

Development Control Committee

Title	Agenda											
Date	Wednesday 2 November 2022											
Time	10.00am											
Venue	Conference Chamber West Suffolk House Western Way Bury St Edmunds IP33 3YU											
Full Members	<p style="text-align: right;">Chair Andrew Smith</p> <p style="text-align: right;">Vice Chairs Mike Chester and Jim Thorndyke</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Conservative Group (11)</td> <td style="width: 33%;">Carol Bull Andy Drummond Susan Glossop Brian Harvey</td> <td style="width: 33%;">Ian Houlder David Palmer David Roach Peter Stevens</td> </tr> <tr> <td>The Independent Group (4)</td> <td>John Burns Jason Crooks</td> <td>Roger Dicker Andy Neal</td> </tr> <tr> <td>Labour Group (1)</td> <td>David Smith</td> <td></td> </tr> </table>			Conservative Group (11)	Carol Bull Andy Drummond Susan Glossop Brian Harvey	Ian Houlder David Palmer David Roach Peter Stevens	The Independent Group (4)	John Burns Jason Crooks	Roger Dicker Andy Neal	Labour Group (1)	David Smith	
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Interests – declaration and restriction on participation	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.											
Quorum	Six Members											
Committee administrator	Helen Hardinge Democratic Services Officer Telephone 01638 719363 Email helen.hardinge@westsuffolk.gov.uk											
	<i>Details of Site Visit overleaf...</i>											

A SITE VISIT WILL BE HELD ON MONDAY 31 OCTOBER 2022 AT THE FOLLOWING TIME:

As there is only one site visit, no coach will be provided and Members are asked to make their own way to site and to car share wherever possible. A postcode has been included with the address below. Officers will be making their way to site from West Suffolk House and will have some capacity for Members to car share; any Member wishing to do so is asked to contact the Case Officer directly in order to arrange.

Planning Application DC/22/1003/HH & Listed Building Consent Application DC/22/1004/LB - 4 Wrenshall Farm Barns, Cart Lodge, Upthorpe Road, Stanton, IP31 3AS

Householder planning application - single storey side extension with addition of gable to existing roof

Application for listed building consent - single storey side extension with addition of gable to existing roof

Site visit to be held at 9.55am

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 - 10**
To confirm the minutes of the meeting held on 5 October 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/21/2337/OUT - Land East of Beeches Road, Beeches Road, West Row** **11 - 50**
Report No: **DEV/WS/22/042**

Outline planning application (all matters reserved except access) for up to 106 dwellings, parish office and car parking, and green infrastructure including sustainable drainage, amenity green space and ecological habitats
6. **Planning Application DC/21/2094/OUT - Townsend Nurseries, Snow Hill, Clare** **51 - 76**
Report No: **DEV/WS/22/043**

Outline planning application (means of access to be considered) - 20 dwellings
7. **Advertisement Application DC/22/0988/ADV - Dragonfly Hotel, Symonds Road, Bury St Edmunds** **77 - 88**
Report No: **DEV/WS/22/044**

Application for advertisement consent - one internally illuminated totem sign

8. Planning Application DC/22/1003/HH & Listed Building Consent Application DC/22/1004/LB - 4 Wrenshall Farm Barns, Cart Lodge, Upthorpe Road, Stanton

89 - 100

Report No: **DEV/WS/22/045**

Householder planning application - single storey side extension with addition of gable to existing roof

Application for listed building consent - single storey side extension with addition of gable to existing roof

Development Control Committee



Minutes of a meeting of the **Development Control Committee** held on **Wednesday 5 October 2022** at **10.00 am** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds, IP33 3YU

Present **Councillors**

Chair Andrew Smith

Vice Chairs Mike Chester and Jim Thorndyke

Carol Bull
Susan Glossop
Brian Harvey
Ian Houlder
James Lay

Sara Mildmay-White
David Palmer
David Roach
David Smith
Andy Neal

280. Apologies for absence

Apologies for absence were received from Councillors John Burns, Jason Crooks, Roger Dicker, Andy Drummond and Peter Stevens.

281. Substitutes

The following substitutions were declared:

Councillor James Lay substituting for Councillor Andy Drummond; and Councillor Sara Mildmay-White substituting for Councillor Peter Stevens

282. Minutes

The minutes of the meeting held on 7 September 2022 were confirmed as a correct record, with 10 voting for the motion and with 3 abstentions and were signed by the Chair.

283. Declarations of interest

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

284. West Suffolk Development Control Committee: Review of Operation

The Service Manager (Planning – Development) presented this item which explained that at the first meeting of the West Suffolk Development Control Committee in June 2019, it had been formally agreed for a review of the working practices of the Committee to be undertaken during 2020, in consultation with the Chair and Vice Chairs. However, due to the impact of

the Covid-19 pandemic, it had not been possible to undertake this review during 2020 or 2021.

The Development Control Committee had consistently operated well since June 2019. The training sessions which had been delivered since then (be those virtually or in-person) were always well attended and Members were robust in seeking to appoint substitutes when they could not attend a meeting.

The Service Manager (Planning – Development) explained that the (pandemic triggered) move to virtual meetings enabled the Delegation Panel to achieve and maintain high levels of Ward Member attendance and engagement, hence, the decision to retain these meetings on a virtual platform. Furthermore, the change brought about to meeting operation due to the pandemic in 2020 and 2021 had enabled the Committee to amend its working practices organically based on need and good practice, eg, the retention of some additional speaking arrangements and site visit videos, since reverting back to in-person meetings.

Going forward, West Suffolk Council was currently undertaking a corporate procurement process which sought to upgrade the audio/visual equipment within the Conference Chamber at West Suffolk House to enable hybrid meetings. The Committee would need to re-consider its speaking protocol to reflect this arrangement once new technology has been installed.

Therefore, it was being proposed that there was not a demonstrable need, at this stage, to undertake a wholesale review of the Committee's working practices. However, there may need to be reconsideration of speaking arrangements once hybrid meetings were able to be operated. The Committee also noted that the Chair and Vice Chairs had been consulted and also endorsed this proposal.

It was proposed by Councillor David Smith, seconded by Councillor Brian Harvey and with the vote being unanimous, it was resolved that

Resolved:

That in view of the Committee (and Delegation Panel) having amended various working practices since June 2019, and there being no demonstrable need for review, that a wholesale review is not required at this stage. But noting the need to reconsider speaking arrangements etc. once hybrid meetings are able to be operated.

285. **Planning Application DC/22/0026/FUL & Listed Building Application DC/22/0027/LB - Replacement Dwelling 1, 83 - 84 Guildhall Street, Bury St Edmunds (Report No: DEV/WS/22/040)**

DC/22/0026/FUL: Planning Application - conversion of existing offices and cart lodge to create three dwellings and associated works.

DC/22/0027/LB: Application for Listed Building Consent - conversion of existing offices and cart lodge to create three dwellings and associated works.

These applications had been referred directly to the Development Control Committee noting the Ward Member interest and the cancellation of the scheduled Delegation Panel meeting on 20 September 2022, at which this item was otherwise intended to be presented.

For clarification, the Case Officer informed the Committee that the application was for the conversion of the existing offices and, therefore, was not for a replacement dwelling, as was indicated in the address of the application within the committee papers.

Officers were recommending that the full Planning Application DC/22/0026/FUL be refused, which conflicted with Bury St Edmunds Town Council's comment of "no objection" to both applications.

Officers were also recommending that the Listed Building Application DC/22/0027/LB be approved, given that the works were considered acceptable by the Conservation Officer and in accordance with the relevant Development Management Policies. Whilst the recommendation to grant Listed Building Consent aligned with the Bury St Edmunds Town Council's stance, for transparency and given both applications were connected, that had been brought before the Committee together.

Speakers: Councillor Julia Wakelam (Ward Member: Abbeygate) spoke in support of the application.
Phil Cobbold (Agent for the applicant) spoke in support of the application.

A number of the Committee Members spoke in support of approving this application. They considered that the conversion of the former offices back to a residential dwelling would actually enhance the visual appearance of this area of Guildhall Street and would bring about improvements to the listed building. It was also considered that this conversion would not have a detrimental impact on the provision of retail and commercial properties within the town centre and that information about office vacancies in the area demonstrated that there was not a market need for the retention of the offices. The Committee particularly referred to the comments which had been received from Our Bury St Edmunds BID who also had no objections to the application for the conversion of the former offices.

It was proposed by Councillor Mike Chester, duly seconded by Councillor Jim Thorndyke, that Planning Application DC/22/0026/FUL be approved, contrary to the Officer recommendation.

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

Decision – Planning application DC/22/0026/FUL

Planning permission be **GRANTED, CONTRARY TO THE OFFICER RECOMMENDATION**, subject to the following conditions:

1. Time Limit – Detailed (3 years).

2. Compliance with Approved Plans.
3. The site preparation and construction works, including road works, shall be carried out between the hours of:
08:00 to 18:00 Mondays to Fridays
08:00 to 13:00 Saturdays
And at no times during Sundays or Bank Holidays without the prior written consent of 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)
4. Prior to first occupation details of the areas to be provided for the storage and presentation of refuse and recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.
(Reason: To ensure the incorporation of waste 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).
5. The development hereby permitted shall not be brought into use/first occupied until the cycle storage facilities indicated on Drawing no. 4302 16/P2 have been provided in their entirety and been made available for use. Thereafter these facilities shall be retained in accordance with the approved details and continue to be available for use unless the prior written consent of the Local Planning Authority is obtained for any variation to the approved details.
(Reason: To encourage the use of sustainable forms of transport and reduce dependence on the private motor vehicle, in accordance with policy DM2 and DM45 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies)
6. Prior to first use of the development hereby permitted, the area(s) within the site shown on drawing No. 4302 16/P2 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)
7. Prior to commencement of development, including any works of demolition, a Construction Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - a. The parking of vehicles of site operatives and visitors
 - b. Loading and unloading of plant and materials

- c. Site set-up including arrangements for the storage of plant and materials used in constructing the development and the provision of temporary offices, plant and machinery
- d. The erection and maintenance of security hoarding including external safety and information signage, interpretation boards, decorative displays and facilities for public viewing, where appropriate
- e. Wheel washing facilities
- f. Measures to control the emission of dust and dirt during construction
- g. A scheme for recycling/disposing of waste resulting from demolition and construction works
- h. Hours of construction operations including times for deliveries and the removal of excavated materials and waste

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

8. The building envelope, glazing and ventilation of the dwelling shall be constructed as recommended in the Sound Solution Consultant's report ref 37102-1-R1, dated 30 September 2021, so as to provide appropriate sound attenuation against noise.

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

9. Prior to the dwellings hereby approved being occupied, 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, 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. Prior to their installation, details of their design and external finish shall be submitted to and approved in writing by the Local Planning Authority.

The charge points shall be retained in the approved form unless otherwise agreed in writing by the Local Planning Authority.

(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 and the Suffolk Parking Standards)

11. No works involving new/replacement windows shall take place until elevation(s) to a scale of not less than 1:10 and horizontal and vertical cross-section drawings to a scale of 1:2 fully detailing the new/replacement windows to be used (including details of glazing bars, sills, heads and methods of opening and glazing) have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority all glazing shall be face puttied. The works shall be carried out in complete accordance with the approved details. The drawn details will illustrate the relationship of the proposed ground floor front window with masonry surround to include elliptical arches at a scale of 1:10 elevation and 1:2 continuous cross section.
(Reason: To protect the special character, architectural interest and integrity of the building, in accordance with policies DM15 and DM17 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and all relevant Core Strategy Policies)
12. No works involving new/replacement doors shall take place until elevation(s) to a scale of not less than 1:10 and horizontal and vertical cross-section drawings to a scale of 1:2 fully detailing the new/replacement internal/external doors and surrounds to be used (including details of panels and glazing where relevant) have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority all glazing shall be face puttied. The works shall be carried out in complete accordance with the approved details. The drawn details of the doors and door case are to include columns, fan light, elliptical arches and sting course at a scale of 1:10 elevation and 1:2 continuous cross section both horizontal and vertical.
(Reason: To protect the special character, architectural interest and integrity of the building, in accordance with policies DM15 and DM17 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and all relevant Core Strategy Policies)
13. All new external and internal works and finishes and works of making good to the retained fabric shall match the existing historic work adjacent in respect of materials, methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.
(Reason: To protect the special character, architectural interest and integrity of the building, in accordance with policy DM15 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and Section 16 of the Planning (Listed

Buildings and Conservation Areas) Act 1990 and all relevant Core Strategy Policies)

14. The new facing brickwork shall match the existing brickwork adjacent in respect of material, colour, texture, face bond, mortar mix and pointing unless otherwise approved in writing by the Local Planning Authority. The masonry detailing shall include the recessed arrangement of ground floor window and associated brickwork, elliptical arches over window and door openings and string course to exactly match that of existing ground floor front window and door to 84 Guildhall Street.
(Reason: To protect the special character, architectural interest and integrity of the building, in accordance with policies DM15 and DM17 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and all relevant Core Strategy Policies)
15. No works involving the installation of conservation rooflights shall take place until details of the works including a schedule and annotated plans/drawings showing the full extent of the proposed works have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be carried out in full unless otherwise agreed in writing by the Local Planning Authority.
(Reason: To protect the special character, architectural interest and integrity of the building, in accordance with policies DM15 and DM17 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and all relevant Core Strategy Policies)
16. Notwithstanding the provisions of Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking or re-enacting that Order), the dwellings hereby approved and referred to as No. 83, No. 84 and within the converted garage on proposed site plan 4302 16/P2 shall not be extended or altered in any way without the prior written agreement of the Local Planning Authority.
(Reason: To safeguard the character and appearance of the area and the residential amenity of neighbouring occupiers, in accordance with policies DM2 and DM22 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies)
17. 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)

Members were made aware that the precise wording of the pre-commencement conditions would need to be agreed with the agent, prior to the consent being issued.

It was proposed by Councillor Mike Chester, duly seconded by Councillor Jim Thorndyke that Planning Application DC/22/0027/LB for Listed Building Consent be approved, as per the Officer recommendation.

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

Decision – Planning application DC/22/0027/LB

Listed Building Consent be **GRANTED**, subject to the following conditions:

1. The works to which this consent relates must be begun not later than three years from the date of this notice.
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.
3. No works involving new/replacement windows shall take place until elevation(s) to a scale of not less than 1:10 and horizontal and vertical cross-section drawings to a scale of 1:2 fully detailing the new/replacement windows to be used (including details of glazing bars, sills, heads and methods of opening and glazing) have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority all glazing shall be face puttied. The works shall be carried out in complete accordance with the approved details. The drawn details will illustrate the relationship of the proposed ground floor front window with masonry surround to include elliptical arches at a scale of 1:10 elevation and 1:2 continuous cross section.
4. No works involving new/replacement doors shall take place until elevation(s) to a scale of not less than 1:10 and horizontal and vertical cross-section drawings to a scale of 1:2 fully detailing the new/replacement internal/external doors and surrounds to be used (including details of panels and glazing where relevant) have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority all glazing shall be face puttied. The works shall be carried out in complete accordance with the approved details. The drawn details of the doors and door case are to include columns, fan light, elliptical arches and sting course at a scale of 1:10 elevation and 1:2 continuous cross section both horizontal and vertical.
5. All new external and internal works and finishes and works of making good to the retained fabric shall match the existing historic work adjacent in respect of materials, methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.

6. The new facing brickwork shall match the existing brickwork adjacent in respect of material, colour, texture, face bond, mortar mix and pointing unless otherwise approved in writing by the Local Planning Authority.

The masonry detailing shall include the recessed arrangement of ground floor window and associated brickwork, elliptical arches over window and door openings and string course to exactly match that of existing ground floor front window and door to 84 Guildhall Street.

7. No works involving the installation of conservation rooflights shall take place until details of the works including a schedule and annotated plans/drawings showing the full extent of the proposed works have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be carried out in full unless otherwise agreed in writing by the Local Planning Authority.

286. **Planning Application DC/22/1230/FUL - Abbey Gardens, Angel Hill, Bury St Edmunds (Report No: DEV/WS/22/041)**

Planning application - re roofing of existing mess room building

This application was being presented to the Development Control Committee as it was an application submitted by West Suffolk Council's Property Services department.

Previous work at the wider staff compound had been considered by the Development Control Committee on 2 March 2022 (Planning application DC/21/2261/FUL), where Members had voted to approve the application. Reference had been made to the re-roofing of the Mess Room but had not formed part of that particular application.

Officers were recommending that the application be approved.

Members generally supported approval of the application. However, some reservations were raised with regards to the shade of green (Laurel Green) which was to be used on the roof. Members also asked whether it would be possible to request that any necessary wall repairs were also undertaken.

The Case Officer confirmed that he would undertake to clarify the exact colour shade of the roof and would inform the Chair and Vice Chairs of the Development Control Committee accordingly and would include a specific condition if deemed appropriate to do so. The Case Officer also explained that the wall repairs did not technically form part of the application, but they would raise the Committee's concerns with the applicant accordingly.

It was moved by Councillor Ian Houlder, seconded by Councillor Jim Thorndyke that the application be approved, as per the Officer recommendation (also taking into account the comments which had been raised during the discussions with regards to the colour of the roof).

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 below:

Reference number	Plan type	Date received
004	Existing and proposed elevations	12 July 2022
011	Sections	12 July 2022
002	Existing and proposed sections	12 July 2022
001	Existing and proposed sections	12 July 2022
003	Roof plans	12 July 2022
1625	Bat report	12 July 2022
(-)	Biodiversity checklist	12 July 2022
(-)	Design and access statement	12 July 2022
(-)	Heritage statement	12 July 2022
(-)	Application form	12 July 2022

3. A Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Nocturnal Bat Surveys at Abbey Gardens Mess Room report (Adonis Ecology, 13th July 2022)), shall be submitted to and approved in writing by the local planning authority.
The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.
4. No provision of any external roofing shall take place until precise details of the specification of the roofing to be applied to the building, including the profile, colour and finish, have first been submitted to, and approved in writing by, the Local Planning Authority. All such work shall be carried out in accordance with the approved specification. (Reason: In the interests of the character and appearance of the area.)

The meeting concluded at 10.57 am

Signed by:

Chair

Development Control Committee 2 November 2022

Planning Application DC/21/2337/OUT – Land East of Beeches Road, Beeches Road, West Row

Date registered: 29 November 2021 **Expiry date:** 28 February 2022(EOT until 11.11.22)

Case officer: Gary Hancox **Recommendation:** Approve application

Parish: West Row **Ward:** The Rows

Proposal: Outline planning application (all matters reserved except access) for up to 106 dwellings, parish office and car parking, and green infrastructure including sustainable drainage, amenity green space and ecological habitats

Site: Land East of Beeches Road, Beeches Road, West Row

Applicant: Suffolk County Council (Mr Rob Hancock)

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:

Gary Hancox

Email: gary.hancox@westsuffolk.gov.uk

Telephone: 07867 976817

Background:

This application is referred to Development Control Committee as the application is recommended for APPROVAL contrary to the Development Plan. This is due to a 1.7-hectare section of the application site being outside of the residential site allocation SA14(a).

Proposal:

1. The proposed development is submitted in outline only with all matters reserved (save for access) and comprises a mixed-use development with the following land components:
 - Up to 106 residential 2, 3, and 4-bed dwellings
 - 0.2ha land for a new parish office, car parking and associated landscaping
 - Vehicle access via Mildenhall Road and associated infrastructure
 - Green infrastructure, including sustainable drainage infrastructure
 - Ecological habitats
 - Amenity green space
 - Sustainable transport links (footpaths and cycleways) to connect into the village.
2. The application proposes a development on the site that will provide for up to 106 new dwellings on a net developable area of 3.7ha resulting in an average density of 29 dwellings per hectare (dph).
3. The overall development aims of the application and its accompanying illustrative masterplan are:
 - To provide 2.4ha of green space, (the local policy requirement being 0.9ha equating to 38% of the main development site. This also goes significantly beyond the minimum standard of 0.8ha recommended with respect to the mitigation of impacts on the Breckland SPA through the provision of additional recreational opportunities.
 - To provide a useable and attractive multi-functional green space network with opportunities for walking and cycling, formal and informal recreation, creation of new ecological habitats – to include biodiversity net gain - sustainable drainage, landscaping and supporting resilience to future climate change.
 - To create a strong landscape framework centred on a large informal green space to the west of the scheme to create a softer transition between development and neighbouring development and the wider countryside.
 - To use existing landscape features (field boundaries, trees and hedgerows), topography and character to inform the design approach, by maintaining the 'open' character of the site and strengthening the northern and southern boundaries through new tree and hedgerow planting.

- To maximise opportunities for overlooking, natural surveillance and safety with new homes and buildings fronting on to areas of open space as well as pedestrian and cycle routes.
- To use green space and landscaping to add value to the proposed development, including the creation of a high-quality frontage within the residential area as well as enhancing the setting of new homes and the neighbouring homes within the village.

Application supporting material:

4. The following documents/plans have been submitted with the application:
 - Application form and certificates, and application fee
 - Application plans and drawings, including an illustrative masterplan
 - Planning Statement, incorporating Affordable Housing Statement and Sustainability Statement
 - Statement of Community Involvement (SCI)
 - Design and Access Statement (DAS) and Development Brief
 - Transport Assessment
 - Travel Plan
 - Phase 1 Geo-environmental Desk Study Report
 - Noise Assessment
 - Floor Risk Assessment (including outline drainage strategy)
 - Air Quality Assessment
 - Landscaping and Visual Appraisal
 - Heritage Statement
 - Utilities and Foul Drainage Statement
 - Biodiversity Report
 - Habitat Regulations Assessment
 - Breeding Birds Technical Note
 - Topographical Survey
 - Arboricultural Survey.

Site details:

5. The site is situated south of Mildenhall Road, east of Beeches Road and north of Chapel Road. Mason Gardens is also directly south of the proposed site. The local primary School, village shop, hairdressers and a fast food take away are to the west and various community facilities (tennis courts, recreation ground, sports pavilion, village hall, allotments) are located to the south-west.
6. Mildenhall Air Base is located to the north-east. A footpath is on the eastern side of the site and links Mildenhall Road and Chapel Road. This footpath then links into another footpath running between Chapel Road and Church Road.
7. The entirety of the site comprises arable agricultural land, defined by hedgerows and areas of scrub on the western boundary.
8. The majority of the site has been allocated by West Suffolk Council for residential development since 2019 under Site Allocation reference SA14(a). A hybrid application covering the site was submitted in 2014, but no

permission has ever been issued and the application is no longer being pursued.

9. However, a 1.7-hectare section of the application site to the east is outside the SA14(a) allocation boundary. This has been included to facilitate the access onto Mildenhall Road avoiding the need for an access onto Beeches Road through the area of archaeological importance in the western area of the site.
10. The adjoining site to the north – which also forms part of the SA14(a) allocation boundary – has detailed permission for 46 dwellings. Full permission was granted in April 2019. A variation of condition application for this site was approved in January 2021 to amend the site layout and drainage details for the site. A further variation of condition application is currently pending decision.

Planning history:

Reference	Proposal	Status	Decision date
DC/14/2047/HYB	Hybrid Planning Application comprising: Full application for erection of 41 dwellings (including 12 affordable dwellings), creation of new vehicular access onto Beeches Road, an outline application with all matters reserved for the erection of up to 90 dwellings and an outline application with all matters reserved for 7 self-build homes, the provision of 1.91 hectares of public open space, 1.9 hectares of landscaping and 4.46 hectares of retained agricultural land for potential ecological mitigation.	Pending Decision	
DC/17/0964/FUL	Planning Application - 6 no. dwellings (adjoining development proposed under application DC/14/2047/HYB).	Application Withdrawn	2 May 2018
DC/18/0614/FUL	Planning Application - 46 no. Dwellings (including 14no. affordable dwellings) with the creation of new vehicular access onto Beeches Road	Application Granted	4 April 2019
DCON(A)/18/0614	Application to discharge conditions 3 (Materials), 5 (Boundary Treatment), 6 (Site Levels), 8 (Visibility	Application Withdrawn	18 January 2021

	Splays), 9 (Access, parking), 14 (Site Drainage) 15 (Internal Noise Levels), 17 (Construction Management Plan), 18 (Contamination) and 20 (Energy Statement) and partial discharge of Condition 12 (elec vehicle charge points) of application DC/18/0614/FUL		
DC/20/0873/VAR	Planning Application - Variation of condition 2 of DC/18/0614/FUL to enable amended site layout and drainage details for the 46 no. Dwellings (including 14no. affordable dwellings) with the creation of new vehicular access onto Beeches Road	Application Granted	15 January 2021
DC/21/1037/VAR	Planning application - variation of condition 2 of DC/20/0873/VAR to use amended plans and materials to improve site details for the 46 no. Dwellings (including 14no. affordable dwellings) with the creation of new vehicular access onto Beeches Road	Application Granted	17 November 2021
DC/22/0749/VAR	Planning Application - variation of condition 2 of DC/21/1037/VAR to enable red line alterations and improvement to plots for the 46 dwellings (including 14 affordable dwellings) with the creation of new vehicular access onto Beeches Road	Pending Decision	

Consultations:

Parish Council

11. Supports the proposal, subject to; the development safely connecting with the Mildenhall Bridleway 1 for pedestrians and cyclists; open space within the site being transferred to the PC so that it can be owned and managed by the community; improvement works to Mildenhall Road/Jarmans Lane are completed prior to main building works taking place.

SCC Highways

12. No objection, subject to conditions. A package of off-site highway improvements has been agreed with the developer that make this proposal acceptable in highway terms. This is in addition to the Public Rights of Way improvements that applicant has agreed to the Footpath Improvement Strategy includes the provision of a new section of footway on the eastern side of Pott Hall Road, to be delivered under a S278 Agreement. The new footway will ensure that a continuous off-carriageway route is available between the development and the Mildenhall Academy. The agreement to provide a new footway means that we can recommend that the development is now in accordance with the NPPF.

MOD (Safeguarding)

13. No objection. As this application is only at the Outline Planning stage with all matters reserved except access precise full detail are not yet known, therefore in order that a full assessment can be undertaken information regarding elevations, landscaping and drainage proposals need to be provided at future planning stages. In principle the MOD has no safeguarding objections to this proposed development but due to the proposed site's location within the technical and birdstrike safeguarding zones, the MOD will need to complete a more detailed assessment.

SCC Fire & Rescue

14. Request that a condition is placed on any approval requiring an appropriate amount of fire hydrants to be installed to serve the development.

Anglian Water

15. No objection - the development site is within 15 metres of a sewage pumping station. This asset requires access for maintenance and will have sewerage infrastructure leading to it. For practical reasons therefore it cannot be easily relocated. Anglian Water consider that dwellings located within 15 metres of the pumping station would place them at risk of nuisance in the form of noise, odour or the general disruption from maintenance work caused by the normal operation of the pumping station. The site layout should take this into account and accommodate this infrastructure type through a necessary cordon sanitaire, through public space or highway infrastructure to ensure that no development within 15 metres from the boundary of a sewage pumping station if the development is potentially sensitive to noise or other disturbance or to ensure future amenity issues are not created.

SCC Flood and Water

16. No objection to the proposed drainage strategy, subject to the submission of detailed drainage scheme concurrent with the submission of reserved matters.

Strategic Housing

17. No objection to the development that will secure 30% affordable housing as per Core Strategy Policy CS9. However, in order to incorporate the NPPF guidance which states at least 10% of the total number of homes should be available for affordable home ownership.

Environment Team

18. The application is supported by a Phase 1 Geoenvironmental Desk Study undertaken by Wood Group UK Limited, reference 43017_WOOD-XX-XX-RP-OC-0001_S0_P01.1, dated November 2021. The report presents a summary of the history and environmental setting of the site and surrounding area and includes the details from a site walkover. The report identifies a number of potential pollutant linkages should the proposed development go ahead and recommends that intrusive investigations are undertaken.
19. This service agrees with the recommendation for intrusive investigations and we recommend that the standard land contamination conditions are attached, should planning be granted, to ensure that the recommended intrusive investigations are carried to an appropriate standard.

PROPOSED CONDITION:

1. No development approved by this planning permission shall commence until the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority: i) A site investigation scheme, ii) The results of a site investigation based on i) and a detailed risk assessment, including a revised Conceptual Site Model (CSM), iii) Based on the risk assessment in ii), a remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions.
2. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works as set out in the remediation strategy is submitted to and approved, in writing, by the Local Planning Authority.
3. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 174, 183, 184, Environment Agency Groundwater Protection: Principles and

Environment Team (Air Quality)

20. No objection, but 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. PROPOSED CONDITION: 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 107 and 112 of the National Planning Policy Framework and the Suffolk Parking Standards.

Environment Agency

21. No objection, subject to conditions dealing with contaminated land and surface water disposal.

Public Health and Housing

22. Recommends construction hours condition and the submission of a construction management plan condition.

SCC Planning Obligations

23. Suffolk County Council has requested contributions towards enhanced education facilities based on a development of up to 106 dwellings based on £18,187 per place for pre-school (early years), £18,187 per pupil place for primary school (3 places required) and £25,253 per pupil place for secondary (19 places required) and 6th form (4 places required) provision. A contribution towards enhanced library provision is also proposed.

Place Services (Landscape)

24. Recommends the following:
- that the site provides connections to the wider PRow network
 - some elements of the open space and connectivity are delivered before the first dwellings are occupied
 - Where attenuation areas are proposed the aesthetic appeal will play an important role in ensuring integration and multifunctionality. We would expect consideration of ground contouring, planting and inlet and outlet design to maximise the amenity value to have been considered.
 - Soft landscaping scheme to be submitted and approved (condition)
 - Hard landscaping scheme to be submitted and approved (condition)

- Landscaping management plan to be submitted and approved (condition)
- Arboricultural method statement to be submitted and approved (condition)

CCG (NHS)

25. West Suffolk CCG has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development. Based on an anticipated population growth of 254 people, 17.41 m² of additional floorspace is required at the Market Cross Surgery is required. A supporting statement has been submitted by the CCG. There is currently an under-provision and therefore a contribution of £63, 600 is requested.

Place Services (Ecology)

26. We have reviewed the Preliminary Ecological Appraisal (Wood, August 2022) relating to the likely impacts of development on designated sites, protected species and Priority species and habitats. We are satisfied that there is sufficient ecological information available for determination. Recommends conditions requiring accordance with ecological appraisal recommendations; the submission of a construction environmental management plan (CEMP); farmland bird mitigation strategy; ecological design strategy; wildlife sensitive lighting design scheme; landscape and ecological management plan (LEMP).

Natural England

27. No objection - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Representations:

28. Two letters of objection received stating the following:

- This current application does not provide clear evidence that the additional housing would be sustainable
- The development would bring increased traffic and the inevitable increase of risk to pedestrians in the village and other road users where roads have not been built to accommodate this level of activity.
- Character of the Village - the proposed application is out of scale for a small rural village.
- Health Services including Emergency Services - according to the recent Core Strategy Development plan, high levels of development will have an impact on these services. GP's -none currently serve the village, will this change? Fire/Ambulance - will existing response be adequate? Emergency services - will existing police response be adequate?
- Education - Current demand on placements at the village school is not sustainable. We are very concerned by the lack of information provided and the piecemeal type of information provided in particular on extending vehicular access and other plans to the rear

of Fengate Farm and on to Chapel Road and strongly object to the proposed development. We would ask that you consider these points and the potential future impact on our village.

- As a village we have a lovely but small local shop and a school that is already oversubscribed. No other shop, school, doctors, pharmacy. To increase the size of the village without increasing the amenities is irresponsible of the council to do so.
- There will be children that cannot attend their local school and it will make people more reliant on using a car, as the local public transport is non-existent.
- Amount of traffic will increase. The road is not safe now with the access to the base, it can cause queuing traffic. With the added traffic from the estate that will be built near the Mildenhall hub it is feared that it will be frustrating to say the least to actually get into the village.

Policy:

29. 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.

30. 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:

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

Site Allocations Local Plan 2019 (former Forest Heath area) SA14 - Housing allocation and school expansion in West Row

Core Strategy Policy CS1 – Spatial Strategy

Core Strategy Policy CS2 - Natural Environment

Core Strategy Policy CS3 - Landscape character and the historic environment

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

Core Strategy Policy CS5 - Design quality and local distinctiveness

Core Strategy Policy CS9 - Affordable Housing Provision

Core Strategy Policy CS12 - Strategic transport improvement and sustainable transport

Core Strategy Policy CS13 - Infrastructure and developer contributions

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM5 Development in Open Countryside

Policy DM6 Flooding and Sustainable Drainage

Policy DM7 Sustainable Design and Construction

Policy DM8 Low and Zero Carbon Energy Generation

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

Policy DM11 Protected Species

Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity

Policy DM13 Landscape Features

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

Policy DM20 Archaeology

Policy DM22 Residential Design

Policy DM42 Open Space, Sport and Recreation Facilities

Policy DM44 Rights of Way

Policy DM45 Transport Assessments and Travel Plans

Site Allocations Local Plan (SALP)

31. This plan was adopted on September 19th 2019, and the site is allocated for residential development under Policy SA14(a).

Other planning policy:

National Planning Policy Framework (NPPF)

32. 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:

33. The application is submitted in outline only, with all matters reserved save for access. The issues to be considered in the determination of the application are:

- Principle of Development
- Accordance with the requirements of allocation policy SA14(a)
- Access and highway impact
- Indicative design and layout
- Biodiversity and ecology
- Drainage
- Noise
- Planning obligations

Principle of Development

34. 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 Forest Heath Development Plan comprises the policies set out in the 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 revised National Planning Policy Framework 2021 are also a key material consideration.

35. Paragraph 11 of the NPPF states that plans and decisions should apply a presumption in favour of sustainable development. For decision taking, development proposals that accord with an up-to-date development plan should be approved without delay. Conversely therefore, development not in accordance with the development plan should be refused unless material considerations indicate otherwise.

36. The majority of the application site is allocated in the Site Allocations Local Plan (SALP) as allocation SA14(a). This allocation provides for an indicative capacity of 152 dwellings with the following requirements:

- (a) The site will be subject of a development brief for the whole site that will be prepared in consultation with the landowner(s) and the public and approved by the council prior to any planning permission being granted. Any application for planning permission should be in accordance with the approved development brief.
- (b) The development must provide measures for influencing recreation in the surrounding area, to avoid a damaging increase in visitors to the Breckland SPA. Measures should include provision of natural

greenspace and the enhancement and promotion of a dog friendly access route in the immediate vicinity of the development and/or other agreed measures. 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.

- (c) Strategic landscaping and open space must be provided to address the individual site requirements and location.
 - (d) A programme of archaeological work. Fieldwork for archaeological evaluation has identified Roman remains on the site and there will be a need for archaeological excavation prior to development.
 - (e) Sustainable travel provision including facilities for pedestrians and cyclists should be made to access village amenities. 1ha of land to the south of The Green as identified on the Policies Map is required for expansion of the existing primary school. Proportionate archaeological evaluation will be required to allow archaeological strategies to be designed.
37. The development site is subject to a current hybrid application, DC/14/2047/HYB. This includes a full application for erection of 41 dwellings (including 12 affordable dwellings), creation of new vehicular access onto Beeches Road, and an outline application with all matters reserved for the erection of up to 90 dwellings and 7 self-build homes. The provision of 1.91 hectares of public open space, 1.9 hectares of landscaping and 4.46 hectares of retained agricultural land for potential ecological mitigation is also proposed. It is understood that this application is no longer being pursued, although the application remains undetermined.
38. At the Forest Heath Development Control Committee on the 03.08.2016, members resolved to grant permission for the above development subject to conditions and the completion of a S106 legal agreement to secure the following:
- Proportionate Highway contribution to an altered Queensway Junction
 - SCC Travel Plan evaluation and support officer – £1,000 per year up to 5 years from final occupation
 - Travel Plan Bond - £123,623
 - Rights of Way (footpath improvements) - Between £82,320 and £88,920 depending on the order making process
 - Primary Education £401,973
 - Pre School £73,092

- Public Transport £15,000
 - Affordable Housing in perpetuity - 30%
 - Library Provision - £2,208
 - Health - £45,380.00
 - Off-site skylark habitat compensation – Control of land and provisions
39. The additional land for development to the east of the allocation (approx. 1.7 hectares) is located outside the settlement boundary in an area of open countryside (as defined by policy CS1 of the Core Strategy) where development is heavily restricted as set out in Joint Development Management Policy DM5. This element of the scheme is clearly contrary to these policies. The proposal should therefore be refused unless there are material considerations that dictate otherwise.
40. This approach accords with paragraph 12 of the NPPF, which states 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. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”
41. In this case it is considered that the additional land is directly related to the site allocation containing open agricultural land that is not sensitive in landscape terms. Its inclusion within the overall development proposal allows for a high-quality master-planned layout that protects the area of archaeological importance within the allocation through locating to the site’s access to the east of the site via Mildenhall Road. In part, this also allows for 2.4 ha of open space, more than double the policy requirement. Locating the vehicular access on to Mildenhall Road avoids the need for traffic to enter the main part of the village, with the key trip attractors to the east of the site. These and other key components of the scheme are considered in more detail below, however overall, the proposed application site including the additional land outside the allocated area allows for an enhanced scheme that better enables the required elements of Policy SA14(a) to be provided.
42. It is noted that requirement (a) of allocation policy SA14(a) is that site should be the subject of a formally adopted development brief. However, previously to this application, and during the determination and member approval of application DC/18/0614/FUL for 46 dwellings on the northern part of the allocation, it was accepted that this requirement could be waived. This position was reached having regard to the masterplans already produced for the site and the high-level survey works undertaken and mitigation proposed. It is also noted that the application is accompanied by a Design and Access statement and basic development brief.
43. The proposed development is therefore capable of being approved, subject to compliance with the criteria of Policy SA14(a) and all other relevant development plan policies and material considerations. Approval of the site including this additional land would be contrary to the current development

plan. Notwithstanding this, Officers are of the view that development of the extended site is acceptable in principle.

Accordance with the requirements of allocation policy SA14(a)

44. With a full application having already been approved for 46 dwellings on adjacent land within the allocation boundary for policy SA14(a), this current outline application comprises the remaining 106 homes to ensure as part of a comprehensive development which realises the policy objectives of SA14(a).
45. Referring back to the requirements of the allocation policy set out at paragraph 18 above, the application responds as follows:
46. SA14(a) Part A - The accompanying Design and Access Statement and Development Brief provides detail on the site and how the development proposals have been informed by pre-application discussions and community consultation. This all sets the parameters for detailed design and reserved matters.
47. SA14(a) Part B - A Habitat Regulations Assessment Screening Assessment accompanies this application which demonstrates and concludes that there are no adverse effects on the Breckland SPA. In fact, the provision of 2.4ha of open space goes significantly beyond the recommendation for a minimum of 0.8ha to be provided for as part of the scheme (identified in the 2017 Accessible Natural Greenspace Study). Having reviewed the proposals and the HRA, Natural England have commented that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. They have advised that a likely significant effect can be ruled out.
48. SA14(a) Part C – The application proposes a strong landscape framework with a green network of connected open space running through the site, providing accessible amenity space for both residents of the proposed development and also the existing community. Cycle and pedestrian routes will also connect the public open space. Enhancements to existing boundary planting is also proposed as well as new native woodland planting. Overall, the proposals deliver substantial new green infrastructure benefits due to the extensive green framework of the landscape proposals, together with the wildlife benefits.
49. SA14(a) Part D – In line with pre-application advice, archaeological assessments have been undertaken within the site. The area of archaeological importance within the western area of the site has been taken account of, and the illustrative masterplan, shows that open space has been located within this area to ensure there is no built development in this part of the site.
50. SA14(a) Part E – The masterplan and DAS indicates that provision for both cyclists and pedestrians be provided throughout the site, along with connections with the village to enable sustainable access to existing village amenities via links on to Beeches Road and the existing footway along Mildenhall Road. The neighbouring development for 46 dwellings has secured the provision of a new zebra crossing on Beeches Road, which the proposed development can also utilise in terms of a safe route to the

school. Improvements to the existing footpath to the south of the site are also proposed, which will provide for full off-road connections via the existing cycle/footway to Mildenhall Hub and beyond.

51. Acknowledging the fact that the proposal includes additional land outside of the policy allocation boundary, the application, the masterplan and its supporting documents demonstrate that the SA14(a) policy requirements have been met.

Access and highway impact

52. Access to the site will be from a new priority junction on Mildenhall Road to the north-east of the site. This vehicular access has been strategically located on Mildenhall Road to avoid the need for development traffic to enter West Row village centre given that the main destination is towards Mildenhall and the A11 to the east. The application indicates that a 2.4m x 43m visibility splay (MfS standard on 30mph road) can be achieved within the applicants' land and/or within the highway land boundary. Traffic calming, gateway features and enhanced road markings are also proposed on Mildenhall Road to the satisfaction of SCC Highways.
53. Footway provision is as follows:
 - A footway will link from the site access junction to the footway along the northern side of Mildenhall Road, subsequently linking to further footways on Beeches Road and allowing onward travel to West Row village centre (including to West Row Academy School). This will also be able to tie in with the proposed zebra crossing to be delivered on Beeches Road, secured as part of the adjoining permission
 - A footpath is proposed to link the site with the PRow footpath (FP6) located approximately 180m to the east. This is proposed to route east/west along the neighbouring field edge from the northeast corner of the site (close to the access junction).
 - A further shared cycle/footway link is proposed to link between the site and FP6, routing east/west from the southeast corner of the site to join the PRow further south. Upon reaching FP6, an independent cycleway is proposed to route alongside FP6 southwards to join Chapel Road, thereby keeping the existing PRow footpath free of cycle traffic. From Chapel Road, cyclists are able to route east to Pott Hall Road, before heading south to join BR1 (route proposed to be signed) which subsequently allows a traffic-free route to Mildenhall.
 - Three additional footways will also link from the northern/central area of the site to the adjacent development site (DC/18/0614/FUL) whereupon further footways will also allow onward travel to Beeches Road to the west.
54. In response to the requirement of Policy SA14(a) to improve existing pedestrian and cycleway links to amenities, a footpath strategy has been submitted with the application that incorporates the above footpath provisions along with mechanisms for delivery. The footpath enhancements

will ultimately be delivered as a condition of any permission and via Section 278 agreements with SCC Highways. Subject to the above the proposed highway arrangements, SCC Highways raises no objection to the proposal which limits its highway impact on the existing village and provides footpath and cycleway enhancement and is considered to accord with Joint Development Management Policies DM2, DM44, DM45 and the NPPF in this regard.

Indicative design and layout

55. In terms of achieving well-designed places, NPPF paragraph 130 requires development to, amongst other things; function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; 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, and; create places that are safe, inclusive and accessible and which promote health and well-being. Relevant Joint Development Management Policies such as Policies DM2, DM13, DM22, DM45, and Core Strategy Policy CS5 also echo these requirements.
56. As the application is submitted in outline, with only access for consideration at this stage, only an indicative site layout along with a basic development brief has been submitted to demonstrate that the site is capable of successfully accommodating up to 106 dwellings. The plan indicates a development density of 29 dwellings per hectare, which is a lower density scheme reflecting the rural character of this location. Building heights will be predominantly 2-storey, with some 2.5-storey to denote focal buildings as part of creating a sense of place and character. The south-eastern part of the site has been shown as accommodating lower density and single storey dwellings. This would reflect the character of the adjoining residential area at Mason Gardens, which comprises bungalows.
57. The masterplan supports both traditional and contemporary forms of architecture, but also referencing the Suffolk Residential Design Guide for design features for Suffolk dwellings. Traditional details, materials and proportions can be reflected in new buildings either through authentic reproduction or contemporary reinterpretation, and examples of these are identified within the design and access statement.
58. Key frontages have been identified that include the western part of the development, overlooking the central open space and the eastern boundary where the scheme fronts on the adjoining countryside. An important element of the masterplan for the site will be green infrastructure and landscaping, and these include: footpath/cycle links on to Beeches Road; green space preserving the on-site Roman archaeology (including information boards and benches/seating areas, and a landscaping scheme which is likely to include wildflower meadow grassland and skylark plots. Overall, 2 hectares of green space will be provided across the site, which will provide suitable habitat for a range of different species.
59. In terms of design, scale, appearance and overall sustainability, the proposed development is considered to perform well when assessed against Core Strategy CS5 and Joint Development Management Policies DM1, DM2,

DM13, DM20, DM22 and the NPPF. Subject to the submission of detailed plans in respect of elevation treatments, scale, landscaping, design and layout, the proposal would not harm the wider landscape character or the visual amenities of the area and can accord with Core Strategy Policy CS3 in this regard. The indicative scheme proposed demonstrates that a detailed scheme is capable of being designed in accordance with the requirements of relevant development plan policies and paragraph 130 of the NPPF.

Biodiversity and ecology

60. Core Strategy Policy CS2 and Joint Development Management Policies DM10, DM11, DM12 and DM13 seek to conserve and enhance biodiversity through the assessment of the impact of the development and the provision of mitigation. In line with the requirements of Joint Development Management Policy DM12, there is also the opportunity for ecological enhancements across the proposed development, and these are set out in the ecological survey.
61. Furthermore, the local planning authority, as the competent authority, is responsible for the Habitats Regulation Assessment (HRA) as required by The Conservation of Habitats and Species Regulations 2017. In this case the site is within 3.6km of Breckland Special Protection Area (SPA), in this case Breckland Forest. This is a site of international importance, important for woodlark and Nightjar. The site is sufficiently remote from the boundary of the SPA and its constraint zones for direct impacts to be screened out. However, the potential for the construction of residential dwellings on this site has been considered in relation to the potential to contribute to recreational pressure on the SPA.
62. To enable the LPA to undertake its statutory duty, the application is accompanied by a HRA Screening Report that identifies aspects of the Project that are likely to have a significant effect on European protected sites for nature conservation, either alone or in combination with other plans and projects. It then provides information to support the Appropriate Assessment (AA) stage of HRA, which considers whether likely significant effects on European sites identified through the first screening stage of the HRA may have an adverse effect on the site's integrity.
63. SALP Policy SA14 requires that development must provide measures for influencing recreation in the surrounding area to avoid a damaging increase in visitors to the Breckland SPA. Measures should include provision of suitable alternative natural greenspace and the enhancement and promotion of a dog friendly access route in the immediate vicinity of the development and/or other agreed measures. In addition strategic landscaping and open space must be provided to address the individual site requirements and location. The SIR and SALP have been subject to HRA which takes into account the policy wording and the implementation of the recommendations in the natural greenspace study.
64. As such it is necessary that residential applications within this distance to the SPA provide their own sufficient green infrastructure to allow for recreational activities on site such as dog walking paths, allotments and areas of natural green space. Such on site provision will help to ensure that new residents are not travelling to the adjacent protected sites because there is insufficient quality green space. Of particular concern is ensuring

residents are able to exercise dogs. Mitigation in the form of provision of well-connected open space that will serve as local green space for residents should be provided on this site and connection to the wider network of public rights of way is a priority.

65. For Appropriate Assessment to conclude no adverse effect on integrity of the Breckland SPA from cumulative recreational pressure, measures should be provided that would influence recreation in the surrounding area. These measures could include provision of on-site open space/ green infrastructure, promotion and facilitation of recreational connectivity including connection to the PRoW network and potentially a contribution (financial for a defined project or SANG) to mitigate cumulative effects.
66. The neighbouring approved development of 46 dwellings (DC/18/0614/FUL) included a financial contribution of £88k towards PROW footpath improvements, and this outline application now proposes footpath connections to the wider footpath network to the south-west of the site, a footpath improvement strategy and further financial contributions that will enable off-road access to connect with the existing cycleway/footway off Pott Hall Lane heading towards Mildenhall Hub. These works are on land controlled by the applicant and/or the Local Highway Authority and can be required to be implemented by condition of any approval.
67. With the above mitigation in place, as well as the significant on-site open space proposed, it is possible to conclude that there would be no adverse effect on the integrity of Breckland SPA from cumulative recreational pressure in accordance with emerging Policy SA14 and the Conservation of Habitats and Species Regulations 2017.
68. The application is also accompanied by a Phase 1 Habitat Survey and an Ecological Report (amended August 2022) relating to the likely impacts of development on designated sites, protected species and Priority species and habitats. This has been assessed by the Council's Ecology consultants. The report concludes that that the proposed development will result in the loss of some habitat, including; cultivated/disturbed land; Arable; Poor semi-improved grassland; Scrub; Hedgerow, and; trees. However, the proposed development will where possible retain boundary features such as hedgerows and trees, retaining those habitats which currently provide most biodiversity value at the site. In addition to habitat retention the outline masterplan includes provision of over 2ha of green space and connecting green infrastructure which will include a mixture of semi-improved grassland (managed for conservation), scrub and other habitats. The drainage features can also be designed to maximise their value for biodiversity.
69. The application is also accompanied by a Biodiversity Net Gain (BNG) Assessment. Under the Environment Act 2021 most planning permissions granted in England will have to deliver at least 10% biodiversity net gain from an as yet unconfirmed date, expected to be in November 2023. BNG will be measured using Defra's biodiversity metric and habitats will need to be secured for at least 30 years. The assessment indicates that the landscape proposals will provide for wildlife habitat and hedgerow net gains. This includes a 18.45% gain for habitats and a 292.58% gain for hedgerows. The current habitats on site are considered to be low in ecological value and whilst the proposed development will include 3.81ha of

housing and gardens, the inclusion of designated areas as public green space and compensatory habitat for farmland birds such as skylark and corn bunting, and the creation of 275m of hedgerow mean that the loss of habitat is more than adequately compensated.

70. The above biodiversity net gains accord with Joint Development Management Policy DM12 and also help to futureproof the site in terms of 2023 10% BNG requirement.
71. The following ecological mitigation is proposed:
 - Creation of approx. 275 metres of new hedgerow
 - 2ha of green space and connecting green infrastructure
 - Sensitive lighting strategy for bats
 - Formation of Skylark plots as part of a Landscape and Ecological Management Plan (LEMP). The LEMP will include planting plans and grassland mixes for any habitat creation and the specifications for any other enhancements for protected species mitigation or enhancement such as the provision of bird boxes or bat boxes
 - Farmland Bird Mitigation Strategy
72. Subject to the above mitigation and enhancements as set out in the Ecology Report, along with a Wildlife Friendly Lighting Strategy to be submitted and approved by condition, the Council's Ecology consultants are satisfied that the ecological impacts are not significant and that there will be a net gain in biodiversity in accordance with the requirements of Core Strategy Policy CS2 and JDM Policy DM12 and Paragraph 174d of the National Planning Policy Framework (2021).

Drainage

73. SCC Flood and Water Management (LLFA) have reviewed the latest drainage scheme submitted by the applicant, and it has been demonstrated that the site's surface water can be disposed via infiltration type SuDS. Infiltration rates are feasible and the selection of SuDS types are satisfactory. Further detail will be required in respect of the drainage calculations, modelling and management, however subject to an appropriate condition to secure these additional details, the proposal is considered to accord with Joint Development management Policy DM6 in this regard.

Noise

74. Both the NPPF and the Local Plan Policy seek to protect and secure a good standard of amenity for new and existing development. Paragraph 170 of the NPPF provides brief guidance on planning and noise and states that planning decisions should enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution.
75. The Noise Policy Statement for England (NPSE) was published by DEFRA in March 2010 and forms the overarching statement of noise policy for England (and hence is of direct relevance to the assessment of planning applications under the NPPF for developments in England only). It sets out

the long-term vision of the Government, as follows: “[to] Promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development.”

76. Policy DM2 of the JDMP seeks to avoid sensitive development where its users would be significantly and adversely affected by noise, smell vibration, or other forms of pollution from existing sources, unless adequate and appropriate mitigation can be implemented.
77. The site lies close to RAF Mildenhall (a significant noise source), but outside the MOD noise contours where noise could be a significant issue. However, a noise survey has been submitted with the application, which demonstrates that the site has a negligible risk of adverse effect from noise, and therefore internal and external noise levels will not result in any adverse effects due to external transport noise with minimal mitigation. Good design practices have still been suggested and the assessment has demonstrated that the site has no acoustic challenges with no additional mitigation implemented.
78. To meet the WHO guidelines it should be demonstrated that noise levels inside a living room, with the windows closed, shall not exceed a daytime level of 35dB LAeq (16rs) during the daytime, and in the bedrooms at night-time a level of 30 dB LAeq (8hrs) should not be exceeded. The applicant’s noise report suggests that these requirements can be met. An agreed condition can secure this.

Planning Obligations

79. A development of up to 106 dwellings triggers the policy requirement for developer obligations, including the requirement for affordable housing (Policy CS9) and on-site open space (Policies DM42 and CS13). Policy CS9 sets a target of 30% of the new dwellings being affordable. A development of this size also requires an assessment to be made of the impact on local schools and library facilities. The County Council have requested contributions towards enhanced education facilities based on a development of up to 106 dwellings based on £18,187 per place for pre-school (early years), £18,187 per pupil place for primary school (3 places required) and £25,253 per pupil place for secondary (19 places required) and 6th form (4 places required) provision. A contribution towards enhanced library provision is also proposed.
80. In its capacity as the healthcare provider, West Suffolk CCG has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development. The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth generated by this development. Based on an anticipated population growth of 254 people, 17.41 m² of additional floorspace is required at the Market Cross Surgery is required. A supporting statement has been submitted by the CCG demonstrating that there is currently an under-provision and therefore a contribution of £63, 600 is requested.
81. All local planning authorities should have regard to both the Waste Management Plan for England and the National Planning Policy for Waste when discharging their responsibilities to the extent that they are appropriate to waste management. The Waste Management Plan for

England sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management. Paragraph 8 of the National Planning Policy for Waste states that when determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that: - "New, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service."

82. Suffolk County Council comments that the nearest recycling centre is the Mildenhall Recycling Centre, where there are currently no improvement projects planned and as a result no contributions are sought towards this facility. However, the West Suffolk Operational Hub (WSOH), in Bury St Edmunds, which includes a new Waste Transfer Station requires retrospective developer contributions. This project is listed in Suffolk County Council Infrastructure Funding Statement 2020-21, as a project where borrowings have been used by SCC to forward fund the infrastructure. Waste Transfer Stations are an integral part of reducing vehicle mileage as they provide a facility where waste is efficiently transferred on the most appropriate vehicles to be taken to a reprocessing facility or final disposal (land fill or incineration). A S106 contribution of £45 per dwelling is therefore required from this proposed development ($106 \times £45 = £4,770$).
83. In order to meet the infrastructure requirements of the development in accordance with Core Strategy Policy CS13, and in part the pedestrian and cycle way improvements required by allocation Policy SA14(a), the following planning obligations will be secured through the completion of a S106 legal agreement:
- Primary Education - £54, 561
 - Secondary Education - £479, 807
 - Sixth form provision - £101, 012
 - Affordable Housing in perpetuity - 30%
 - Library Provision - £24, 592
 - Financial contribution towards enhanced footpath provision - £37,364.40 – (This is to be pooled with s106 funding from adjacent scheme (DC/18/0614/FUL) to create and/or improve sustainable travel links between the application site and Mildenhall Bridleway 1)
 - Primary Healthcare - £63, 600
 - Waste - £4, 770
84. The above planning obligations, unless stated otherwise, meet the test of the Regulation 122 of the Community Infrastructure regulations in that the obligations are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.

Other matters

85. **Parish Council Office and Cemetery land** – Early discussions between the applicant and West Row Parish Council identified the need for additional open space, a dedicated parish office to operate from to serve the local population as well as land for a cemetery (an extension to the existing site). The cemetery at St Peter’s Church has experienced a significant increase in demand since the closure of the Baptist Chapel cemetery in 2012 when the final burial plot was occupied, the Baptist Church took the decision to retain some ground for car parking and recreation, leaving no further space for burial plots. At the time of the application submission, the Parish Council advised that there are thirty-five burial plots remaining at St Peter’s Church and based on these figures and the current rate of four new plots required annually the Parish Council understand that there is approximately 8.75 years capacity remaining, this does not however account for any increased demand linked to the village’s growing population.
86. It is also understood that the Parish Council would like to take on ownership and management of open space within the proposed development, they have also requested provision of land in which they would like to establish a new parish office and a small museum.
87. The above proposals are welcome, and indeed the land for the parish office/museum is within the site and is hoped will become an established feature of the development in the future. However, the provision of the above is over and above that required by SALP Policy SA14(a), and therefore cannot be a material consideration in the determination of this application. It is understood that Suffolk County Council as current landowner will enter into separate agreements (outside of the planning process) to allow for the transfer of the required land to the Parish Council.
88. **Energy efficiency** - JDM Policy DM7 states that; “All proposals for new development including the re-use or conversion of existing buildings will be expected to adhere to broad principles of sustainable design and construction and optimise energy efficiency through the use of design, layout, orientation, materials, insulation and construction techniques...In particular, proposals for new residential development will be required to demonstrate that appropriated water efficiency measures will be employed.” All new developments will be expected to include details in the Design and Access statement (or separate energy statement) of how it is proposed that the site will meet the energy standards set out within national Building Regulations. In particular, any areas in which the proposed energy strategy might conflict with other requirements set out in this Plan should be identified and proposals for resolving this conflict outlined.”
89. The applicant has stated that it will seek to provide low carbon sustainable homes, which will be highly energy and heat efficient, use low carbon and renewable energy sources of heat and power in excess of any existing local and national building standards and that sustainability measures including energy efficiency will be dealt with at the reserved matters stage. However, no further details have been submitted to substantiate this, and in order to demonstrate compliance with Policy DM7 then the applicant’s sustainability strategy should be suitably specified, perhaps in an accompanying Energy

Statement, which may then be secured by appropriate conditions. Likewise, there are currently insufficient details in order to ascertain whether or not the approach proposed meets the energy standards set out in national Building Regulations, (in accordance with Policy DM7 requirements).

90. Although the above lack of evidence of energy efficiency is not in itself a reason to refuse the development, the Council has an ambition to encourage the aspirations for energy efficiency levels in buildings as well as the uptake of renewable energy technologies, especially renewable heat and district heating. It is taking an active approach to encourage rather than regulate and may be able to provide technical and financial support, and is available to discuss.
91. In respect of water efficiency, all new residential development should demonstrate a water consumption level of no more than 100 litres per day (including external water use). This is reflective of Part G2 of the Building Regulations. Accordingly, a condition can be applied to any planning permission to ensure that the above water consumption level is achieved.
92. **Air Quality** - EPUK document Land-Use Planning & Development Control: Planning For Air Quality (January 2017(v1.2)) recommends major developments are subject to measures to help reduce the impact on Local Air Quality. All major developments should be targeted as there very few developments which will show a direct impact on local air quality, but all developments will have a cumulative effect.
93. 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.
94. 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).
95. 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.
96. It is therefore recommended that 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. This can be required by condition.
97. **Local residents and Parish Council** – the comments of local residents and the Parish Council have been taken into account throughout the consideration of this application. It is considered that the application meets

the requirements of the policy allocating the site for residential development. Subject to conditions requiring such things as footpath and highway improvements, the development is or can be made acceptable.

Conclusion:

98. This report has identified that the proposed development due to part of its location outside the current settlement boundary and policy allocation is contrary to the development plan. Paragraph 12 of the NPPF does recognise that local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed. That proviso reflects the statutory test. In this case, a number of matters arise from the proposed development which constitute other material considerations, including:
- The application proposes the development of an adopted allocation for residential development as part of a SALP that meets all required elements of the policy. The additional land results in a higher quality development including open space provision in excess of that required
 - The development would contribute 106 dwellings towards the 5-year housing supply, as well as providing for much needed affordable homes and enhanced footpath provision in the local area
 - The development of the site would lead to economic gains realised through the financial investment and employment created. Further benefits would accrue from the increased population that would spend money in the local economy. This can be afforded modest weight.
99. The information submitted with the application, along with the amendments to the proposed development, have demonstrated that a sustainable development of up to 106 dwellings can be achieved that meets the relevant requirements of Local Plan policy, the requirements of allocation Policy SA14(a), and the NPPF 2021 (as set out in this report). It has been demonstrated that the proposal limits its highway impact on the existing village and provides footpath and cycleway enhancement. Where not directly provided for on-site, the application mitigates for ecological and infrastructure impacts through appropriate financial contributions towards education, healthcare provision, off-site highway works, and provision of footpath links.
100. In conclusion, having considered the material considerations raised by the application proposal, Officers consider that the conformity with the requirements of the allocation Policy SA14(a), the collective benefits arising from the development are substantial and are of sufficient weight to allow the development to be approved contrary to the Development Plan.

Recommendation:

101. It is recommended that planning permission be **APPROVED** subject to the completion of a S106 legal agreement to provide for the following planning obligations:

- Primary Education - £54, 561
- Secondary Education - £479, 807
- Sixth form provision - £101, 012
- Affordable Housing in perpetuity - 30%
- Library Provision - £24, 592
- Financial contribution towards enhanced footpath provision - £37,364.40 – (This is to be pooled with s106 funding from adjacent scheme (DC/18/0614/FUL) to create and/or improve sustainable travel links between the application site and Mildenhall Bridleway 1)
- Primary Healthcare - £63, 600
- Waste - £4, 770

and the following conditions:

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

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

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

Reason: To conform with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

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

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

4. Prior to commencement of development the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
 - a. A site investigation scheme,
 - b. The results of a site investigation based on i) and a detailed risk assessment, including a revised Conceptual Site Model (CSM),
 - c. Based on the risk assessment in ii), a remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for

contingency actions.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in accordance with policy DM14 of the West Suffolk Joint Development Management Policies Document 2015, paragraphs 170,178 and 179 of the National Planning Policy Framework (NPPF), Environment Agency Groundwater Protection: Principles and Practice (GP3) and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement since it relates to consideration of below ground matters that require resolution prior to further development taking place, to ensure any contaminated material is satisfactorily dealt with.

5. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works as set out in the remediation strategy is submitted to and approved, in writing by the Local Planning Authority.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in accordance with policy DM14 of the West Suffolk Joint Development Management Policies Document 2015, paragraphs 170,178 and 179 of the National Planning Policy Framework (NPPF), Environment Agency Groundwater Protection: Principles and Practice (GP3) and all relevant Core Strategy Policies.

6. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in accordance with policy DM14 of the West Suffolk Joint Development Management Policies Document 2015, paragraphs 170,178 and 179 of the National Planning Policy Framework (NPPF), Environment Agency Groundwater Protection: Principles and Practice (GP3) and all relevant Core Strategy Policies.

7. 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 107 and 112 of the National Planning Policy Framework and the Suffolk Parking Standards.

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

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

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

10. No construction for any dwelling shall commence until details in respect of each of the following has been submitted to and approved in writing by the Local Planning Authority:
 - a. Details of the development that demonstrate that for each unoccupied dwelling and its associated sound insulation that noise levels with windows closed shall not exceed a daytime level of 35 dB (16hrs) within living rooms between 07.00am and 11.00pm, and a night-time level of 30 dB

LAeq (8hrs) within bedrooms between 11.00am and 07.00am, using the methodology advocated within BS 8233:2014 'Guidance on sound insulation and noise reduction for buildings' (2014). The development shall adopt the proposed sound insulation measures as stated, and;

b. Details of a measurement and assessment methodology for demonstrating compliance with the limits set in condition 1) a).

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

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

Reason: To assimilate the development into its surroundings and protect the character and appearance of the area, 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.

12.No development above ground level shall take place until details of a hard landscaping scheme for the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels and contours showing earthworks and mounding; surfacing materials; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulations areas; hard surfacing materials; minor artefacts and structures (for example furniture, play equipment, refuse and/or other storage units, signs, lighting and similar features); proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features); retained historic landscape features and proposals for restoration where relevant. The scheme shall be implemented prior to the occupation of any part of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority).

Reason: To assimilate the development into its surroundings and protect the character and appearance of the area, in accordance with policies DM2 and DM13 of the West Suffolk Joint Development Management Policies

- 13.No development above ground level shall take place until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules and periods for all soft landscape areas (other than small privately owned domestic gardens) together with a timetable for the implementation of the landscape management plan, has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out in accordance with the approved details and timetable.

Reason: To ensure the longevity of the landscaping scheme and protect the visual amenity and character of the area, in accordance with policy 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.

- 14.Prior to commencement of development an Arboricultural Method Statement (including any demolition, groundworks and site clearance) shall be submitted to and approved in writing by the Local Planning Authority. The Statement should include details of the following:
- a. Measures for the protection of those trees and hedges on the application site that are to be retained,
 - b. Details of all construction measures within the 'Root Protection Area' (defined by a radius of $dbh \times 12$ where dbh is the diameter of the trunk measured at a height of 1.5m above ground level) of those trees on the application site which are to be retained specifying the position, depth, and method of construction/installation/excavation of service trenches, building foundations, hardstandings, roads and footpaths,
 - c. A schedule of proposed surgery works to be undertaken to those trees and hedges on the application site which are to be retained.

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

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

- 15.All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Wood, August 2022) and the Breeding Bird Survey Report (Wood, 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all

activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and 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) as updated by the Environment Act 2021.

16. Concurrent with the submission of reserved matters, 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) as updated by the Environment Act 2021.

17. Concurrent with the submission of reserved matters, a Farmland Bird Mitigation Strategy shall be submitted to and approved by the local planning authority to compensate the loss or displacement of any Farmland Bird territories identified as lost or displaced. This shall include provision of offsite compensation measures to be secured by legal agreement, in nearby agricultural land, prior to commencement. The content of the Farmland Bird Mitigation Strategy shall include the following:

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

The Farmland Bird Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained for a minimum period of 10 years.

Reason: To allow the LPA to discharge its duties under the NERC Act 2006 (Priority habitats & species).

18. No development shall take place until an ecological design strategy (EDS) addressing the mitigation, compensation and enhancement measures for bats, birds, and hedgehogs has been submitted to and approved in writing by the local planning authority.

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.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.

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) as updated by the Environment Act 2021.

19. Concurrent with the submission of reserved matters, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

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) as updated by the Environment Act 2021.

20. Concurrent with the submission of reserved matters, a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organisation responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To 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).

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

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

22. Before the development is first occupied the off-site highway improvements shown in the Footpath Improvement Strategy shall be constructed in its entirety and made available for use by the public.

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

23. Before the access is first used visibility splays shall be provided as shown on Drawing No. 43017-WOOD-XX-XX-FG-OT-0002_S0_P01.1C with an X dimension of 2.4 metres and a Y dimension of 43m metres in each direction [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.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

24. Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. The plan shall include access and parking arrangements for contractor's vehicles and delivery vehicles (locations and times) and a methodology for avoiding soil from the site tracking onto the highway together with a strategy for remedy of this should it occur. The development shall only take place in accordance with the approved strategy.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase. This is a pre-commencement condition because an approved Management Strategy must be in place at the outset of the development.

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

Reason: In the interests of highway safety to ensure that roads/footways are constructed to an acceptable standard. This condition requires matters to be agreed prior to commencement since it relates to highway safety and it is necessary to secure details prior to any other works taking place.

26. The new estate road junction, footpath and pedestrian crossing dropped kerbs as shown on Drawing No. 43017-WOOD-XX-XX-FG-OT-0002_S0_P01.1C inclusive of cleared land within the visibility splays to this junction must be formed prior to any other works commencing or delivery of any other materials (i.e not for the purpose of constructing the new estate road/junctions.)

Reason: In the interests of highway safety, to ensure a safe access to the site for pedestrian and vehicles is provided before other works commence. This condition requires matters to be agreed prior to commencement since it relates to highway safety and it is necessary to secure details prior to any other works taking place.

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

Reason: In the interests of highway safety, to ensure that the estate roads serving the development are completed and thereafter maintained during the construction phase to an acceptable standard. This is a pre-commencement condition because the estate road planning, phasing and delivery is essential to be able to safely access and deliver the remainder of the development.

28.Before the development is commenced details of the areas and infrastructure to be provided for the loading, unloading, manoeuvring and parking of vehicles including powered two-wheeled vehicles and electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose (or for dwellings) The approved scheme shall be implemented for each dwelling prior to its first occupation and retained as such thereafter.

Reason: To ensure the provision and long-term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with the current Suffolk Guidance for Parking where on-street parking and or loading, unloading and manoeuvring would be detrimental to highway safety. This is a pre-commencement condition because it must be demonstrated that the development can accommodate sufficient parking spaces before construction works may make this prohibitive and in the interests of ensuring highway safety.

29.Before the development is commenced details of the areas to be provided for the secure, covered and lit cycle storage including electric assisted cycles shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose. The approved scheme shall be implemented for each dwelling prior to its first occupation and retained as such thereafter.

Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long-term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking (2019). This is a pre-commencement condition because it must be demonstrated that the development can accommodate sufficient cycle storage before construction works may make this prohibitive and in the interests of ensuring that sustainable transport options are provided.

30.Before the development is commenced details of the areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved bin storage and presentation/collection

areas shall be provided for each dwelling prior to its first occupation and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

- 31.No development above ground level shall take place until a scheme for the provision and implementation of water, energy and resource efficiency measures during the construction and occupational phases of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The scheme shall be constructed in accordance with the approved details and the measures provided and made available for use in accordance with the approved timetable.

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.

- 32.No development above ground level shall take place until a Public Open Space landscaping management plan, including long term design objectives, management responsibilities and maintenance schedules and periods for all soft landscape areas (other than small privately owned domestic gardens) together with a timetable for the implementation of the management plan, has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out in accordance with the approved details and timetable.

Reason: To ensure the longevity of the public open space and landscaping to protect the visual amenity and character of the area, in accordance with policy 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.

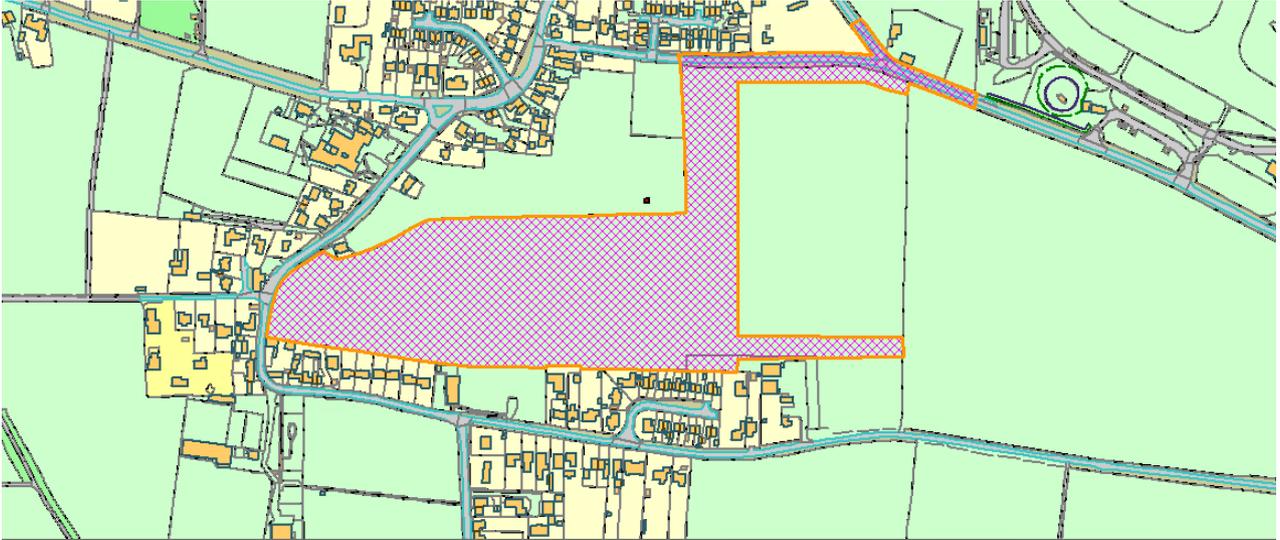
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/2337/OUT](#)



DC/21/2337/OUT

Land East Of Beeches Road
Beeches Road
West Row
Suffolk



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Key
 — Site Boundary

0 m 100 m
 Scale 1:2000 @ A3
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Client
 Concertus Design and Property Consultants Ltd
 (on behalf of Suffolk County Council)

Land East of Beeches Road, West Row
 Outline Planning Application

Figure 4.0
Illustrative masterplan

November 2021



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Development Control Committee 2 November 2022

Planning Application DC/21/2094/OUT – Townsend Nurseries, Snow Hill, Clare

Date registered:	31 January 2022	Expiry date:	4 November 2022
Case officer:	Charlotte Waugh	Recommendation:	Approve application
Parish:	Clare Town Council	Ward:	Clare, Hundon and Kedington
Proposal:	Outline planning application (means of access to be considered) - 20 dwellings		
Site:	Townsend Nurseries, Snow Hill, Clare		
Applicant:	Mr C Parker & Mrs C Cockerill		

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:

Charlotte Waugh

Email: charlotte.waugh@westsuffolk.gov.uk

Telephone: 01284 757349

Background:

This application has been referred to the Development Control Committee following a call-in from one of the local Ward Members (Councillor Nick Clarke of Clare, Hundon and Kedington).

Clare Town Council object and the application is recommended for APPROVAL.

Proposal:

1. The application seeks outline approval for 20 dwellings with access included but all other matters (appearance, landscaping, layout and scale) reserved.
2. Access would be provided on to Snow hill and details of this access have been submitted with the application. A sustainable drainage feature is proposed to the front of the site.

Application supporting material:

3.
 - Location plan
 - Indicative site layout
 - Site section
 - Highway drawing
 - Planning, design and access statement
 - Statement of community involvement
 - Ecology report with appendage
 - Bat survey
 - Tree survey
 - SuDs report
 - Phase 1 contamination report

Site details:

4. The application site is an area of approximately 1 hectare previously used as a plant nursery. The site contains a two-storey dwelling, a bungalow and a few small outbuildings associated with the former use. The site has frontage to the B1063 (Snow Hill). The remainder of the eastern boundary of the site adjoins the rear gardens of 'The Hollow' and 'Atalaya'. Northern and western boundaries of the site adjoin the rear gardens of dwellings in Hertford Road and Gilbert Road. The southern boundary partly adjoins properties in Gilbert Road and partly adjoins No.2, a semi-detached property fronting the B1063. In terms of topography, the land rises from road level to the east up to the west.
5. The site is not subject to any designations or constraints.

Planning history:

6. None

Consultations:

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

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

9. SCC Highways Authority

The Highway Authority accepts that an access in this location is suitable for the proposed housing development and the indicative drawings, particularly visibility splays show that a safe access is achievable. The applicant should provide more detailed engineering drawings going forward showing necessary alterations to the earth bank to provide visibility splays and the proposed footpath, the Highway Authority notes that the applicant should provide a dedicated pedestrian crossing point to the primary B1063 footpath. *(These details can be provided during the S78 agreement with SCC)* No objections subject to conditions regarding a crossing point, access details, frontage limited to 0.6m, visibility splays, surface water drainage, bin storage, cycle storage, parking areas, electric charge points, road details, construction management plan.

10. West Suffolk Public health and Housing

No comments to make

11. West Suffolk Environment Team

The report recommends intrusive investigations, however, we would recommend that the investigations are extended across the site. As such, no objections subject to a land contamination condition, making note of the first section of the condition which requires the submission of a site investigation scheme.

In terms of air quality, a condition is recommended ensuring the provision of electric car charging points within the development.

12. SCC Lead Local Flood Authority

No objection subject to conditions regarding surface water drainage and the submission of a report detailing the SuDS feature.

13. West Suffolk Strategic Housing

No objection subject to 30% affordable housing to be secured within a S106 agreement.

14. Anglian Water

Wastewater treatment - The foul drainage from this development is in the catchment of Clare Water Recycling Centre that will have available capacity for these flows.

Used water network - The sewerage system at present has available capacity for these flows.

15. SCC Archaeology

This site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER), in close proximity to Clare Camps, a Scheduled earthwork enclosure (HER ref no. CLA 010; Scheduled Monument 1006046). As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist. There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National

Planning Policy Framework (Paragraph 205), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

No objection subject to condition securing a programme of archaeological work and the submission of a post investigation assessment.

16. West Suffolk Waste Management

No comments to make

17. Suffolk Fire and Rescue

Offers advice to the applicant in terms of the benefits of sprinkler systems.

18. SCC Infrastructure Manager

No Primary school places required as Clare Community Primary School is expected to have surplus capacity to accommodate this and other planned development. No Pre-school places are required as there is a surplus of early years provision within the Clare, Kedington, Hundon ward.

Stour Valley Community School (Secondary). The number of pupils arising from housing completions beyond the forecast period, applications pending decision, and local plan site allocations are expected to cause the school to exceed 95% capacity based on current forecasts. Therefore, 4 x 11- 16 places at £25,253 per place is requested. Total £101,012

The nearest Post 16 education is provided at Samuel Ward Academy, located in Haverhill. The number of pupils arising from housing completions beyond the forecast period, applications pending decision, and local plan site allocations are expected to cause the school to exceed 95% capacity based on current forecasts. Therefore, 1 x 16+ place at £25,253 is requested.

This development will place additional demands on the library service, so a contribution of up to £216 per dwelling is sought to help improve local provision. An additional cost of £16 per dwelling is required for additional stock. Total £4,640

The nearest recycling centre is located in Haverhill. The Haverhill Recycling Centre is over capacity and the strategy is to relocate the existing recycling centre from Chalkstone Way to a new site. The expected cost of this project is £4.25 million which includes land and build costs. 34,280 households are projected to use this new facility by 2043 which gives a cost of £124 per dwelling. Total £2,480.

Representations:

19. Councillor Nick Clarke (Ward Member for Clare, Hundon and Kedington)

I object to the planning application for 23 houses at Townsend Nurseries, Snow Hill, Clare for the following reasons:

The density of the proposal (23 homes on this town centre site) is unacceptable for Clare which does not have the infrastructure to accommodate this scale of development and is out of keeping with the area. Today (08/03/2022) Anglian Water engineers are attending yet another burst water pipe in Bridewell/Callis Street. They indicated that these pipes

were laid 60 years ago, are extremely fragile and the construction contains asbestos. This particular stretch of the B1063 has suffered regular major water pipe bursts and leaks - 24 major bursts in Clare in 24 months. Each of these leaks closes the road completely resulting in a significant detour over Maple Hill which is a single lane track with passing places. This development is sufficiently far away from the town center that most journeys to the center will be by vehicle adding to an already difficult parking problem in the town.

20. **Clare Town Council**

Submitted the following summarised comments:

- Acknowledgement that the land was effectively wasteland and that some use may be desirable
- Acknowledgement that Clare needs housing to retain younger residents
- Infrastructure was a major concern, particularly GP surgery, secondary school at Stour Valley, ongoing issues with drainage and mains water leakages.
- Reiterated its objection in principle to any further development until improvements are made to the infrastructure.
- Concerns about more tarmac leading to further surface water flooding which is already an issue locally. Furthermore, steep banks in the area have subsided and there is historic property subsidence close to the proposed development site.
- Concerns over increased parking and traffic issues
- Acknowledged that additional residents can bring benefits to local businesses.
- Two further development sites in Clare within Local Plan

Those present RECOMMENDED OBJECTION on the grounds that;

(A) Clare has already taken more new residential development than envisaged under the adopted local plan without any commensurate investment in infrastructure;

(B) There are concerns around increasing the flood risk, as significant flooding is already experienced in the area;

(C) The development proposals as described (even at the reduced number of 20 homes) will lead to a cramped, overdeveloped feeling on the site in contrast to the neighbouring environment;

(D) the number of vehicle movements generated will create highway safety issues and the design does little to contribute to the creation of an area with a strong sense of place and distinctiveness.

21. **Clare Society**

Submitted the following summarised comments:

- Has considered the proposed new West Suffolk Local Plan, Issues and Options dated December 2020.
- Acknowledge this is a brownfield site within the settlement boundary
- The proposed 23 dwellings would be within the density figures indicated during the initial SHELAA call for land.
- New development has no responsibility to correct existing infrastructure shortcomings but WSC has a duty of care for existing residents to ensure those shortcomings are not exacerbated
- Clare suffers from regular burst water pipe in Bridewell/Callis Street – The pipes are 60 years old and contain asbestos - 23 major bursts in 24 months

- This results in long diversions and inconvenience for residents, emergency vehicles, public transport, delivery vehicles and utilities
- The GP practice has no capacity for additional patients
- Concerns over visibility for new access
- Concerns over subsidence to existing properties

22.18 representations were received from local residents and the points raised are summarised below. Full copies of the representations are available to view on the public planning file online.

- Proposed planting will create a loss of light
- Overlooking/loss of privacy
- Noise and light pollution
- Potential for subsidence
- This parcel of land was not in the Local Plan – Clare has exceeded its quota
- Overdevelopment – density not in accordance with surrounding development
- Loss of trees and hedges
- Impact on wildlife – existing field provides habitats
- Impact on traffic and lack of parking in town centre
- Another access onto busy Bridewell Lane is likely to cause a hazard for pedestrians, cyclists and motorists – no footpath on East side of road
- No communal central green space
- Insufficient infrastructure – including mains water and gas pressure
- Stour Valley Community school and Clare Primary school are at capacity
- Guildhall surgery is at capacity and Stonehall surgery is closed
- Bridewell Lane experiences regular burst water pipes causing road closures – they will not be able to cope with the additional drainage
- The field is at the bottom of a hill and provides drainage for the estate
- Land provides carbon removal
- There is no mention of electric charging points or energy generation
- Noise, dust, road closures, disturbance and traffic during construction
- Whose responsibility will it be to manage proposed landscaping?
- Site forms an integral part of the 'heights' development
- Dwellings should be entirely single storey
- Limited transport to Samuel Ward and Cambridge schools for post 16s
- Property (no. 1 Gilbert road) not accurately shown

23. Since the submission of an amended indicative site plan reducing the number proposed to 20 dwellings, 5 of the addresses which had already submitted comments made further representations confirming that those comments made originally are still applicable.

Policy:

24. 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.

25. 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 CS4 - Settlement Hierarchy and Identity
- Core Strategy Policy CS5 - Affordable Housing
- Core Strategy Policy CS12 - Haverhill Strategic Growth
- Core Strategy Policy CS14 - Community infrastructure capacity and tariffs

Rural Vision 2031

- Vision Policy RV1 - Presumption in Favour of Sustainable Development
- Vision Policy RV3 - Housing Settlement Boundaries
- Vision Policy R11 - Clare

Joint Development Management Policies Document 2015

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- 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 DM22 Residential Design
- Policy DM46 Parking Standards

NPPF 2021

Other planning policy:

26. 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:

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

Planning and Compulsory Purchase Act 2004 (as amended)

28. 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 is discussed through the rest of this report.

The Conservation of Habitats and Species Regulations 2010

29. 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).

The application site is not in the close vicinity of any designated (European) sites of nature conservation. The ecology report submitted with the application considers the impact of development on any protected species that may be present and has been assessed by an ecologist. Given that the development will not give rise to any impacts on designated sites, no habitats regulation assessment is required.

Natural Environment and Rural Communities Act 2006

30. 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.

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

Equality Act 2010

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

Principle of Development

33. 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, Rural Vision 2031, and the adopted Joint Development Management Policies Document 2015. National planning policies set out in the NPPF.

34. The site is located within the Housing Settlement Boundary for Clare. Policy RV3 states that planning permission for new residential development will be

permitted within Housing Settlement Boundaries where it is not contrary to other policies in the plan.

35. Policy CS4 sets out the Council's settlement hierarchy and designates Clare as a 'Key Service Centre', these are settlements that have a range of services, facilities, employment opportunities and are able to accommodate a degree of development.
36. The application has been amended since submission to reduce the number of dwellings from 23 to 20 and an indicative layout has been provided to demonstrate how they would be accommodated within the site. Subsequently this development equates to a density of approximately 20 dwellings per hectare. The NPPF encourages the re-use of brownfield land within settlements and promotes efficient use of land in terms of densities. Policy RV11 acknowledges that this is a brownfield site within the Housing settlement boundary which could come forward within the plan period without allocation.
37. It is considered that in terms of the location and extent of development, the proposals are acceptable in principle, subject to acceptable impacts in terms of access, ecology, flooding and drainage.

Design, layout, and amenity

38. The NPPF stresses the importance the Government attaches to the design of the built environment, confirming good design as a key aspect of sustainable development, indivisible from good planning. The NPPF goes on to reinforce these statements by confirming that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
39. These design aspirations are reflected in policy DM2, which states that proposals for all development should create a sense of place and/or local character. In the case of residential schemes, policy DM22 states that proposals should create a coherent and legible place that is well structured so that it is visually interesting and welcoming.
40. The layout submitted, whilst indicative only, shows a layout which provides adequate space for gardens, parking, manoeuvring and landscaping. Dwellings to the rear are specified as single storey to protect the amenity of dwellings on Gilbert Road and it is considered that dwellings can be designed to ensure no significant loss of amenity to surrounding dwellings.
41. The applicant carried out a public consultation in August/September 2020. Residents were notified by letter and plans were available electronically to view and comment on. This was followed by a subsequent zoom call. A summary of comments received has been provided in a statement of community involvement. Prior to submission of the application a further meeting was held with local representatives outlining changes to the scheme since the initial consultation.
42. Landscaping exists at present on boundaries and it is envisaged that this will be enhanced within the proposal, not only to provide an attractive setting and provide habitat but to help protect residential amenity for new occupants and those existing. A landscaping scheme would be submitted at

the reserved matters stage. A small green space was shown on the indicative plan, albeit this doesn't necessarily represent the final scheme. It is noted that residents have commented that there is no communal space included but given the size of the site and the proximity to public open space this isn't considered necessary.

43. The development is therefore considered to be in accordance with policies CS1, CS2, CS3 and CS12 of the St Edmundsbury Core Strategy 2010, Policies DM2, and DM22 of the Joint Development Management Policies Document 2105 and the guidance set out in the NFFP.

Access and Movement

44. 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.

45. Policy DM2 of the Joint Development Management Policies Document also requires that new development should produce designs that accord with standards and maintain or enhance the safety of the highway network and policy DM46 confirms that the authority will seek to reduce over-reliance on the car and promote more sustainable forms of transport. This is also a key aspiration of the adopted masterplan and design code which seeks to maximise accessibility creating walkable neighbourhoods.

46. The site is located a short distance from the town centre of Clare which contains a variety of services and facilities. There is no pavement at present on the Eastern side of Snow Hill and as such, a pedestrian crossing is required to ensure safe pedestrian access to and from the site. The Highway Authority are satisfied with the location of this crossing and the details will be secured by a condition. Whilst it is noted that some residents feel that occupants would not walk the ½ mile into town, the provision of a crossing will enable easier access and hopefully encourage residents to use alternatives to the car.

47. The reserved matters submission would include details of parking, cycle storage and areas to manoeuvre to ensure these meet adopted standards.

48. A condition has been recommended to ensure electric car charging points are installed to all private drives in accordance with the NPPF and policy DM14 of the Joint Development Management Policies Document which states that proposals for all new developments should minimise all emissions and ensure no deterioration to either air or water quality.

49. In light of the above, the development is considered to be in accordance with DM2, DM14 and DM46 of the Joint Development Management Policies Document 2105 and the guidance set out in the NFFP.

Landscape and ecology

50. 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. 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.

51. There are no sites of international or national importance within or adjacent to the site. However, there are habitats within the application site which contribute to the biodiversity of the site and have the potential to support protected species. A preliminary ecological appraisal supports the application as well as a bat survey which conclude that with the implementation of mitigation measures as stated in the reports there will be no significant adverse impact on protected species.
52. The ecologist is satisfied with the contents of these reports and conditions have been recommended which secure the necessary mitigation and enhancement measures.
53. A tree survey identifies a number of trees within the site as well as boundary hedging. Whilst the majority of which are category C, there are 2 Oaks and a Hawthorn considered category B. It is considered that an effort should be made to retain these trees on the site, which it appears from the indicative plan is possible. Landscaping is a reserved matter and as such, full details of landscaping to be retained and proposed will be submitted at a later date.
54. The development would not introduce any adverse effects on protected species or sites, subject to following the recommendations of the submitted reports. On this basis, the Local Authority has carried out its duty under the NERC Act.
55. The development is therefore considered to be in accordance with policies DM2, DM11, DM12 and DM13 of the Joint Development Management Policies Document 2105 and the guidance set out in the NFFP.

Flooding and drainage

56. The NPPF and local Policy DM6 seek to ensure that development proposals include details as to how on-site drainage will be managed so as not to cause or exacerbate flooding elsewhere.
57. It is understood that Clare suffers from burst water pipes on a regular basis due to their age. This results in road closures, long diversions and is an inconvenience to residents. Anglian Water who own and maintain the pipe network have confirmed that there is sufficient capacity both within the pipes and the pumping station to accommodate flows from this development and others within the Local Plan period. The responsibility therefore lies with Anglian Water to update their network of pipes to an appropriate standard.
58. The development would be served by a drainage basin to the south-East of the site. The lead local flood authority has reviewed the drainage documentation and has confirmed that the proposals are acceptable subject to the inclusion of conditions regarding further surface water drainage details and completion of the asset register. As such, the development accords with policy DM6 of the Joint Development Management Policies Document 2105.

Affordable housing

59. Core Strategy policy CS5 as supported by the supplementary planning document which identifies the need for affordable housing in the district and sets the threshold at 30% on developments above 10 dwellings.

60. A S106 agreement has been drafted and agreed by all parties which secures 30% of the dwellings as affordable. Of this 10% of overall proposed dwellings are to be shared ownership in line with Paragraph 65 of the NPPF, the remaining affordable housing quota as affordable or social rent. The mix of dwellings shall be agreed with Strategic Housing at reserved matters stage and shall be in accordance with the signed S106 and the Affordable Housing SPD.

61. As such, this element of the scheme complies with policy CS5 and the NPPF securing 30% onsite affordable homes.

Developer Contributions

62. The NPPF 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. Core Strategy policy CS2 seeks to secure high quality, sustainable development by (inter alia) providing the infrastructure and services necessary to serve the development. Further details of the requirements for infrastructure delivery are set out in policy CS14.

63. Suffolk County Council have considered the application in respect of its impact on education and services and have requested contributions towards secondary and sixth form education, libraries and waste. A full list is within the consultation response section.

64. The applicant has agreed the above obligations as well as the inclusion of on-site affordable housing and a draft S106 agreement has been provided. Consequently, the development is policy compliant in this regard.

Other matters

65. The site is located within an area of archaeological potential and consequently a scheme of investigation is required before any work is commenced. This will be secured by condition.

66. The issue of subsidence has been raised by the Town Council. Any development would need to take account of the ground conditions in order to comply with the building regulations. These regulations operate independently to the planning regulations and seek to ensure that any development is structurally sound.

Conclusion:

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

68. The site is considered a sufficient size to accommodate 20 dwellings at an acceptable density, as well as associated private amenity space, parking and road network.
69. The Highway Authority is satisfied with the position and details of the access onto Snow Hill and is content that a safe crossing point can be provided to ensure access for all.
70. It is considered that the development has the ability to offer a good level of amenity to future occupants, and the submission of plans at reserved matters stage would ensure the amenity of existing residents.
71. The Lead Local Flood Authority has confirmed that the SuDS basin design is acceptable and subject to the submission of details they are content with the overall drainage solution.
72. Consultees are satisfied with the ecology details submitted and do not consider the development to have an adverse impact on protected species. Subject to conditions and landscaping details officers are content that a successful scheme can be designed accommodating sufficient planting and ecological enhancements.
73. Having regard to the above conclusions, it is considered that the development is in compliance with the relevant development plan policies and with the National Planning Policy Framework and it is therefore recommended for approval.

Recommendation:

74. It is recommended that outline planning permission be **APPROVED** subject to;

A signed S106 agreement to secure the following:

- 30% affordable housing
- £101,012 for Secondary school provision (4 places)
- £25,253 for post 16 education (1 place)
- £4,640 for libraries
- £2,480 for waste recycling centre

And the following conditions:

- 1 Application for the approval of the matters reserved by conditions of this permission shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun not later than whichever is the latest of the following dates:-
 - i) The expiration of three years from the date of this permission; or
 - ii) The expiration of two years from the final approval of the reserved matters; or,In the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To conform with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

3. 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:

Location Plan

Highway Plan 184-2019-02 P1

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

4. Prior to commencement of development the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- a. A site investigation scheme,

- b. The results of a site investigation based on i) and a detailed risk assessment, including a revised Conceptual Site Model (CSM),

- c. Based on the risk assessment in ii), a remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in accordance with policy DM14 of the West Suffolk Joint Development Management Policies Document 2015, paragraphs 170,178 and 179 of the National Planning Policy Framework (NPPF), Environment Agency Groundwater Protection: Principles and Practice (GP3) and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement since it relates to consideration of below ground matters that require resolution prior to further development taking place, to ensure any contaminated material is satisfactorily dealt with.

- 5 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works as set out in the remediation strategy is submitted to and approved, in writing by the Local Planning Authority.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in accordance with policy DM14 of the West Suffolk Joint Development Management Policies Document 2015, paragraphs 170,178 and 179 of the National Planning Policy Framework (NPPF), Environment Agency Groundwater Protection: Principles and Practice (GP3) and all relevant Core

Strategy Policies.

- 6 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in accordance with policy DM14 of the West Suffolk Joint Development Management Policies Document 2015, paragraphs 170,178 and 179 of the National Planning Policy Framework (NPPF), Environment Agency Groundwater Protection: Principles and Practice (GP3) and all relevant Core Strategy Policies.

- 7 Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority (LPA). The scheme shall be in accordance with the approved FRA and include:
- a. Dimensioned plans and drawings of the surface water drainage scheme;
 - b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
 - c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
 - d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
 - e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year rainfall event including climate change, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
 - f. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
 - g. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.
 - h. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include: Method statements, scaled and

dimensioned plans and drawings detailing surface water management proposals to include:-

- i. Temporary drainage systems
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- iii. Measures for managing any on or offsite flood risk associated with construction.

The scheme shall be fully implemented as approved.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development, in accordance with policies DM6 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies.

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

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and to ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk within the county of Suffolk <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>

- 9 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecology report (Framlingham Environmental, 25th August 2020) and Bat Surveys (Aspen Ecology, 22 July 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

Reason: To conserve and enhance protected and Priority species and allow the Local Planning Authority 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) as updated by the Environment Act 2021.

- 10 Concurrent with reserved matters a Reptile Mitigation Strategy addressing the mitigation of reptiles has been submitted to and approved in writing by the local planning authority.

The Reptile Mitigation Strategy 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.
 - e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
 - f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
 - g) Persons responsible for implementing the works.
 - h) Details of initial aftercare and long-term maintenance of the Receptor area(s).
 - i) Details for monitoring and remedial measures.
 - j) Details for disposal of any wastes arising from works.
- The Reptile Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To allow the Local Planning Authority to discharge its duties under the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

- 11 Concurrent with reserved matters 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 Local Planning Authority CEMP 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).

- 12 Concurrent with reserved matters a Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority.

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

- a) Purpose and conservation objectives for the proposed enhancement measures;
 - b) detailed designs to achieve stated objectives;
 - c) locations of proposed enhancement measures by appropriate maps and plans;
 - d) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
 - e) persons responsible for implementing the enhancement measures;
 - f) details of initial aftercare and long-term maintenance (where relevant).
- The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the Local Planning Authority to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

- 13 Prior to occupation a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the Local Planning Authority 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).

- 14 Prior to commencement of development details of the proposed access (including the position of any gates to be erected and visibility splays provided) shall be submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to any other part of the development taking place. Thereafter the access shall be retained thereafter in its approved form.

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

- 15 Before the access is first used, visibility splays shall be provided as shown on Drawing No. 184/2019/02 and thereafter be retained in the approved form. Notwithstanding the provisions of Part 2, Class A of the Town and

Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking and re-enacting that Order) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the area of the visibility splays.

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

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

Reason: In the interests of highway safety to ensure that roads/footways are constructed to an acceptable standard in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

17. 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.

Reason: To prevent hazards caused by flowing water or ice on the highway, in accordance with policy DM2 and DM6 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 9 and 14 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 18 Before the development is commenced details of a new footway and pedestrian crossing to the frontage of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The footway shall be laid out and constructed fully before first occupation of any dwellings The footway shall be retained thereafter in its approved form.

Reason: In the interests of highway safety and sustainable development by providing a footway at an appropriate time where no provision may deter people from walking. This is a pre-commencement condition because insufficient details have been submitted at planning stage.

- 19 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.

- 20 Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 8:00 hours to 13:30 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.

- 21 Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan. The Construction Management Plan shall include the following matters:
- a) parking and turning for vehicles of site personnel, operatives and visitors
 - b) loading and unloading of plant and materials
 - c) piling techniques (if applicable)
 - d) storage of plant and materials
 - e) provision and use of wheel washing facilities
 - f) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works
 - g) site working and delivery times
 - h) a communications plan to inform local residents of the program of works
 - i) provision of boundary hoarding and lighting
 - j) details of proposed means of dust suppression
 - k) details of measures to prevent mud from vehicles leaving the site during construction
 - l) haul routes for construction traffic on the highway network and
 - m) monitoring and review mechanisms.
 - n) Details of deliveries times to the site during construction phase

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase. This is a pre-commencement condition because an approved Construction Management Plan must be in place at the outset of the development.

- 22 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.

- 23 Before the development is commenced details of the areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved bin storage and presentation/collection area shall be provided for each dwelling prior to its first occupation and shall be retained thereafter for no other purpose

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway and in accordance with Suffolk Guidance for Parking 2019

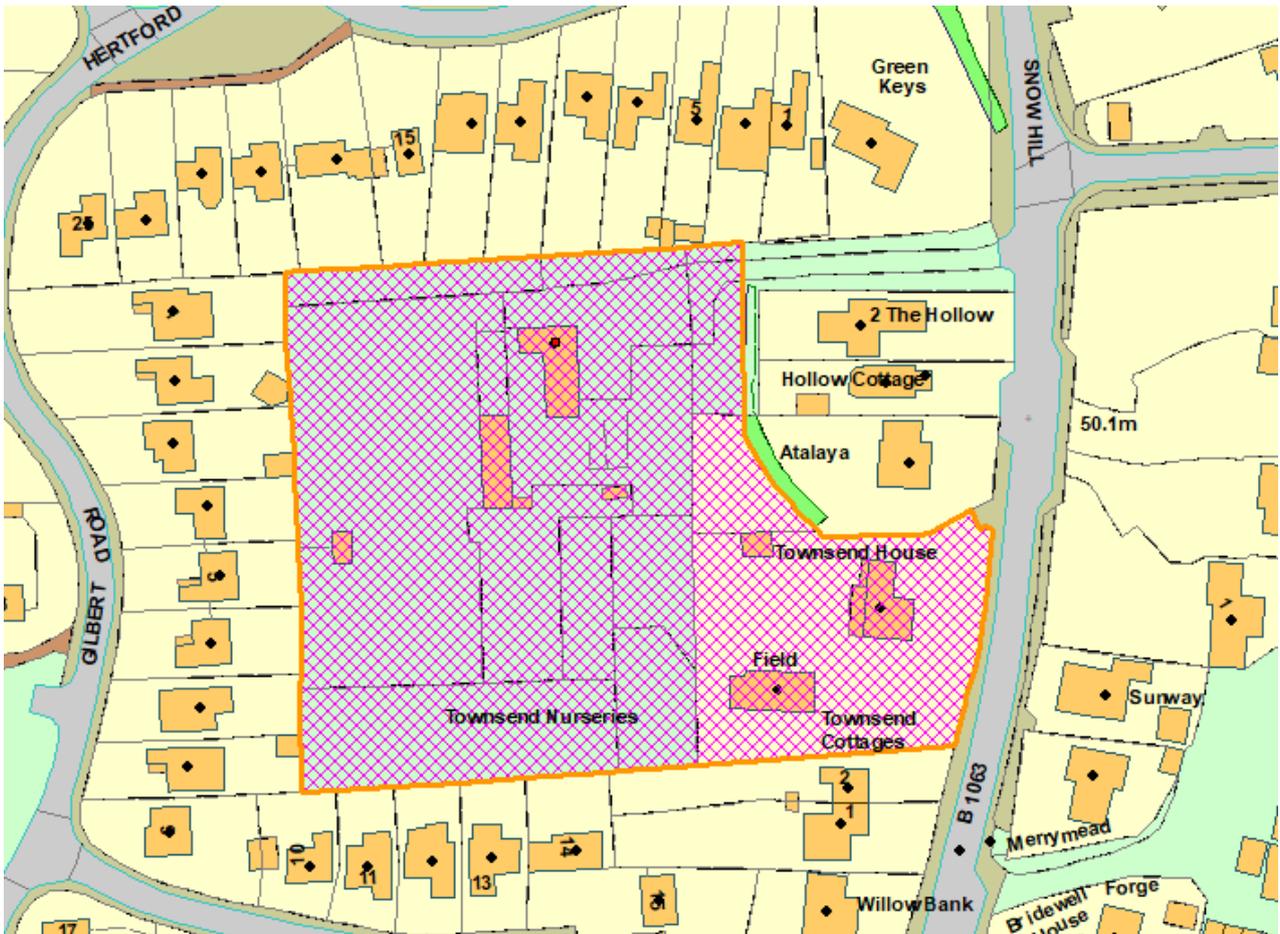
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/2094/OUT](#)

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DC/21/2094/OUT - Townsend Nurseries, Snow Hill, Clare



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Client	MR C PARKER & MRS C COCKERILL
Project	RESIDENTIAL REDEVELOPMENT OF TOWNSEND NURSERY, THE STREET, CLARE
Drawing	CONSULTATION DRAFT LAYOUT PLAN

Scale	1:1250
Date	JULY 2020
Contract	4378
Drg No.	01 C

BROWN & SCARLETT ARCHITECTS
 1 Old Hall Barns, Thurston Road
 Pakenham, IP31 2NG
 Tel: 01284 768800
 info@brownandscarlett.co.uk

1:1250 scale
 0m 25m
 1:1250 Scale Bar

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Development Control Committee 2 November 2022

Advertisement Application DC/22/0988/ADV – Dragonfly Hotel, Symonds Road, Bury St Edmunds

Date registered:	3 August 2022	Expiry date:	28 September 2022 EOT 09 November 2022
Case officer:	Connor Vince	Recommendation:	Refuse application
Parish:	Bury St Edmunds Town Council	Ward:	Moreton Hall
Proposal:	Application for advertisement consent - one internally illuminated totem sign		
Site:	Dragonfly Hotel, Symonds Road, Bury St Edmunds		
Applicant:	Mr T Osbourn		

Synopsis:

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

Recommendation:

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

CONTACT CASE OFFICER:

Connor Vince

Email: connor.vince@westsuffolk.gov.uk

Telephone: 01284 757373

Background:

This application is presented to the Development Control Committee following consideration at the Delegation Panel on 4 October 2022. It was presented to the Delegation Panel due to the support from Bury St Edmunds Town Council. The application is recommended for REFUSAL.

Proposal:

1. Advertisement consent is sought for one internally illuminated Totem Sign on the southern boundary of the Dragonfly Hotel, Symonds Road, Bury St. Edmunds.
2. The totem sign measures 4.1 metres in height, 0.4 metres in depth and 1.2 metres in width. The sign will be situated on the southern boundary of the hotel site, adjacent to a pedestrian footpath and the exit of Junction 44 of the A14. The sign is internally illuminated, with a luminance of 350cd/m²

Application supporting material:

In support of this advertisement consent application, the following has been provided:

- Application Form
- Location Plan
- Site Plans
- Sign Drawing
- Photo and Signage Colours
- Design Statement

Site details:

3. The application site is situated within designated countryside, situated north of Junction 44 of the A14. Symonds Road runs adjacent to the site to the north. The Church of Latter Day Saints borders the site to the west.
4. A full planning application is currently pending consideration at the site, reference DC/22/0938/FUL for a two storey rear extension, single storey link and additional car parking spaces. Although this application is to be considered independent of the aforementioned planning application, Officers would like to make members aware of the context of the application.

Planning history:

5.

Reference	Proposal	Status	Decision date
DC/18/0948/ADV	Application for Advertisement Consent - 2no. internally illuminated totem signs	Application Withdrawn	10 September 2018
DC/22/0938/FUL	Planning application - a. two storey rear extension with single storey link to	Pending Decision	

form 24 rooms b. 5no.
parking spaces as
amended by plans received
03 August 2022.

SE/06/1419	Planning Application - Renewal - Use of car park for stationing of mobile testing vehicle providing computer based academic tests	Application Granted	4 May 2006
SE/05/1421/P	Planning Application - Use of car park for stationing of mobile testing vehicle providing computer based academic tests	Application Granted	20 May 2005
E/92/1918/A	Provision of two internally illuminated signs on southern and eastern elevations	Application Granted	9 September 1992
E/89/3077/P	Erection of 24 bedroom, 2 storey extension, leisure facilities and offices, and additional car parking	Application Granted	13 November 1989
E/89/1587/P	Outline Application - (i) two storey extension incorporating 24 additional bedrooms and offices; (ii) single storey leisure facility for use by hotel residents only; (iii) additional car parking area	Application Withdrawn	26 October 1989
E/88/3765/A	Provision of two internally illuminated name signs on south and east elevations of building	Application Refused	16 November 1988
E/88/1795/A	Provision of non- illuminated free standing display sign	Application Refused	16 June 1988
E/87/2310/A	Provision of two internally illuminated fascia signs	Application Refused	5 August 1987
E/87/1747/A	Provision of 3 no. non- illuminated signs as letter dated 3rd April 1987, DE/AR/1073 and amending drawings revised on 7th April 1987	Application Granted	30 April 1987
E/86/1576/P	Erection of hotel and construction of vehicular access	Application Granted	13 May 1986
E/84/1451/P	Erection of hotel with car park and access	Application Granted	16 April 1984

E/83/1508/P	Regulation 5 - Outline Application - Hotel, car park and access XOT agreed 24/03/83	Application Withdrawn	18 April 1983
E/74/2548/P	CONSTRUCTION OF ROADS, SEWERS, RESIDENTIAL DEVELOPMENT, PRIMARY SCHOOL ETC.	Application Granted	3 April 1975

Consultations:

6. **Bury St. Edmunds Town Council:** "That based on information received, Bury St Edmunds Town Council recommends APPROVAL"
7. **Suffolk Highways:** "Notice is hereby given that the County Council as Highways Authority does not wish to restrict the grant of permission due to the application not having a detrimental effect upon the adopted highway."
8. **Public Health & Housing:** "I have considered the above application and on behalf of the Private Sector Housing and Environmental Health (PSH & EH) Team can confirm I would have NO OBJECTIONS to the proposed development subject to the conditions below being attached to any permission granted:

Illuminated Sign Hours of Display

The advertisement hereby permitted shall only be illuminated during the following hours:

From 07:00 to 23:00 hours on any day.

Reason: To minimise the impact of the illumination on the locality in the interests of amenity and to limit any distraction road users, in accordance with policies DM2 and DM38 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.

The illumination of the advertisement hereby permitted shall comply with the recommendations of the Institution of Lighting Professionals Guidance Note 01/20 Guidance notes for the reduction of obtrusive light and the Professional Lighting Guide 05 (PLG05) The Brightness of Illuminated Advertisements.

Reason: To minimise the impact of the illumination on the locality in the interests of amenity and to limit any distraction road users, in accordance with policies DM2 and DM38 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

Representations:

9. No comments 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 St Edmundsbury Borough Council.

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

NPPF 2021

Core Strategy Policy CS3 Design Quality and Local Distinctiveness

Vision Policy BV1 - Presumption in Favour of Sustainable Development

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM5 Development in the Countryside

Policy DM38 Shop Fronts and Advertisements

Other planning policy:

12. National Planning Policy Framework (NPPF) 2021

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, Form and Scale
- Amenity and Highways Impacts

Principle of Development

15. Policy CS3 of the St Edmundsbury Core Strategy states that proposals for new development must create and contribute to a high quality, safe and sustainable environment.
16. Policies DM1 and BV1 state that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
17. Policy DM2 states proposals for all development should recognise and address the key features, characteristics, landscape/townscape character, local distinctiveness and special qualities of the area and/or building and, where necessary, prepare a landscape/townscape character appraisal to demonstrate and produce designs that respect the character, scale density and massing of the locality.
18. Policy DM5 states that areas designated as countryside will be protected from unsustainable development. Proposals will be permitted where they are directly related to agriculture, forestry, or a commercial equine-related business, and where they recognise the intrinsic character of the countryside, they do not result in a loss of best and most versatile agricultural land and where there will be no significant detrimental impact on the historic environment, landscape, ecology or highway network.
19. The display of advertisements is subject to a separate consent process within the planning system. This is principally set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
20. Regulation 3 of the advertisement regulations state that in determining applications for advertisement consent, local planning authorities may only consider amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors. Other matters such as misleading claims or potential offence to public morals are not relevant in the determination of such applications.
21. Policy DM38 (Shop Front and Advertisements) states that proposals for advertisements must preserve or enhance the character and appearance of the building or location of which it forms a part, and the street scene in which the proposal is located and must not adversely affect amenity and/or public safety. In addition, Policy DM2 also seeks to ensure advertisements are not unduly large or visually jarring and it also requires that such proposals do not undermine prevailing or existing amenity.

Design, Form and Scale

22. The application proposes a 4.1 metre tall by 1.2 metre wide internally illuminated totem sign with a luminance level of 350cd/m² to the south-eastern boundary of the wider Dragonfly Hotel site, which is situated within designated countryside. The sign advertises rapid car charging

points, as well as general hotel information, albeit it should be noted and advised that the content of an advertisement is not material to whether or not it is acceptable.

23. The totem sign would be situated in an elevated position, north of the exit of Junction 44. This area of the site in question is verdant in character with a generally open southern boundary of the application site. Officers acknowledge that the provision of some advertisements in this location might otherwise be acceptable if they were of a more modest scale and not internally illuminated, as well as noting and acknowledging the modest economic benefits that the provision of advertisements would engender. However, and whilst the proposal is not readily visible from the A14 itself, Officers have strong concerns that the provision of an internally illuminated totem sign in this elevated and visually exposed position would unnecessarily detract attention from passing motorists and pedestrians at close quarters to the roundabout to the south in particular.
24. The application site is readily visible from the adjacent roads, with the main building having existing advertisements which are prominent and easily visible within the locality. Officers do not consider that the economic benefits associated with this display are sufficient to outweigh the concerns raised, considering the existing context of the site.
25. Reference is made to the advertisements north-east at Sainsburys and other business/industrial units. Whilst the advertisements at Sainsburys in particular are duly noted, the roundabout and junction adjacent to the application site in particular is not considered comparable as any existing advertisement paraphernalia in this location is negligible. The signage for Sainsburys is located at the vehicular entrance to the car park, where signage of such a scale and design would normally be considered reasonable. In this case, the signage proposed is remote from the building or the vehicular access, thereby leading to an exposed and prominent sign, that will increase the extent of advertisement clutter in the locality, proving harmful to the character and appearance of the site and area.
26. For clarity, the totem sign towards the entrance of Sainsburys to the north-east is internally illuminated, measures 4.5 metres in total height and was consented as part of application DC/17/0063/ADV. Furthermore, a previous application at the current Dragonfly Hotel site proposed two internally illuminated signs (one in a very similar location to the currently proposed) as part of DC/18/0948/ADV. Concerns were raised by officers and local ward members at the time regarding the adverse visual impacts the advertisements would introduce to the locality. The application was eventually withdrawn by the applicant.
27. Officers therefore consider that the application, on balance, is contrary to the provisions of Policy DM2 by reason of its scale, elevated position and internally illuminated nature. Officers have been unable to negotiate an acceptable alternative scheme.

Amenity and Highways Impacts

28. No residential properties are within close proximity to the location site and specifically not close to the location of the proposed advertisement.

Therefore, no adverse residential amenity impacts are considered to arise as a result of the proposed development.

29. The Highway Authority do not object to the application, but Officers maintain strong reservations regarding visual amenity as a result of the proposal, as detailed in the paragraphs above. The totem sign is not considered to be appropriate to the locality, with the aforementioned concerns exacerbated by its enlarged scale, location remote from the main hotel, and by its illuminated nature.

Conclusion:

30. In conclusion, whilst it is acknowledged that there are some economic benefits associated with the advertisements of the Hotel and its provisions, alongside the lack of objection from the Highway Authority, Officers do not consider the large scale, elevated position and illuminated nature of the advertisement to be acceptable when considered in relation to what is generally an open aspect of the site with a generally verdant character. It is considered that the advertisement consent application fails to comply with the relevant policies of the development plan and is recommended for refusal.

Recommendation:

31. It is recommended that advertisement consent be **REFUSED** for the following reason:

1. Policy DM38 (Shop Front and Advertisements) states that proposals for advertisement must preserve or enhance the character and appearance of the building or location of which it forms a part, and the street scene in which the proposal is located and must not adversely affect amenity and/or public safety. In addition, Policy DM2 also seeks to ensure advertisements are not unduly large or visually jarring and it also requires that such proposals do not undermine prevailing or existing amenity.

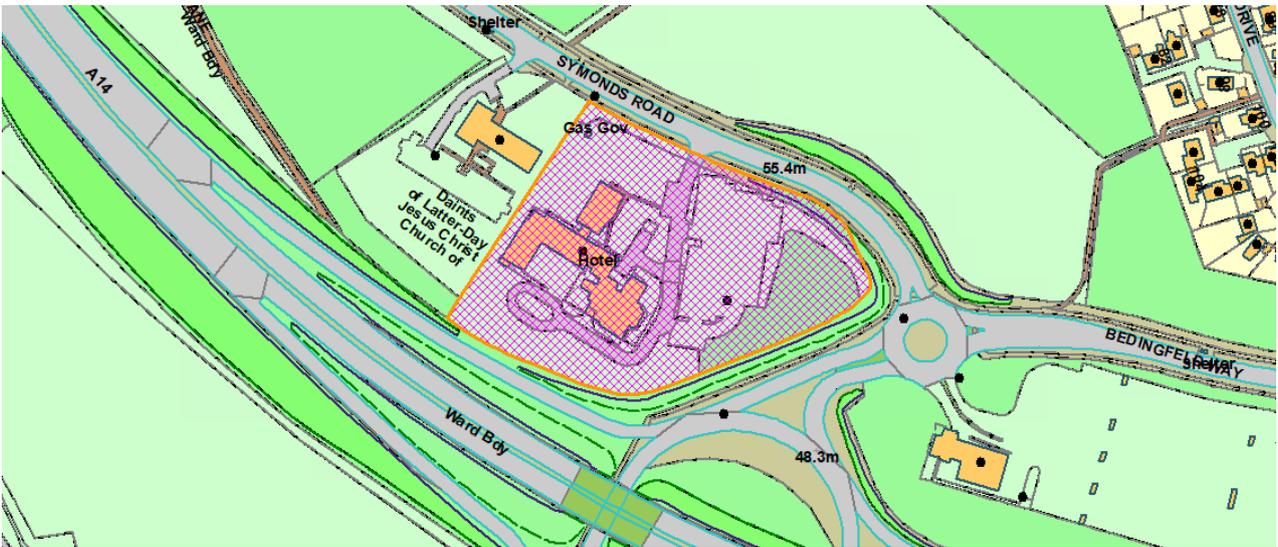
Whilst it is noted that there are some economic benefits associated with the advertisement of the Hotel and its provisions, alongside the lack of objection from the Highway Authority, it is not considered that the large scale, elevated position and illuminated nature of the advertisement is acceptable when considered in relation to what is an open aspect of the site with a verdant character. It is considered that the advertisement consent application fails to comply with the relevant policies of the development plan.

Documents:

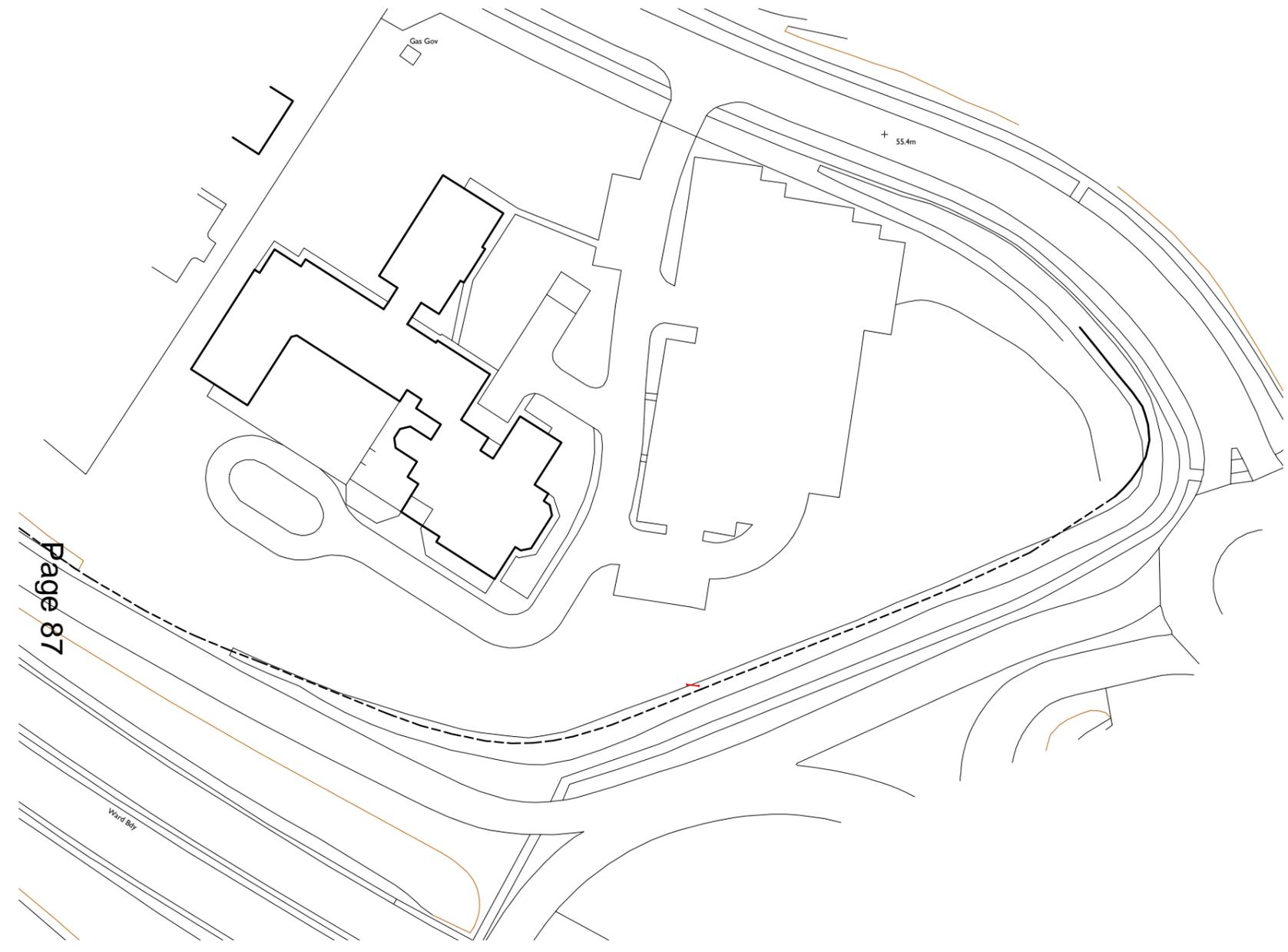
All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/0988/ADV](https://www.dorset.gov.uk/DC/22/0988/ADV)



DC/22/0988/ADV
Dragonfly Hotel
Symonds Road
Bury St Edmunds

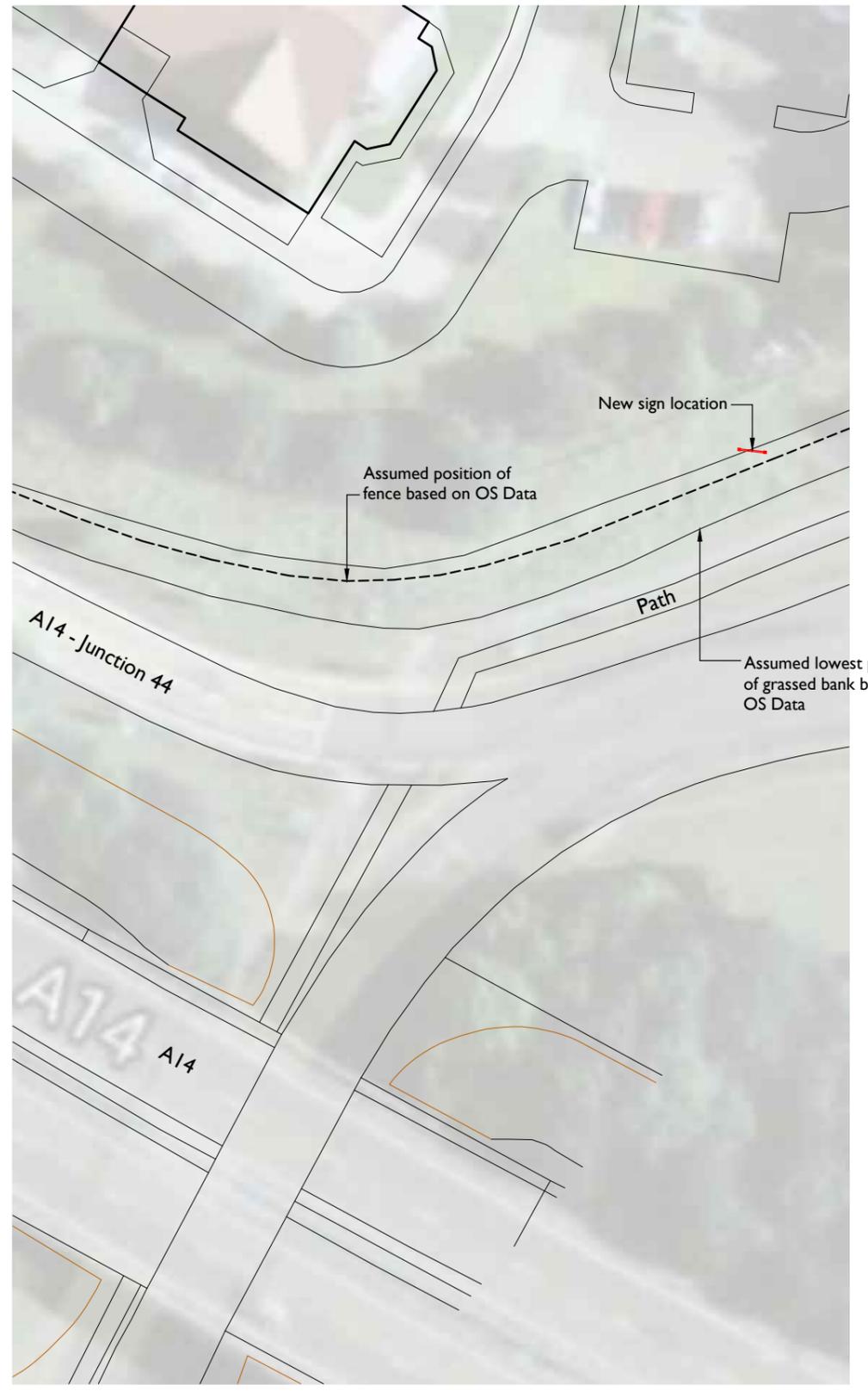


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Page 87

01 SITE PLAN
901 1:1000



01 DETAILED SITE PLAN
901 1:500

Notes: Drawings are based on survey data and may not accurately represent what is physically present. Do not scale from this drawing. All dimensions are to be verified on site before proceeding with the work. All dimensions are in millimeters unless noted otherwise. Purcell shall be notified in writing of any discrepancies.		First Issue 25 May 2012 CW	CLIENT The Flying Trade Group Plc	DRAWING TITLE SIZE & SCALE A3L	JOB NUMBER 238890 DRAWING NO. SK901 REVISION -						
		<table border="1"> <thead> <tr> <th>ISSUE</th> <th>DATE</th> <th>DRAWN</th> <th>CHECKED</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>					ISSUE	DATE	DRAWN	CHECKED	DESCRIPTION
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Development Control Committee 2 November 2022

Planning Application DC/22/1003/HH & Listed Building Consent Application DC/22/1004/LB – 4 Wrenshall Farm Barns, Cart Lodge, Upthorpe Road, Stanton

Date registered:	27 June 2022	Expiry date:	22 August 2022 EOT: 04 November 2022
Case officer:	Tamara Benford-Brown	Recommendation:	Refuse application
Parish:	Stanton	Ward:	Stanton
Proposal:	Householder planning application - single storey side extension with addition of gable to existing roof Application for listed building consent - single storey side extension with addition of gable to existing roof		
Site:	4 Wrenshall Farm Barns, Cart Lodge, Upthorpe Road, Stanton		
Applicant:	Mr Robert Todd		

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:

Tamara Benford-Brown

Email: tamara.benford-brown@westsuffolk.gov.uk

Telephone: 01284 757133

Background:

These applications are presented to the Development Control Committee following consideration at the Delegation Panel on 4 October 2022. They were presented to the Delegation Panel due to the support from the Parish Council. The applications are recommended for REFUSAL.

Proposal:

1. The applications propose to add a single storey side extension to the north-west elevation of the Cart Lodge which will create a new kitchen and shower room. The extension itself is proposed to measure approximately, 6.0m deep, 4.6m in width, 2.1m to the eaves and have an overall ridge height of 4.0m. It will include a flat and gable roof, with French doors with side panels on the south-west elevation leading out to the side garden. Three rooflights are proposed for the gable roof and two windows on the north-east elevation to light the kitchen and shower room.

Site details:

2. 4 Wrenshall Farm Barns, known locally as 'Cart Lodge' is a single storey dwelling located within the grounds of Wrenshall Farm. The Cart Lodge is located within the historic farmstead and is surrounded by Grade II Listed Buildings at Wrenshall Farmhouse, 2 Willow Barn (Cobwebs) and Wrenshall Farm Barns (The Roost). Together they make up a traditional courtyard plan in relation to the Farmhouse and have now all been converted to residential dwellings; Cart Lodge is also curtilage listed.

Planning history:

3.

Reference	Proposal	Status	Decision date
SE/10/0306	Listed Building Application - Erection of single storey extension	Application Granted	4 May 2010
SE/10/0303	Planning Application - Erection of single storey extension	Application Granted	4 May 2010
SE/04/2326/LB	Listed Building Application - Erection of single storey extension	Application Granted	12 July 2004
SE/04/2325/P	Planning Application - Erection of single storey extension	Application Granted	12 July 2004

Consultations:

4. Parish Council:

There are no objections to this work being carried out.

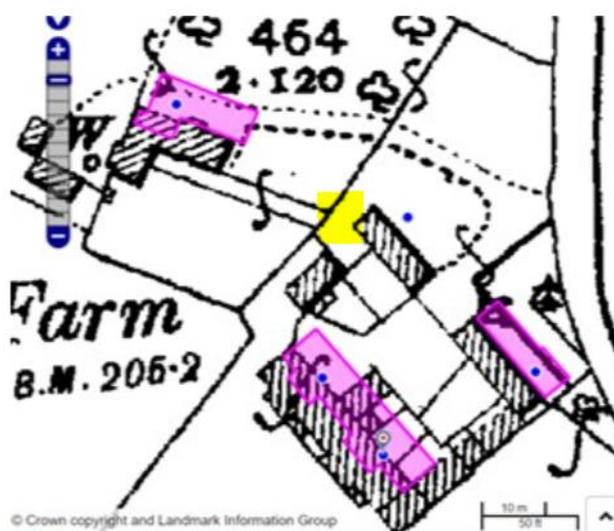
5. Ward Councillor:

No formal comments received.

6. Conservation Officer:

The application proposes an extension to the side of a former cartlodge since converted to residential use alongside other farm buildings located within the farmstead. A number of the barns are listed in their own right and it would appear the cartlodge is curtilage listed.

Before proposing changes in particular extensions to an historic farmstead it is important that the significance of the farmstead is understood to include the importance of layout, function and access etc together with relationship and historic connection with the former Farmhouse. This assessment does not appear to have been undertaken as part of this application but having referred to historic OS maps it would appear the location of the proposed extension would extend beyond the boundaries of the courtyard the extremities of which are defined by the former farm buildings and would be positioned across what would appear to have been an historic access track providing a direct connection between farmhouse and cartlodge (highlighted). Please see map below dated 1897 – 1905.



Whilst the extension is relatively modest, in the absence of sufficient information to understand the significance of the assets affected it would appear that its siting would fail to respect the arrangement of the historic farmstead where buildings are arranged around and contained within the courtyard. As a consequence I consider it would prove contrary to policy DM15 causing less than substantial harm the tests of para 202 should therefore apply.

Representations:

7. None received.

Policy:

8. 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.

9. 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 DM15 Listed Buildings

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:

10. 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:

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

- Principle of Development
- Impact on Character and Appearance of Surrounding Area
- Impact on Neighbouring Amenity
- Impact to Listed Buildings

Principle of Development

12. Policy DM24, supporting the general principles of DM1, 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.

13. 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, and no adverse impact on neighbouring amenity is anticipated. Therefore, the principle of development in terms of the planning application is considered to be acceptable.

Impact on Character and Appearance of Surrounding Area

14. 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.
15. Policy DM2 states that proposals for all development should recognise and address the key features and character of the areas within which they are to be based. It also states that they should maintain or create a sense of place, preserve or enhance the setting of conservation areas and not involve the loss of gardens and important open, green or landscaped areas which make a significant contribution to the character and appearance of a settlement.
16. In addition, policy DM24 requires extensions to residential dwellings to respect the character, scale and design of the existing dwelling, and the character and appearance of the immediate and surrounding area. For dwellings in the countryside, (within which this site is situated) policy DM24 also requires extensions to be subordinate in scale and proportion to the original dwelling. These support the general provisions relating to such within policy DM2, as well as the provisions of good design set out within the NPPF.
17. The application proposes to add a single storey side extension to the north-west elevation of Cart Lodge which will create a new kitchen and shower room. The extension is to be set back from the front elevation of Cart Lodge, therefore will be visible from the public domain however views will be limited.
18. The proposed materials as detailed on the submitted application form and within the design and access statement, are to be matching the existing dwelling. Using a brick plinth and render for the external walls, clay pantiles for the roofing and black softwood timber windows for the new fenestration.
19. The extension is subordinate in its design and is proposed to be in-keeping with the existing dwelling. Although in appearance and design the proposal is considered to be acceptable, the siting of the extension would create an overall change to the footprint of Cart Lodge, and thus its relationship to the surrounding area. The location of Cart Lodge contributes to the historic farmstead of Wrenshall Farm. The Conservation Officer has highlighted that the siting of the extension on the north-west elevation of the dwelling would appear, in the absence of an appropriate assessment, to be located outside what would appear to be a regular courtyard plan - an arrangement typical to East Anglia. In such an arrangement the

Farmhouse was often separated with the farm buildings but still benefitted from direct access, while the farm buildings were arranged around a courtyard. Located outside what would appear to be a defined historic courtyard arrangement, the proposal would not only compromise this historic arrangement but the relationship between farmstead and grade II listed farmhouse - Wrenshall Farmhouse resulting in a conflict with policy (this is explored further below). Consequently, officers consider that although in terms of materials and design the extension would be compliant with policy, the extension would change the overall character of Cart Lodge and fail to respect the historic layout of the farmstead and its relationship with the farmhouse.

Impact on Neighbouring Amenity

20. 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.
21. Furthermore, policy DM24 supports this by stating that development should not adversely affect the residential amenity of occupiers of nearby properties.
22. The proposed extension is to be located on the north-west of the dwelling. It is single storey in height and faces away from the immediate neighbours within the adjacent courtyard to the south. As mentioned, the extension will be visible from the public domain along Readings Lane, however views will be limited and screened by the existing dwelling. From Wrenshall Farm House (Grade II Listed), located to the north-west of Cart Lodge, the extension will be visible, however the distance between the two is approximately 20m and therefore sufficient in terms of limiting neighbouring amenity impacts.
23. The proposed extension is modest in scale and single storey. Therefore, it would have no impact on neighbouring amenity in terms of loss of light, an overbearing impact or loss of privacy. The proposal is therefore considered to be compliant with policies DM2 and DM24 in terms of impact on residential amenity.

Impact on Listed Buildings

24. 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 architectural or historic interest which it possesses.
25. Policy DM15 refers to listed buildings, and states that proposals to alter, extend or change the use of a listed building, or development affecting its setting, will be permitted where they can demonstrate a clear understanding of the significance of the building, contribute towards the preservation of the building, are not detrimental to the buildings character or historic special interest, are appropriate in scale, form and design, use appropriate materials and respect the setting of the listed building (inward and outward views).

26. National policy guidance set out in the National Planning Policy Framework (NPPF) confirms the great weight in favour of the conservation of 'heritage assets' such as scheduled monuments, listed buildings and conservation areas. The particular significance of any element of the historic environment likely to be affected by a development proposal should be identified and assessed. Any harm should require clear and convincing justification.
27. The Conservation Officer has assessed the application and provided comments on 24 August 2022. Further commentary on the significance of the planned courtyard arrangement of farm buildings has been provided noting farm buildings and their various functions were typically placed in relation to one another arranged around and facing towards a defined courtyard in order to minimise the waste of labour. The separation of farm buildings from farmhouse is also a typical arrangement in East Anglia. The extension is proposed to be constructed on the north-west elevation of the dwelling and will "extend beyond the boundaries of the courtyard" It would also appear to extend across a historic track located between farmhouse and farm buildings. The significance of the track/access is unknown due to absence of assessment, but it is assumed it played a functional and practical role between farmhouse and farmstead. The side extension in this location would fail to respect the historic courtyard arrangement of the farm buildings; the historic relationship between farmhouse and farm buildings whilst bisecting what would appear to be an historic access the purpose of which is not fully understood. The proposals would therefore fail to comply with policy DM15.
28. The application has not assessed the potential impact the extension would have upon the surrounding listed buildings so therefore the Conservation Officer advised that the tests of paragraph 202 of the NPPF (2021) apply. The paragraph states:
- "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."*
29. Unfortunately, little information has been submitted outlining the public benefit of the extension and justification for the extension in this location. Officers consider it would be very difficult to justify that there would be any public benefits of the kitchen/shower room extension and even if there were, these would not out-weigh the harmful impacts identified to the traditional layout of the farmhouse buildings. No other extensions or development within the site has extended beyond the courtyard. The traditional arrangement should be protected to maintain the historic character of Wrenshall Farm.
30. Given the conclusions above the proposal does not therefore meet the provisions of policy DM15 or paragraphs 199-202 of the NPPF, and there are no material considerations that outweigh this conflict with these policies.

Conclusion:

31. In conclusion, the principle and detail of the development is therefore considered to conflict with the relevant development plan policies and the National Planning Policy Framework, and as such, is recommended for refusal.

Recommendation:

32. It is recommended that both planning permission and listed building consent be **REFUSED** for the following reason:

Cart Lodge is curtilage listed and located within the grounds of a historic farmstead and Grade II Listed Buildings associated with Wrenshall Farm House. Policy DM15 aims to protect the special architectural or historic interest of listed buildings and the settings in which they are located. Within the policy it states that proposals should “demonstrate a clear understanding of the significance of the building and its setting” and “respect the character or appearance of a park, garden or yard of historic or design interest, particularly where the grounds have been laid out to complement the design of function of the building”. The proposed extension would extend beyond the boundaries of the courtyard and whilst the extension is relatively modest, its siting would fail to respect the arrangement of the historic farmstead where buildings are arranged around and contained within the courtyard and would therefore be contrary to policy DM15. The proposal would cause less than substantial harm and therefore the tests of para 202 would apply. The extension of a dwelling for private use would have no public benefit and would not therefore outweigh the harm, as required by paragraph 202 of the NPPF.

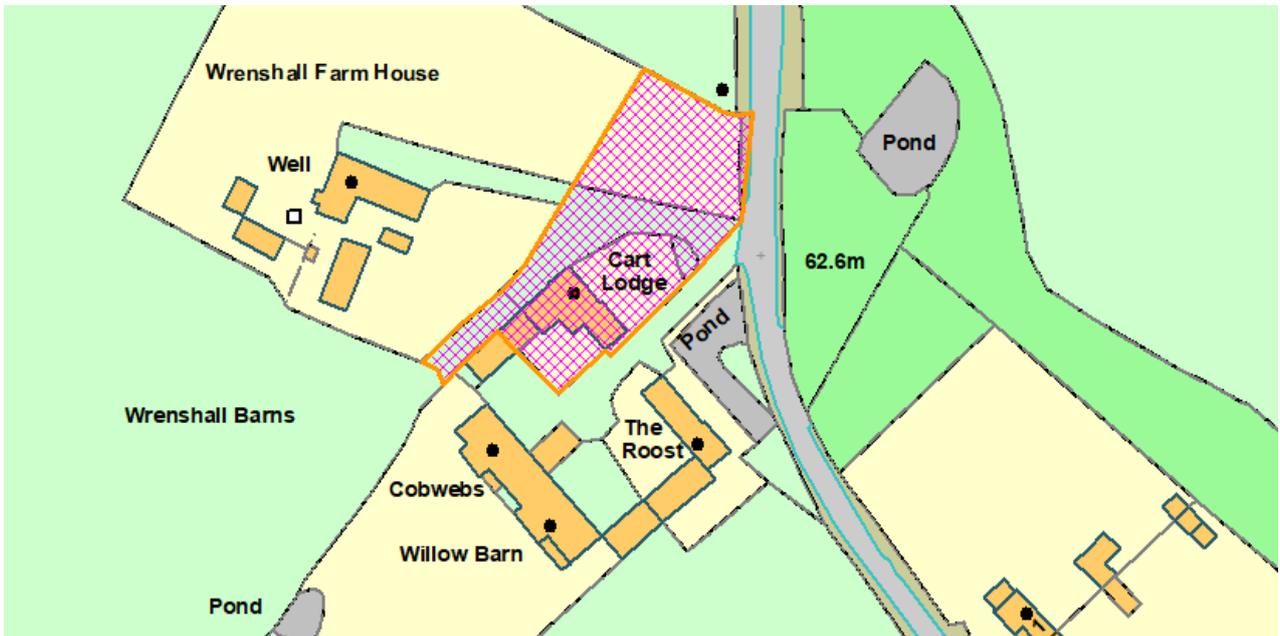
The proposal is therefore contrary to Joint Development Management Policy DM15, Core Strategy Policy CS3, the National Planning Policy Framework (2021) and is at odds with the duties imposed by Section 66 of the Planning (Listed Buildings and Conservation Act) 1990.

Documents:

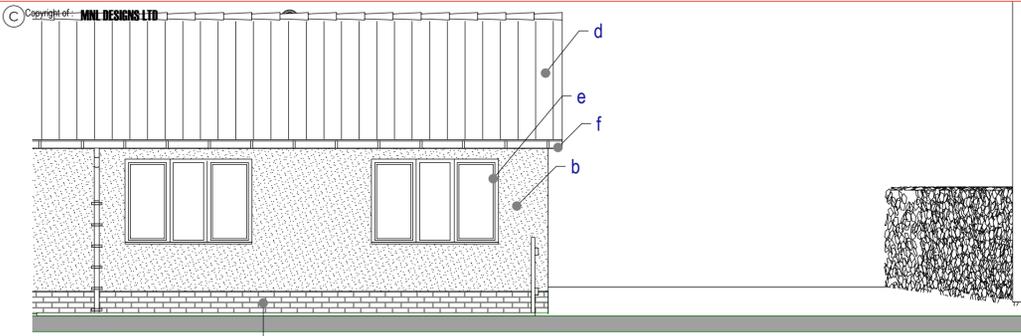
All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/1004/LB](#) & [DC/22/1003/HH](#)



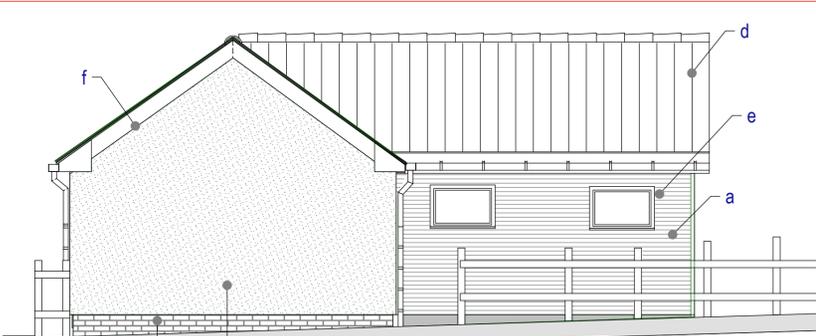
DC/22/1003/HH
4 Wrenshall Farm Barns, Cart Lodge
Upthorpe Road
Stanton



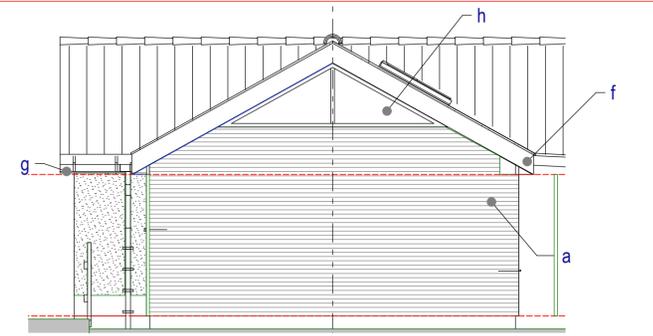
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Existing Front Elevation
Scale: 1:50 @ A1 Print



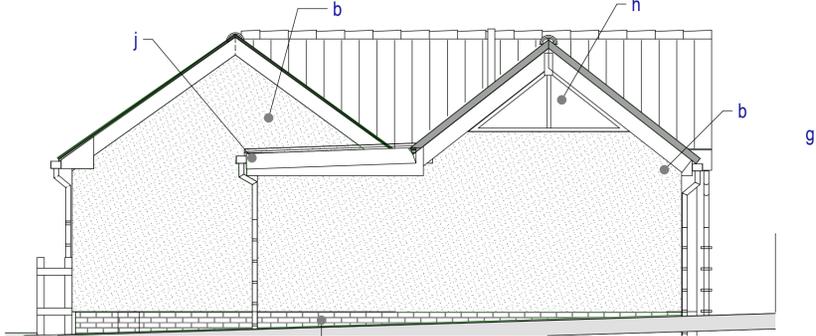
Existing Side Elevation
Scale: 1:50 @ A1 Print



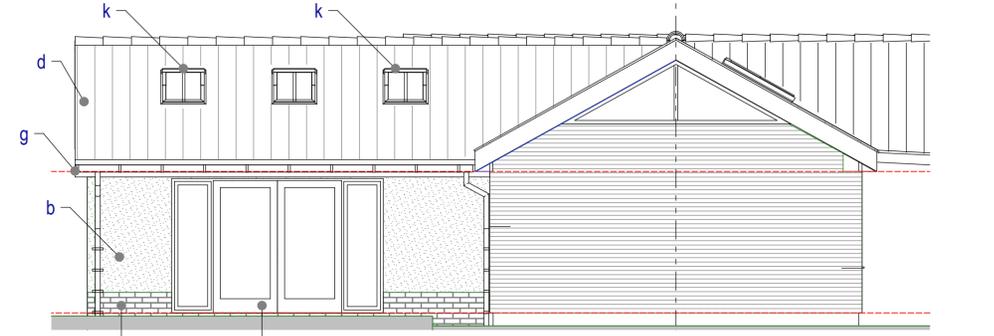
Existing Rear Elevation
Scale: 1:50 @ A1 Print



Proposed Front Elevation
Scale: 1:50 @ A1 Print

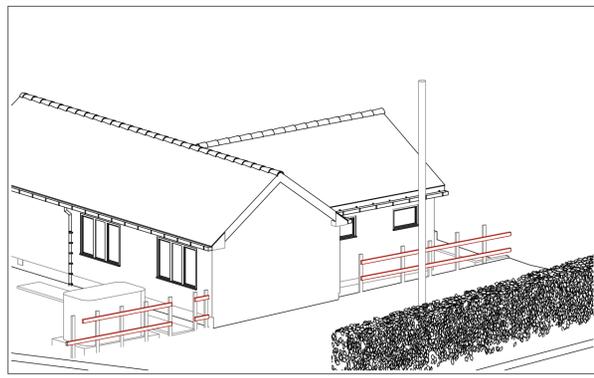


Proposed Side Elevation
Scale: 1:50 @ A1 Print

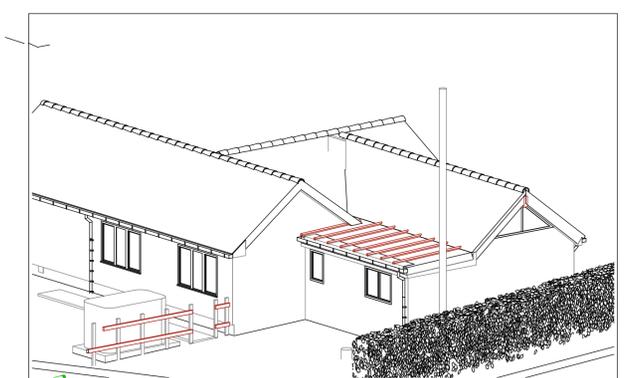


Proposed Rear Elevation
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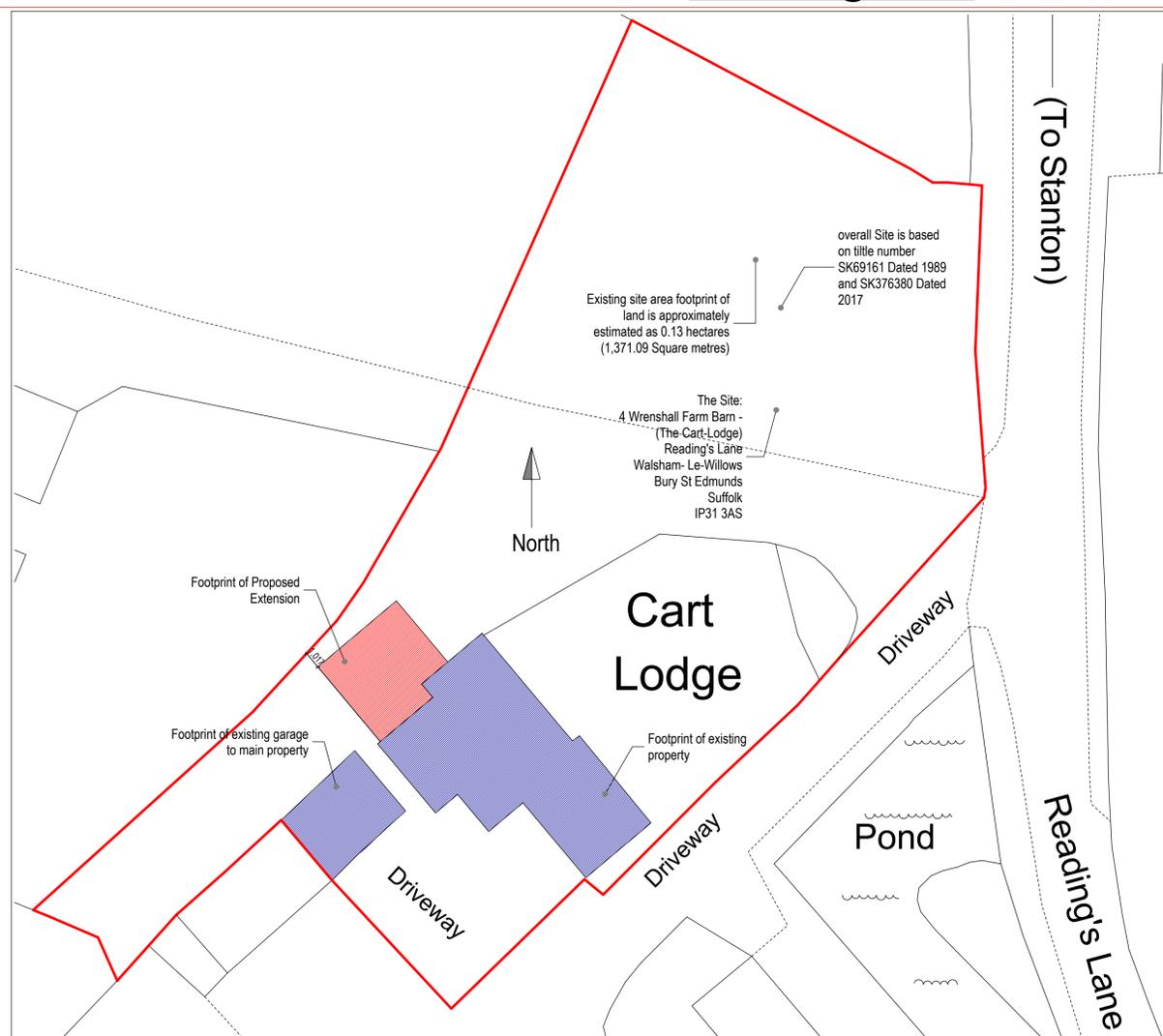
Page 99



Existing 3D Front Elevation
Scale: 1:100 @ A1 Print



Proposed 3D Front Elevation
Scale: 1:100 @ A1 Print



Proposed Block Plan
Scale: 1:200 A1 Print



Proposed Site Plan
Scale: 1:1250 @ A1 Print

Schedule of finishes as "EXISTING & PROPOSED" to 4 WRENSHALL FARM BARN, WALSHAM-LE-WILLOWS BURY ST EDMUNDS:

a. Wall Finishes: Sawn Featheredge Softwood timber : Finished: Stained Black from visual observations

b. Wall Finishes: Concrete render over timber frame : Finished smooth in a cornish cream.

c. Wall Finishes: Brickwork plinth random pattern to side stretch bonded to front : Cambridge Buff various finishes of pattern.

d. Roof Finishes: Clay Pantile Full lap "Tempest 44" by Sandtoft/Winerberger or similar tile measuring 290mm x 210mm wide : Finished: Clay Rustic /Amarant Colour : finished at 38 degree pitch (Minimum pitch 22 degrees)

e. Black Stained Softwood Timber window casements to style and sizes shown

f. Softwood Timber barge boarding and soffit boards: Stained Black

g. Black "Rectangular" Profile upvc guttering and "Round" downpipes by osma or similar Manufacturer

h. Feature Triangular Window : Softwood timber : Stained Black

i. 3000x2100mm High French doors with Fixed sidelights ,Stained Black

j. Code 4 lead roof with lead rolls

k. Clement Metal framed Rooflight - Clement 0 - 590x752mm long - 3-off

Please Note:
Material selections above are carried out from observations and photographs only, exact colours and brick types and tiles should be carried out via trial samples in advance of the building work stage and before ordering to establish exact colour and type - no responsibility is taken by MNL designs Ltd

PL0 25.04.22 : Issued to client for approval : mnl

MNL DESIGNS LTD

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client:	job:	drawing:
Mr. Robert & Mrs. Julie Todd	4 Wrenshall Farm Barns Walsham-le-Willows IP31 3AS	Existing & Proposed Elevations and Block Plan & Location Map
scale:	date:	drn.:
as shown	25/04/22	mnl
		job no.:
		MNL407
		drg. no.:
		03
		rev.:
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