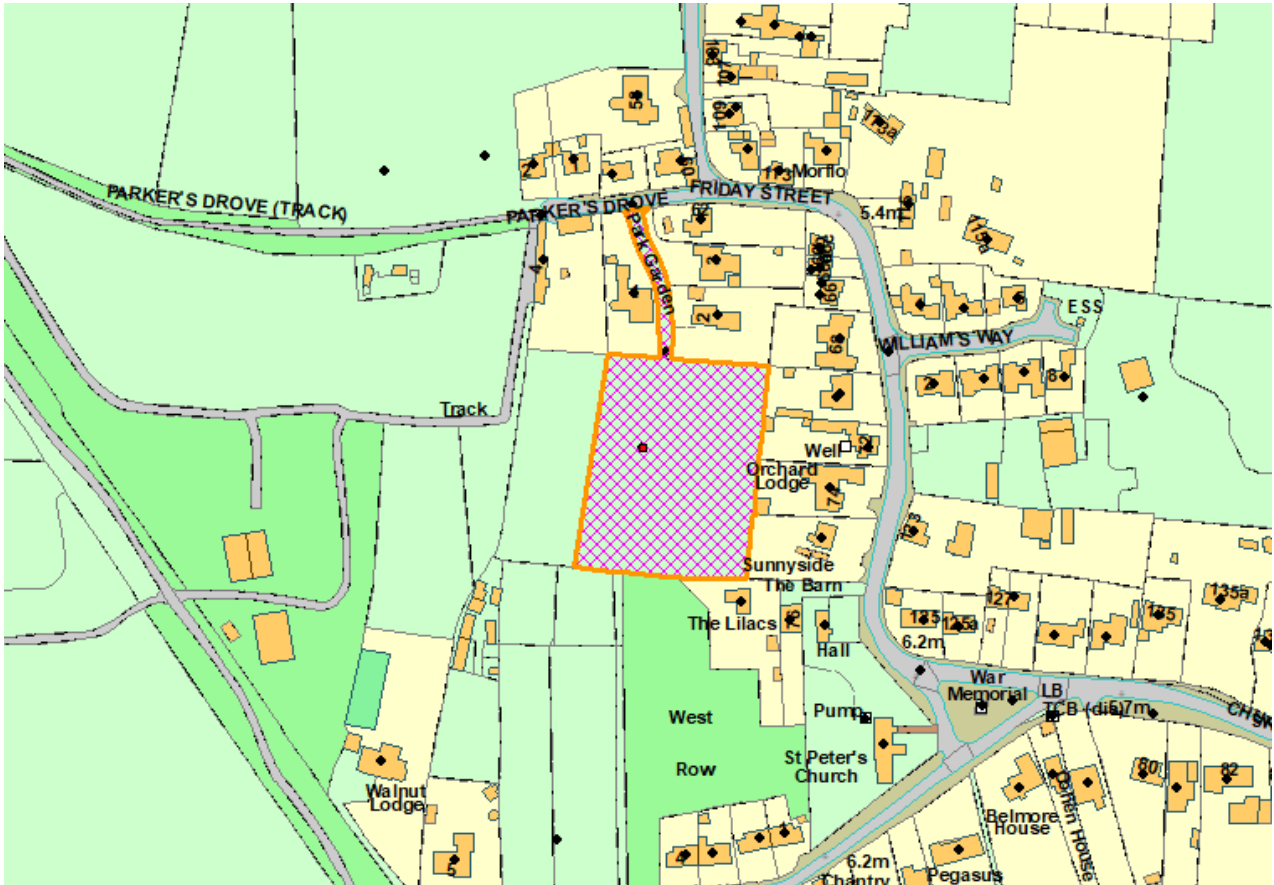
However, in balancing the development within its location, our previous recommendation still remains. However, it recognition that the applicant does not have control over the land shown in SK003, the visibility condition should be removed.

Yours sincerely,

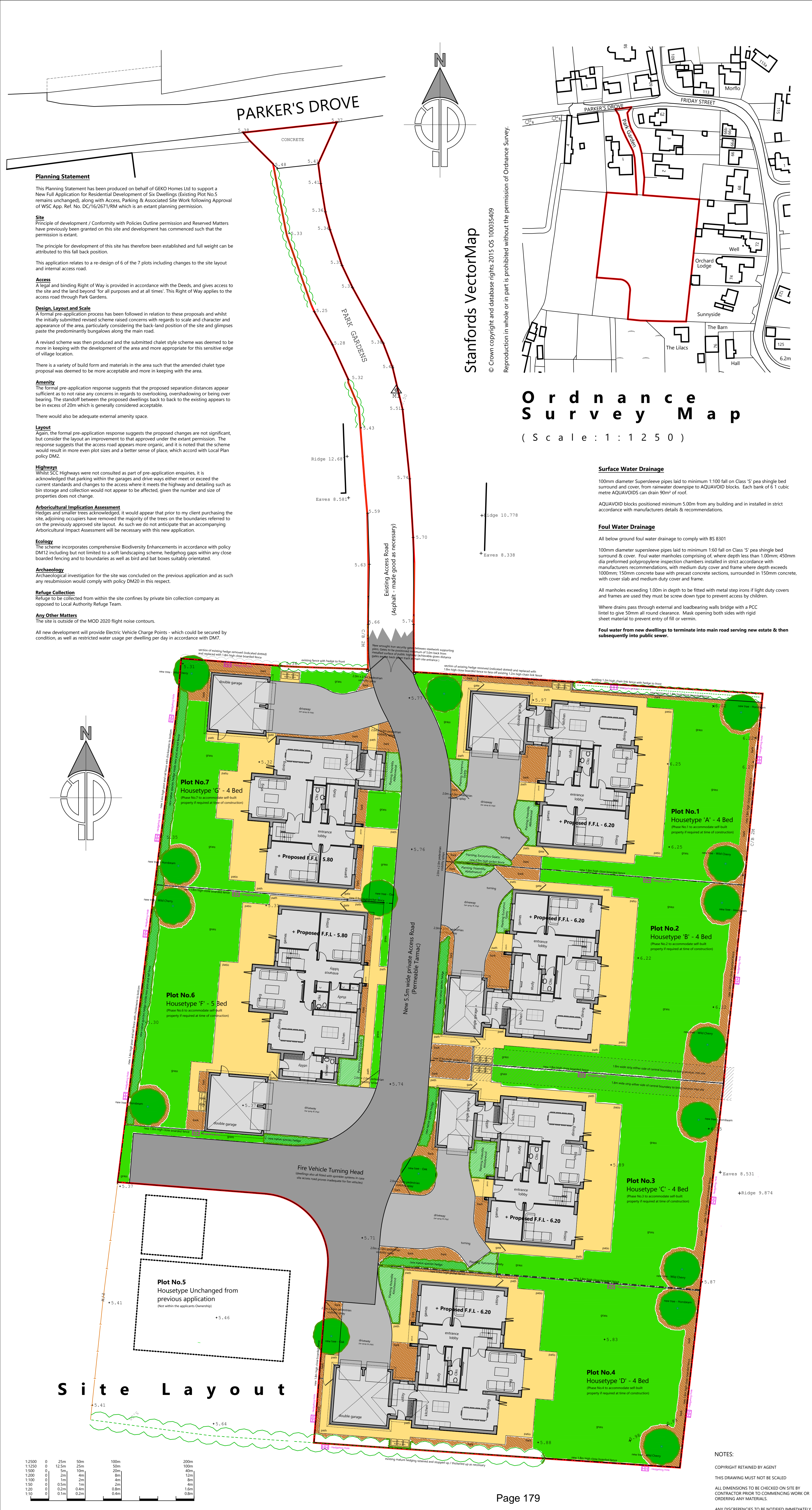
Jon Noble
Senior Development Management Engineer
Highway Network Improvement Services
Economy, Skills & Environment



DC/22/0172/FUL - Land Adjacent To 1 And 2, Park Garden, West Row



This page is intentionally left blank



Soft Landscaping

Native Species Hedge

Double staggered rows with at least five plants per metre 1+1 bare root transplants 60 - 90cm + cane @ approx. 0.4m ctrs.

Species to comprise:	Common Hawthorn (<i>Crataegus Monogyna</i>)	60%
	Hazel (<i>Corylus Avellana</i>)	10%
	Field Maple (<i>Acer Campestre</i>)	20%
	Dogwood (<i>Cornus Sanguinea</i>)	5%
	Dog Rose (<i>Rosa Canina</i>)	5%

Imported topsoil (Provisional)

If there are topsoil shortfalls the Landscape Contractor shall allow to supply and spread approved topsoil as necessary to make up levels if required. Soil shall conform to BS 3882 (2015) for the grade of topsoil specified.

The Contractor shall arrange for the CA to inspect a representative sample of the soil before making further deliveries to site. The CA will retain this for comparison with subsequent. The soil shall conform to the following requirements:

- Texture: Medium loam.
- pH 7.0 - 8.0.
- Organic matter: minimum 5%.
- Nutrient content: Nitrogen, phosphorus, potassium and magnesium minimum index values to be as for general purpose grade of BS 3882.
- Made up of discernable crumbs, typically 2-7mm diameter, each comprising an aggregation of soil particles attracted around a sticky humus centre.
- Maximum stone size: 50mm in any dimension.
- Maximum stone content: 5% by dry weight

Herbicide Treatment (Provisional)

If garden areas or soil stores have stood open long enough to allow weed growth to have arisen, apply a glyphosate-based herbicide to all areas as directed by the CA. Ensure that sprays are applied in dry, still weather conditions, using a spray guard. All spraying shall be as per the manufacturer's instructions and best practice guidelines and at least 2 weeks before planting works commence. Avoid contact with trees and other existing vegetation that is to be retained. (Also consider below ground root unions of vegetation to be retained - which may spread the impact of translocated herbicides).

Cultivation

All proposed planting and lawn areas shall be cultivated to ensure that soil compaction is relieved and a fine tilth is prepared suitable for planting and grass seeding as required. It is recommended that a small tractor or large rotavator scale of machine may be the most appropriate sized equipment for this site. Use a small tractor mounted harrow or similar implement to ensure free draining soils and compaction relief to a depth of at least 250mm. The Contractor shall allow to separate out any building waste or other deleterious material that might arise during the cultivation works and remove to the Contractors off site tip.

Soil Conditioner (Provisional)

The Contractor shall supply and spread 50mm of approved soil conditioner to all planting beds (not lawn areas) and incorporate into the topsoil. This equates to a rate of 5 cubic metres of conditioner per 100sqm of planting bed. The conditioner shall be free of perennial weed seeds, bulbs or rhizomes or any deleterious material larger than 25mm in any dimension. The conditioner will be a peat free, well composted organic material, with a nominal pH of between 6.0 and 7.0 and free of detrimentally high salt or other chemical properties. The conditioner shall be free of strong odours. The Contractor shall ensure the conditioner is free of plant pathogens and should produce a representative sample and evidence of origin for consideration by the CA prior to bulk deliveries to site.

Note: If planting areas eventually comprise 100mm or more of new imported BS 3882 (2015) topsoil, then soil conditioner may be deleted from the specification. Confirm with the Contract Administrator (CA).

Fine Grading

Work-in the soil conditioner and bring the soil to a fine tilth. The Contractor shall ensure that there are no mounds or hollows across proposed lawn areas and that any required falls are even and will not allow ponding in future. The Contractor shall take care to avoid soil spillage over paths, road and other finished surfaces.

Sown Grass - Rear Lawn and Verge Areas

Sow proposed lawn areas with Emorsgate 'Strong Turf Grass' mix at a rate of 25gms/sqm. The Contractor shall allow a rate to supply and sow, by drill, hand broadcast or fiddle, grass seed to all prepared lawn areas as shown on the plans or directed by the CA. Sow the seed in dry windless conditions and where possible roll in afterwards.

Sown Grass Establishment

When the grass sward reaches a height of 35-40mm the Contractor shall allow to pick off any large stones or detritus on the site and remove to the Contractors tip before rolling the sward in two directions with a light roller. When the grass reaches a height of 75-100mm and in suitable weather conditions, the Contractor shall allow to mow the sward to a height of approximately 35-40mm, collecting the cuttings in a box (or raking off) and removing from site. The Contractor shall allow to re-grade, harrow and re-sow any areas of the sward which, in the opinion of the CA, have failed to thrive. The Contractor shall continue to mow and maintain the sward to the above criteria throughout the 12 month establishment period or as seasonally appropriate.

Turfing - Ground preparation

Front lawn areas around dwellings are proposed to be provided as rolled turf. To prepare those areas proposed for new lawn the Contractor shall cultivate the soil to produce an even, free draining, fine tilth. Grade the soil to provide a firm, level surface that will allow the new turf to marry with adjacent pavements, fences and planting beds. To finish, the Contractor shall roll or rake the soil to obtain an even, well consolidated surface.

Turf Supply

Obtain turf from a specialist grower. All turf shall be supplied to the standards set out by the Turf Growers Association (TGA). The preferred turf shall be a hard-wearing multi-purpose type with a variety of grass species and suitable for amenity situations. Provide a sample prior to delivery for approval by the CA. Lay the turf carefully, close butting adjacent turves and cutting to provide the best fit if required. Brush in fine soil to any cracks and consolidate with wooden beaters to provide even grades to the finished lawn.

Watering In

After laying, the turf shall be irrigated with a fine sprinkler system so that the turves are thoroughly moistened but ensuring that the ground does not become waterlogged and that surface water runoff does not occur. Check that water has penetrated the turf and saturated the soil underneath.

Mulch

The Contractor shall monitor mulch levels and allow in his price to supply and spread additional mulch to beds at the end of the maintenance period to ensure that there is a 50mm layer of mulch to beds at the time of handover. Make up any other areas where settlement may have occurred (eg in tree pits in pavement areas). Bring in additional soil if necessary.

Grass Mowing

Maintain lawns at a height of between 30 and 50mm in height - allowing for between 10 and 14 cuts throughout the year. Remove mowings from the site.

The following guidance is offered for watering plants in the first 2-3 years of establishment in dry weather periods:

- Use a watering a sprinkler or trickle hose system that will administer water slowly and at a low pressure, mimicking rainfall. Fill the water 'gators' on trees as per the manufacturers instructions.
- A newly planted tree/shrub/perennial should be watered-in when planted, and watering should continue in dry weather throughout the spring and summer until the leaves have fallen in autumn (for deciduous trees).
- Water should be applied to the base of the plants, evenly distributed over the entirety of the root-ball to encourage even root development. Try to avoid directly watering foliage, especially in hot weather, as this may cause leaf scorch.
- You may need to water evergreens a little during the winter months if it is particularly dry, this does not need to be done routinely, and can be a response to a period of dry weather.
- During the height of a dry summer, water should be applied at a rate of 2 domestic bucket fulls (or 20 litres of water) per plant every other day. One long soak every few days is preferable to sprinkling water more regularly.

Plants lost due to dry weather will be replaced by the Contractor at the Contractors expense during the next planting season.

Care, Maintenance & Establishment of the Lawn Areas (Provisional)


It is the Contractor's responsibility to, weed, mow and fully maintain the grassed areas during the 12 month establishment period, unless otherwise agreed by the CA. The Contractor shall mow the grass when it has a general height of 40mm and shall maintain a regular mowing program thereafter. It is recommended that the first cut for the new turf areas is left until the grass is around 60-70mm tall. Where areas of grass are vulnerable to disturbance by garden users the Contractor shall protect the newly grassed areas from trespass and traffic by then supply and erection of temporary fencing. The Contractor shall allow for supply, maintenance and removal of temporary protective fencing within the lump sum tender price.

Care, Maintenance & Establishment of the Planting Areas (Provisional)

The landscape contractor shall maintain all the planting areas for a period of 12 months following practical completion. All planting areas shall be kept free of weeds for the duration of the maintenance period. All plants that are found dead, diseased or dying within the 5 years of practical completion shall be replaced in the next available growing season.

A	- LANDSCAPING REVISIONS - BIN COLLECTION METHOD REVISED	APRIL 2022
-	PLANNING PORTAL SUBMISSION	JAN 2022

Rev: Notes: Date:

Client: GEKO Homes Ltd	
Project Reference: New Full Application for Residential Development Access, Parking & Associated Site Work following Approval of WSC App. Ref. No. DC/16/2671/RM (which is an extant planning permission).	
Drawing Number: JP-2021-014-1	Rev. A
Drawing Name: Proposed Site Layout & Ordnance Survey Map	
Address: Residential Development, Land Adjacent 1 & 2 Park Gardens, West Row, Suffolk, IP28 8QG.	
	Jamie Palmer Architectural Design Services Ltd 131a Brook Street, Soham, Cambridgeshire, CB7 5AE e-mail: jamie.palmer@jp-ads.co.uk mobile: 0777 111 1979
Scale: 1:200	Paper Size: A1

This page is intentionally left blank

Development Control Committee 6 July 2022

Planning Application DC/22/0021/HH – The Croft, Mildenhall Road, Barton Mills

Date registered: 18 January 2022 **Expiry date:** 13 July 2022

Case officer: Savannah Cobbold **Recommendation:** Refuse application

Parish: Barton Mills **Ward:** Manor

Proposal: Householder planning application - a. two storey front extension; b. two storey side and rear extension; c. conversion and extension of existing garage to habitable space; d. single storey side extension to existing garage (following demolition of existing flat roofed garage); e. roof alterations to existing link extension; f. two bay cartlodge with room above

Site: The Croft, Mildenhall Road, Barton Mills

Applicant: Mr and Mrs Marsh

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:

Savannah Cobbold

Email: savannah.cobbold@westsuffolk.gov.uk

Telephone: 07971 534117

Background:

The application is presented before the Development Control Committee following consideration by the Delegation Panel. It was referred to the Delegation Panel at the request of Ward Member (Manor) Councillor Brian Harvey. Barton Mills Parish Council subsequently confirmed their support for the proposal.

A site visit is scheduled for Monday 4 July 2022, and the application is recommended for refusal.

Proposal:

1. The property is positioned side on to the site frontage with its main front elevation facing parallel to the access, and with its side elevation addressing the road.
2. Planning permission is sought for a number of additions and alterations to the property. These include –
 - A two storey front extension to the existing garage
 - A ground floor front extension
 - A ground floor side extension to the existing garage
 - A two storey side extension
 - A two storey rear extension
 - A detached one and a half storey garage with first floor space

Site details:

3. The Croft is located within countryside, near to but otherwise outside of the settlement boundary of Barton Mills. The dwelling is positioned centrally within a large plot, positioned behind the existing dwellings fronting Mildenhall Road. Access is achieved along a track (which also forms a public right of way) from the corner of Station Road and Mildenhall Road.
4. The site contains a residential property, brick built at two storey scale, with attached single storey garage to the side. The property has previously benefitted from extensions in the form of a two storey side extension, which due to the orientation of the property within the site is otherwise readily visible in views into the site from the access track.
5. The site is surrounded by hedging, but is otherwise readily visible above this, and from views through the access way directly of the adjacent public right of way.
6. The site is some distance from the Barton Mills Conservation Area, with intervening buildings. There are no listed buildings adjacent or close to the site.

Consultations:

7. 8 February 2022 - Barton Mills Parish Council – No objection to the proposed development.
8. 8 June 2022 – Barton Mills Parish Council (further unsolicited comments) - The Parish Council are very supportive of the plans and despite planning rules in regards to extending an extension, the council are in favour on the

plans and believe the proposal is appropriate and proportional when looking at other properties in the close surrounding area.

Representations:

9. No letters of representation have been received.

Policy:

10. 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 Council.
11. 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 DM5 Development in the Countryside

Policy DM24 Alterations or Extensions to Dwellings, including Self Contained annexes and Development within the Curtilage

Core Strategy Policy CS5 - Design quality and local distinctiveness

Other planning policy:

12. National Planning Policy Framework (NPPF)
13. 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:

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

- Principle of Development

- Design and Appearance, and Impacts upon the host dwelling and character of the area.
- Impacts upon Amenity
- Other Matters

Principle of Development

15. Policy DM24 states that planning permission for alterations or extensions to existing dwellings, self-contained annexes and ancillary development within the curtilage of dwellings will be acceptable provided that the proposal respects the character, scale and design of existing dwellings and the character and appearance of the immediate and surrounding area.
16. It is also a requirement that development proposals must not result in over-development of the dwelling and curtilage and shall not adversely affect the residential amenity of occupants of nearby properties.
17. For dwellings that are located within the countryside, this policy is notably more restrictive in the sense that it goes on to state that proposals for the alteration or extension of an existing dwelling in the countryside outside of towns and villages with settlement boundaries will also be required to demonstrate that they are subordinate in scale and proportion to the original dwelling.
18. Accordingly, while it can be accepted that the principle of extending any dwelling can be supported, the matters of detail are important, in fact integral, to the acceptability or not of proposals to extend dwellings in the countryside.

Design and Appearance

19. It is important, by way of context, and before considering the design related impacts arising from this scheme, to note the provisions of the latest revisions to the NPPF, in particular Chapter 12 relating to the achievement of well designed places. Good design is a key aspect of sustainable development and to emphasise this, the NPPF states, quite bluntly and unambiguously at paragraph 134, that 'development that is not well designed should be refused, especially where it fails to reflect local design policies'.
20. In this case, DM24 is considered to be the Authority's 'local design policy', setting out as it does the considerations and provisions that apply in relation to the extension of dwellings within the countryside. In order to protect the character and appearance of rural, often isolated or individual dwellings, and in order also to protect the countryside from the urbanising effects of significant extensions, Policy DM24 introduces a number of key policy tests.
21. These relate, common with extensions proposed to dwellings within towns and villages with settlement boundaries, to a requirement to respect the character scale and design of the existing dwelling and the wider area, to not result in any over development of the curtilage, and to also not adversely affect the amenities of any nearby properties.

22. In this regard, officers are satisfied that the development proposed will not lead to any overdevelopment of the otherwise generous curtilage.
23. DM24 also introduces a further key test, which only applies in relation to the extension of dwellings within countryside locations. This site is within the countryside. This additional test requires it to be demonstrated that extensions to dwellings in the countryside are subordinate in scale and proportion to the original dwelling. Key to assessing this policy is an analysis of the physical parameters of the dwelling, noting particularly that this assessment is made against the dwelling as originally built (and so excluding any already built extensions), not against the dwelling as might currently exist at the time of any application.
24. This is a key nuance of the policy and one that introduces a therefore much stricter requirement against which extensions in the countryside must be assessed. This policy requirement is in the interests of protecting the character and appearance of the countryside, for example against the potentially harmful urbanising effects arising from extensions otherwise subsuming or dominating the architectural modesty or integrity of an original structure, to the detriment of the character and appearance of both that original building and the wider area.
25. In this case, it is noted the dwelling in question has been subject to previous applications for extensions, including the two storey rear element as approved in 1980. It is further evidenced that the property has been subject to such later addition due to the slight differentiation in brick work evident clearly on the side elevation. Officers must therefore assess the extensions proposed in relation to the original dwelling, which is the dwelling as first built, excluding any later additions. As advised, this is an important and relevant nuance of the requirement of Policy DM24 in countryside locations.
26. As noted above, the principle of extending the property is considered acceptable, however the proposal provided, in the opinion of officers, and in relation to the additional two storey rear element and the two storey side element facing the road, do not prove subordinate in either scale or proportion to the original dwelling, particularly on the front elevation as this completely masks the original property, conflicting with the requirements of DM24. The proposed two storey rear extension in particular would inelegantly elongate the dwelling in a way that would not appear subordinate to the original property leading to a proposal that is out of proportion with its host.
27. This would result in these extensions, when considered in addition to the existing already deep two storey rear extension that these elements sit behind and on, having a competing and overpowering impact when considered relative to the massing of the existing property. The harmful and discordant presence of the deep rear extension and the prominent two storey side element on the existing already generous rear extension, would significantly and materially increase the mass and bulk of the property in a way that would be harmful to its original form. They would also be readily visible from the public right of way and this would further materially harm the character and appearance of the area through the urbanising effects arising.

28. There are dwellings nearby that are larger than The Croft, for example along Mildenhall Road, but this does not justify the elongated and overly massive appearance these two specific extensions would have.
29. It was recommended that this prominent elevation facing the public right of way be reconsidered and amended, along with reducing the scale of the projecting balcony element on the proposed side elevation, where the front door currently sits. However despite requesting such, no amendments have been provided by the applicant.
30. The property is also subject to a number of further proposed additions. Noting the modest scale and discrete siting of such, generally, and noting the size of the plot, these are generally considered to be unobjectionable, otherwise satisfying the provisions of DM24 in this regard.
31. The proposal also includes a detached cart lodge and in this regard officers have concerns regarding the positioning of such, and its proximity to the site boundary and the likelihood of it being visible therefore in longer views, noting its context upon the open countryside. The use, as justified by the applicant, is considered acceptable, however officers are of the opinion that this should be shifted away from the boundary of the site to minimise the impact on the countryside and that otherwise it will prove harmful to the rural character and appearance of the property contrary to the provisions of DM2 and DM24.
32. In conclusion, the two-storey rear and front extensions would harm the character and appearance of the host dwelling and wider area placing it at odds with Policies DM2 and DM24 of the Joint Development Management Policies Document 2015 (DMP) and Policy CS5 of the Forest Heath Core Strategy 2010.
33. These policies seek to secure high quality design that recognises key features of a building and, in the case of extensions in the countryside, respect the character, scale and design of existing dwellings and are demonstrably subordinate to the original dwelling. These policies are consistent with Paragraph 134 of the National Planning Policy Framework. Noting this, and noting the conclusions drawn above, this proposal is not considered to be 'well designed' in this specific context and in accordance with Para. 134 of the NPPF should therefore be refused.

Impacts Upon Amenity

34. Given the size of the plot, the scale of the extensions, and the remaining distance to off site properties, officers are also satisfied that the proposal will have an acceptable impact upon the amenities of nearby dwellings, which in this case are the existing dwellings adjoining the site along Mildenhall Road, which are generously separated from the development proposed, so as not to cause any material harm.

Conclusion:

35. In conclusion, the principle and detail of the development is not considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

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

1. In order to protect the character and appearance of rural, often isolated or individual dwellings, and in order also to protect the countryside from the urbanising effects of significant extensions, Policy DM24 introduces a number of key policy tests. These relate to a requirement to respect the character scale and design of the existing dwelling and the wider area, to not result in any over development of the curtilage, and to also not adversely affect the amenities of any nearby properties. DM24 also requires extensions to dwellings in the countryside to be subordinate in scale and proportion to the original dwelling.

The additional two storey rear element and the two storey side element facing the road do not prove subordinate in either scale or proportion to the original dwelling, particularly on the front elevation as this completely masks the original property, conflicting with the requirements of DM24. The proposed two storey rear extension in particular would inelegantly elongate the dwelling in a way that would not appear subordinate to the host property leading to a proposal that is out of proportion with the host property.

This would result in these extensions, when considered in addition to the existing already deep two storey rear extension that these elements sit behind, having a competing and overpowering impact when considered relative to the massing of the existing property. The harmful and discordant presence of the deep rear extension and the prominent two storey side element on the existing already generous rear extension, would significantly and materially increase the mass and bulk of the property in a way that would be harmful to its original form. They would also be readily visible from the public right of way and this would further materially harm the character and appearance of the area through the urbanising effects arising.

The proposal also includes a detached cart lodge which due to its proximity to the site boundary and the likelihood of it being visible therefore in longer views is considered to be harmful to the rural character and appearance of the property contrary to the provisions of DM2 and DM24.

In conclusion, the two-storey rear and front extensions would harm the character and appearance of the host dwelling and wider area placing it at odds with Policies DM2 and DM24 of the Joint Development Management Policies Document 2015 (DMP) and Policy CS5 of the Forest Heath Core Strategy 2010.

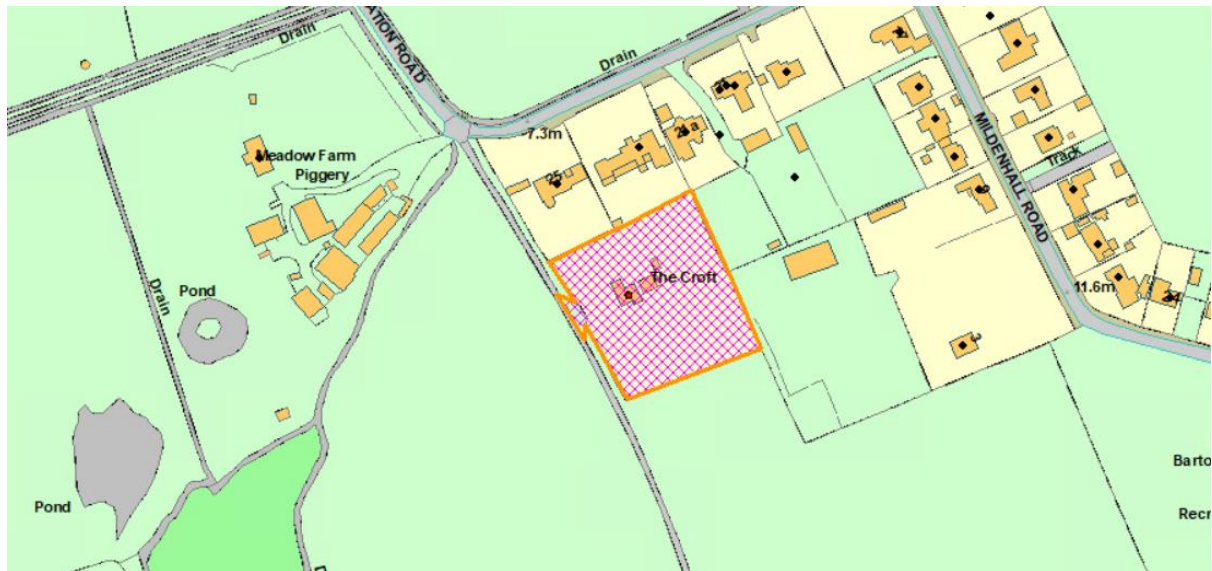
These policies seek to secure high quality design that recognises key features of a building and, in the case of extensions in the countryside, respect the character, scale and design of existing dwellings and are demonstrably subordinate to the original dwelling. These policies are consistent with Paragraph 134 of the National Planning Policy Framework. Noting this, and noting the conclusions drawn above, this proposal is not considered to be 'well designed' in this specific context and in accordance

with Para. 134 of the NPPF should therefore be refused.

Documents:

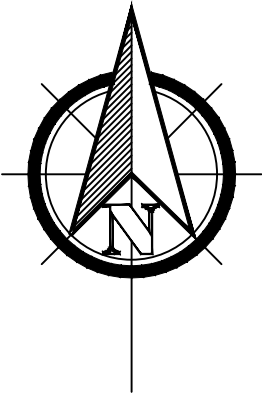
All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/0021/HH](#)

DC/22/0021/HH – The Croft, Mildenhall Road, Barton Mills IP28 6BD

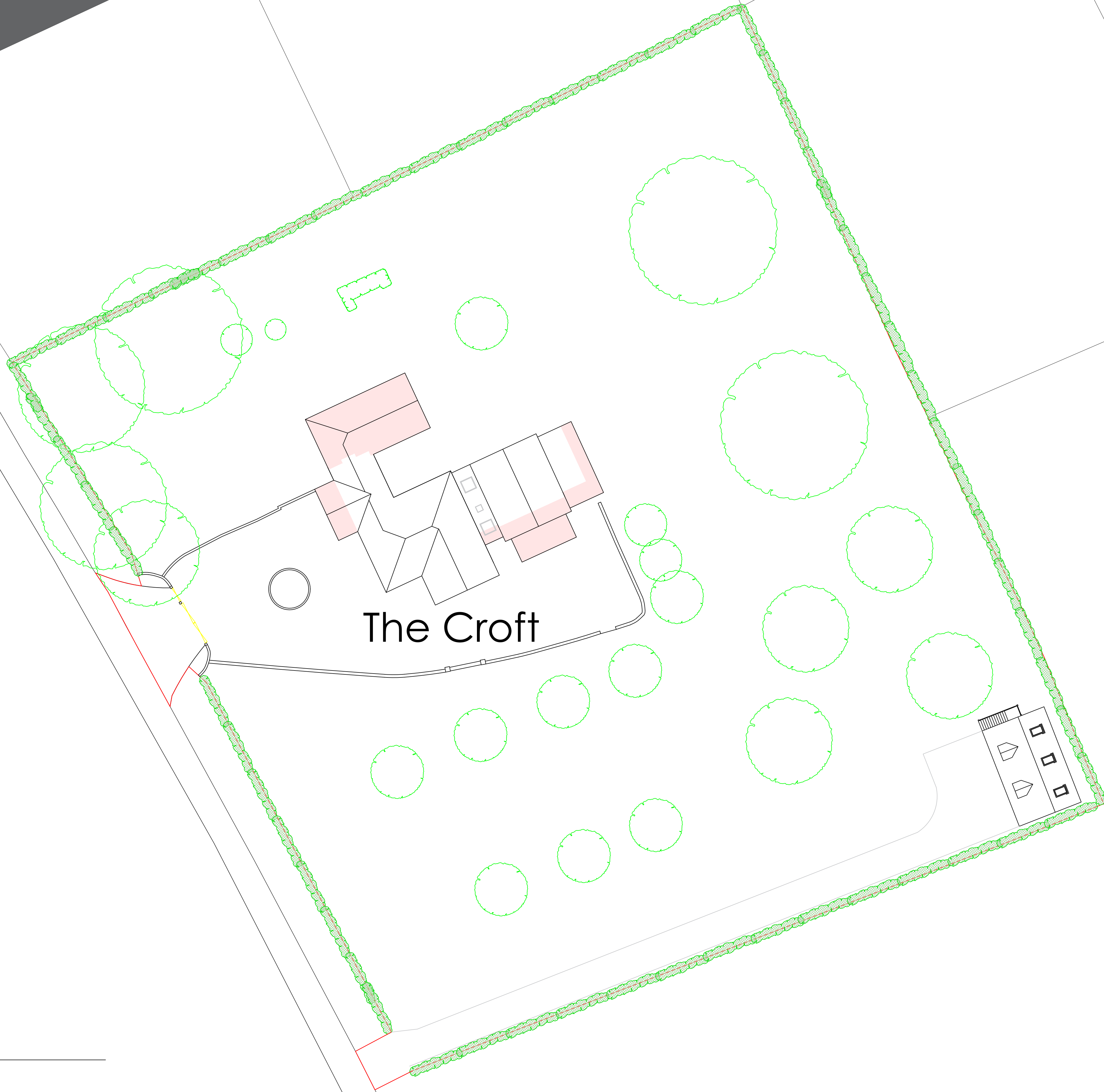


This page is intentionally left blank

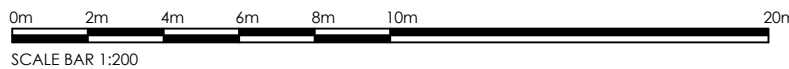
NOTES
This drawing must not be scaled. Report any discrepancies to the designer immediately.
All dimensions to be verified on site by main contractor before any work on site starts.
Any construction work carried out prior to receiving of necessary approvals is entirely at the householders / clients risk.
All building works to comply with current & relevant Building Regulations and British Standards.
This drawing is to be read with all relevant architectural / engineers drawings and other relevant info.
A J S Architecture Ltd have full copyright rights to these drawings. Unauthorised copying is not permitted.
All drawings based digital oranceance survey as instructed by client and are subject to a topographical site survey.
Plans to be in accordance with structural engineers details.



KEY
 New extensions



③ Proposed Site plan
Scale 1:200 @ A1



AJS ARCHITECTURE LTD
1st Floor Offices, Rosewood Stud,
Freckenham Road, Chippenham
Tel: 01223901904
Email: ajs.design@hotmail.com
Website: www.ajsarchitecture.co.uk

Project
Proposed extensions, internal alterations,
outbuilding and associated works at The Croft,
Mildenhall Road, Barton Mills

Description
Proposed site plan

Client
Mr & Mrs Marsh

Date
Dec 2021

Scale
1 : 200

Drawing No
P- 6479 - 05

This page is intentionally left blank

Development Control Committee 6 July 2022

Planning Application DC/21/1780/HH – Place Farm, Clay Cottage, Ipswich Road, Rougham

Date registered:	1 September 2021	Expiry date:	27 October 2021, Extension of Time requested to 8 July 2022
Case officer:	Adam Yancy	Recommendation:	Refuse application
Parish:	Rushbrooke with Rougham	Ward:	Rougham
Proposal:	Householder planning application - two storey side extension with repositioning of existing solar panels		
Site:	Place Farm, Clay Cottage, Ipswich Road, Rougham		
Applicant:	Mr Jack Teagle		

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:

Adam Yancy

Email: adam.yancy@westsuffolk.gov.uk

Telephone: 01638 719264

Background:

The application is presented before the Development Control Committee following consideration by the Delegation Panel. It was referred to the Delegation Panel at the request of Ward Member (Rougham) Councillor Sara Mildmay-White.

The application is recommended for refusal.

Proposal:

1. Planning permission is sought for a two storey side extension to the dwelling and the repositioning of the existing solar panels on to the proposed extension.
2. Amended plans have been received during the consideration of the proposal which reduce the width of the proposed extension by 50 cm'.

Site details:

3. The site consists of a two-storey detached cottage which is located with Place Farm. The dwelling is accessed by a track which is set a considerable distance from New Road located in the countryside.
4. The property has previously benefited from two storey and single storey extensions which are positioned on the side elevation of the property.
5. The boundaries of the site, in particular the western boundary, has limited screening through hedging and assorted vegetation which allows for long uninterrupted views of the dwelling from certain viewpoints.

Planning history:

Reference	Proposal	Status	Decision date
SE/12/1233/HH	Planning Application - Extend over existing single storey extension and remodel and refurbish existing dwelling. Remove existing flat roof over retained single storey and construct new mono-pitch roof. Construct new open porch to front entrance, and insert new windows to upper floor side elevations.	Application Granted	12 November 2012

Consultations:

6. No comments received from the parish council.
7. Councillor Sara Mildmay-White – Request the matter be presented before the Delegation Panel.

Representations:

8. No representations received.

Policy:

9. 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.

10. 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:

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM24 Alterations or Extensions to Dwellings, including Self Contained annexes and Development within the Curtilage

Core Strategy Policy CS3 - Design and Local Distinctiveness

Other planning policy:

11. National Planning Policy Framework (NPPF)

12. 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:

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

- Principle of Development
- Design and Appearance, and Impacts upon the host dwelling and character of the area.
- Impact on Amenity

Principle of Development

14. Policy DM24 states that planning permission for alterations or extensions to existing dwellings, self-contained annexes and ancillary development within the curtilage of dwellings will be acceptable provided that the proposal respects the character, scale and design of existing dwellings and the character and appearance of the immediate and surrounding area.
15. It is also a requirement that development proposals must not result in over-development of the dwelling and curtilage and shall not adversely affect the residential amenity of occupants of nearby properties.
16. For dwellings that are located within the countryside, this policy is notably more restrictive in the sense that it goes on to state that proposals for the alteration or extension of an existing dwelling in the countryside outside of towns and villages with settlement boundaries will also be required to demonstrate that they are subordinate in scale and proportion to the original dwelling.
17. Accordingly, while it can be accepted that the principle of extending any dwelling can be supported, the matters of detail are important, in fact integral to the acceptability or not of proposals to extend dwellings in the countryside.

Design and Appearance

18. It is important, by way of context, and before considering the design related impacts arising from this scheme, to note the provisions of the latest revisions to the NPPF, in particular Chapter 12 relating to the achieving well designed places. Good design is a key aspect of sustainable development and to emphasise this, the NPPF states, quite bluntly and unambiguously at paragraph 134, that 'development that is not well designed should be refused, especially where it fails to reflect local design policies'.
19. In this case, DM24 is considered to be the Authority's 'local design policy', setting out as it does the considerations and provisions that apply in relation to the extension of dwellings within the countryside. In order to protect the character and appearance of rural, often isolated or individual dwellings, and in order also to protect the countryside from the urbanising effects of significant extensions, Policy DM24 introduces a number of key policy tests.
20. These relate, common with extensions proposed to dwellings within towns and villages with settlement boundaries, to a requirement to respect the character scale and design of the existing dwelling and the wider area, to not result in any over development of the curtilage, and to also not adversely affect the amenities of any nearby properties.
21. In this regard officers are satisfied that the development proposed will not lead to any overdevelopment of the otherwise generous curtilage.
22. DM24 also introduces a further key test, which only applies in relation to the extension of dwellings within countryside locations. This site is within

the countryside. This additional test requires it to be demonstrated that extensions to dwellings in the countryside are subordinate in scale and proportion to the original dwelling. Key to assessing this policy is an analysis of the physical parameters of the dwelling, noting particularly that this assessment is made against the dwelling as originally built (and so excluding any already built extensions), not against the dwelling as might currently exist at the time of any application.

23. This is a key nuance of the policy that introduces a therefore much stricter requirement against which extensions in the countryside must be assessed. , This is in the interests of protecting the character and appearance of the countryside, for example against the potentially harmful urbanising effects arising from extensions otherwise subsuming or dominating the architectural modesty or integrity of an original structure, to the detriment of the character and appearance of both that original building and the wider area.
24. In the case of the application, the dwelling has previously benefited from a first-floor extension over the existing single storey extension on the east elevation in 2012. As such, officers must assess the proposed extension in relation to the original dwelling as it was first built as stated with Policy DM24 for extensions to dwellings located in the countryside.
25. The principle of extending on the side elevation is considered acceptable. However, it is not considered that the proposed two storey side extension would appear as a subordinate addition to the dwelling in particular when viewed from the front elevation. This is due to the wide and expansive nature of the proposed extension which would lengthen the front elevation of the dwelling and which would therefore erode the modest nature of the existing cottage. This would also be emphasised when combined with the existing first floor extension which is positioned on the opposite side elevation leading to a generously proportioned elevation with an inevitable consequential urbanising impact.
26. In addition to the scale and appearance of the extension, the host dwelling is positioned in an isolated location within minimal vegetation on the boundary of the site, in particularly the western boundary which the proposal relates to. This would result in an extension that would be widely visible from close to and outside the site and to anyone who would be using the existing track.
27. It was recommended that the scale of the proposed extension was reduced to better respect the scale of the host dwelling. Amended documents were received which reduced the width of the proposed extension from 5.4 metres to 4.9 metres. However, it was considered that this reduction would not be enough to overcome the concerns officers had from a proposal which remains disproportionate in length compared to the scale of the host dwelling.
28. In conclusion, the two-storey rear and front extensions would harm the character and appearance of the host dwelling and wider area placing it at odds with Policies DM2 and DM24 of the Joint Development Management Policies Document 2015 (DMP) and Policy CS5 of the Forest Heath Core Strategy 2010.

29. These policies seek to secure high quality design that recognises key features of a building and, in the case of extensions in the countryside, respect the character, scale and design of existing dwellings and are demonstrably subordinate to the original dwelling. These policies are consistent with Paragraph 134 of the National Planning Policy Framework. Noting this, and noting the conclusions drawn above, this proposal is not considered to be 'well designed' in this specific context and in accordance with Para. 134 of the NPPF should therefore be refused

Impact on Amenity

30. The property is an isolated dwelling with no immediate neighbours located on either boundary of the site. In this regard, officers are satisfied that the proposal would not result in an adverse impact upon the amenities of neighbouring properties.

Conclusion:

31. In conclusion, the principle and detail of the development is not considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

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

1. In order to protect the character and appearance of rural, often isolated or individual dwellings, and in order also to protect the countryside from the urbanising effects of significant extensions, Policy DM24 introduces a number of key policy tests. These relate to a requirement to respect the character scale and design of the existing dwelling and the wider area, to not result in any over development of the curtilage, and to also not adversely affect the amenities of any nearby properties. DM24 also requires extensions to dwellings in the countryside to be subordinate in scale and proportion to the original dwelling.

The addition of a two-storey extension to the side elevation of the dwelling does not prove to be subordinate in scale or proportion to the original dwelling. In particular, when viewed from the front elevation, the proposed extension would disproportionately elongate the front elevation of the host dwelling in a way that is considered unacceptable and in conflict with the requirements of Policy DM24.

The result in this extension when considered with the existing first floor addition on the opposite elevation is a proposal which would erode the character of the existing cottage. The presence of this extension of significantly increase the mass and bulk of the property in a way that would be considered harmful to its original form. The proposal would also be visible from a wider area which leading to a more widely felt urbanising effect that would be prejudicial to the wider character and appearance of the area.

In conclusion, the two-storey side extension would harm the character and appearance of the host dwelling and wider area placing it at odds with

Policies DM2 and DM24 of the Joint Development Management Policies Document 2015 (DMP) and Policy CS3 of the St Edmundsbury Core Strategy 2010.

These policies seek to secure high quality design that recognises key features of a building and, in the case of extensions in the countryside, respect the character, scale and design of existing dwellings and are demonstrably subordinate to the original dwelling. These policies are consistent with Paragraph 134 of the National Planning Policy Framework. Noting this, and noting the conclusions drawn above, this proposal is not considered to be 'well designed' in this specific context and in accordance with Para. 134 of the NPPF should therefore be refused.

Documents:

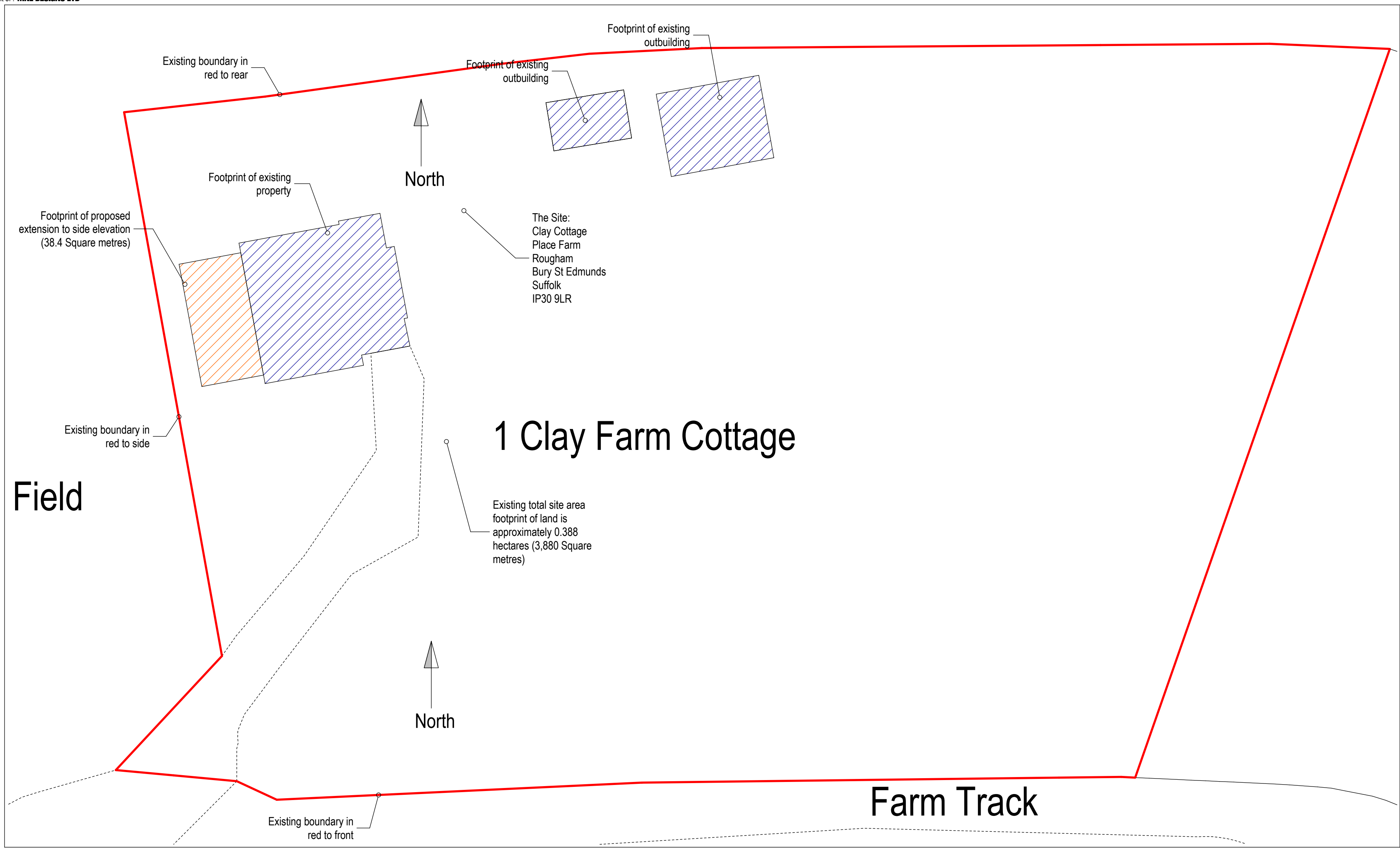
All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/1780/HH](#)

This page is intentionally left blank

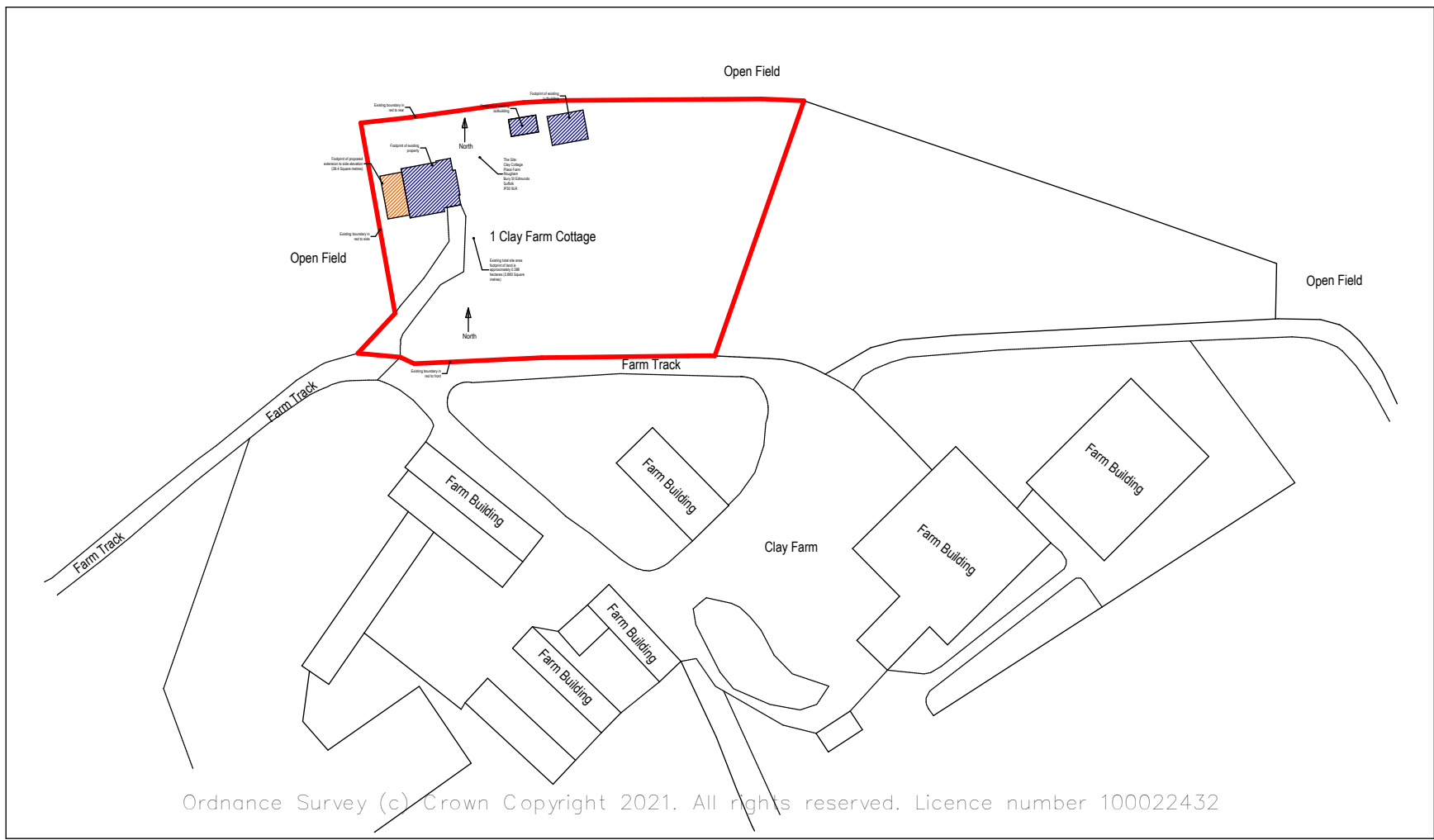
DC/21/1780/HH
Place Farm, Clay Cottage, Ipswich Road, Rougham



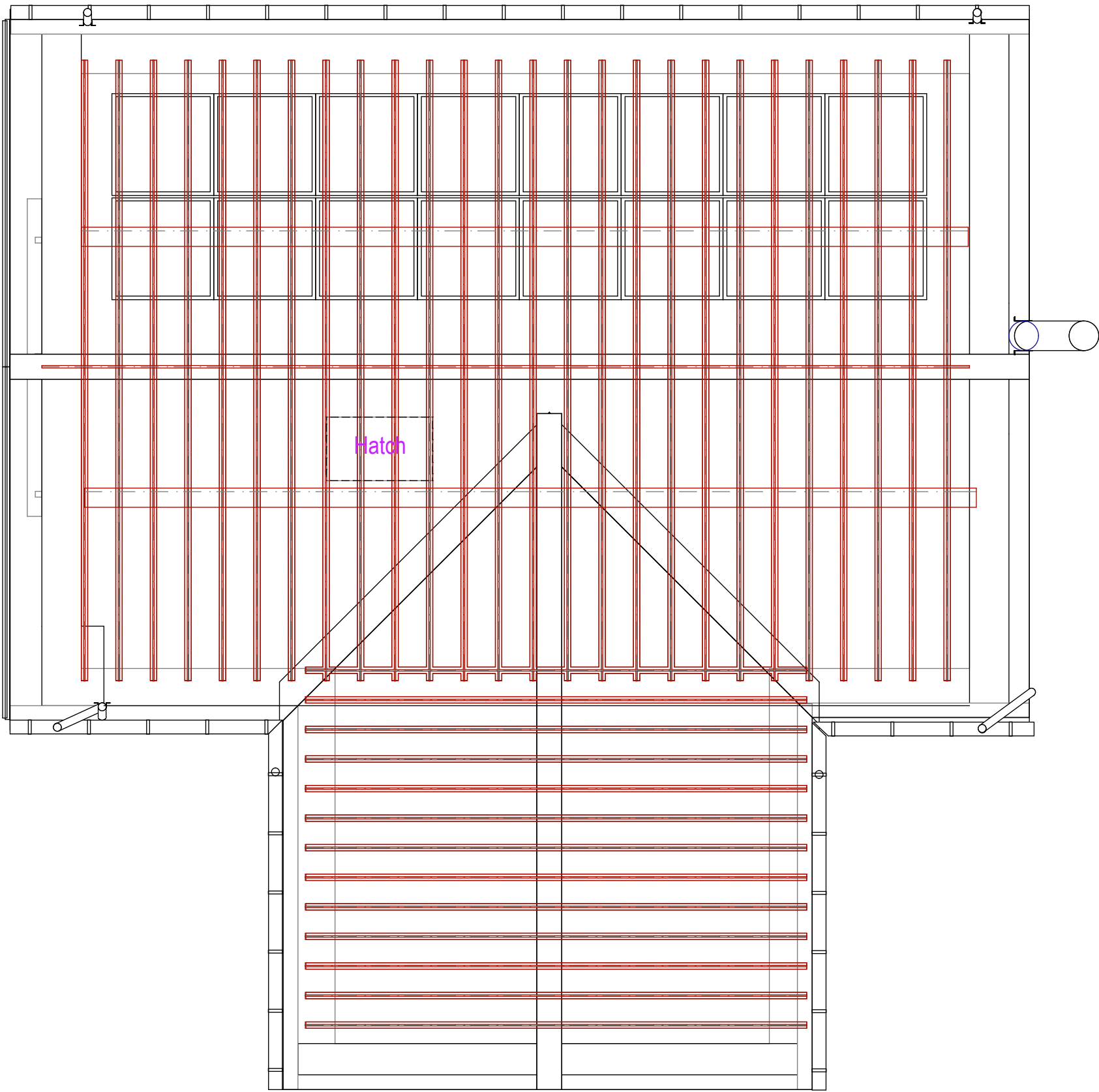
This page is intentionally left blank



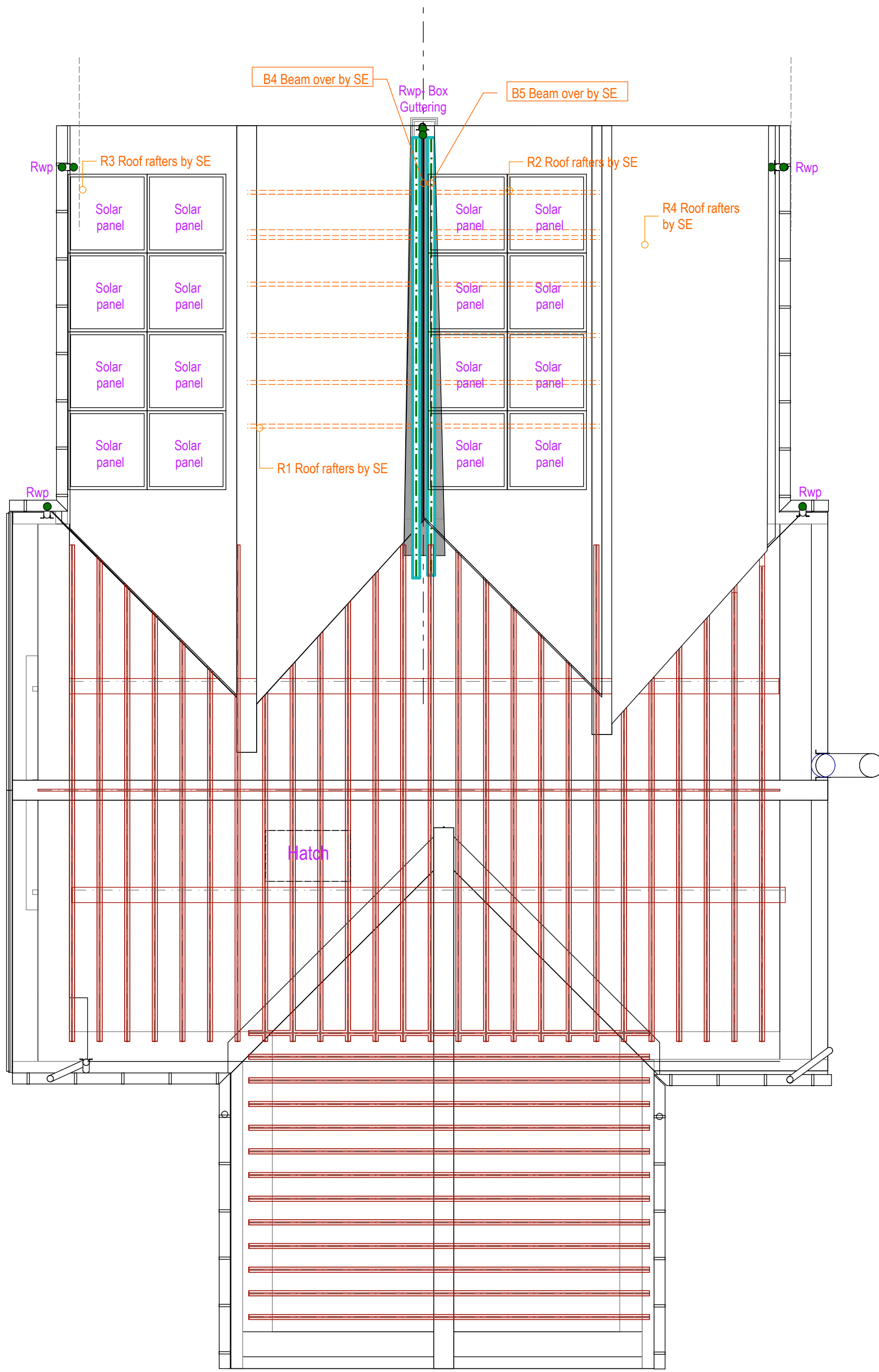
Block Plan of Property
Scale: 1:200 @ A1 Print



Site Plan
Scale: 1:1250 @ A1 Print



Existing Roof Plan
Scale: 1:50



Proposed Roof Plan
Scale: 1:50

PL3 19.01.22 : Width of extension reduced by 300mm each side : mnl
-PL2 17.11.21 : Footprint depth reduced by 500mm : mnl-
-PL1 03.08.21 : bi-folding doors removed french doors added and structural
-engineers notes in red: mnl-
PL0 23.07.21 : Issued to client for approval : mnl

MNL DESIGNS LTD ●●●●●●●●
5 Heather Close Thurston Bury St. Edmunds Suffolk IP31 3PX **tele:** 01359 232507 **Mo:** 07827 683 702 **e:** lewisnm521@gmail.com

client : Mr. Jack & Mrs. Kayla Teagle
job : Clay Cottage Place Farm Rougham Bury St. Edmunds IP30 9LR
drawing : Existing & Proposed Roof Plan & Location and Block Plans

scale:	date:	dm.:	job no.:	drg. no.:	rev.:
as shown	19/01/22	mnl	MNL381	10	PL3

This page is intentionally left blank