

Development Control Committee



Title	Agenda											
Date	Wednesday 5 April 2023											
Time	10.00 am											
Venue	Conference Room Mildenhall Hub Sheldrick Way, Mildenhall, IP28 7JX											
Full Members	<p style="text-align: center;">Chair Andrew Smith</p> <p style="text-align: center;">Vice Chairs Mike Chester and Jim Thorndyke</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Conservative Group (10)</td> <td style="width: 33%;">Carol Bull Mike Chester Andy Drummond Susan Glossop Brian Harvey</td> <td style="width: 33%;">Ian Houlder David Palmer David Roach Andrew Smith Peter Stevens</td> </tr> <tr> <td>The Independent Group (5)</td> <td>John Burns Jason Crooks Roger Dicker</td> <td>Andy Neal Jim Thorndyke</td> </tr> <tr> <td>Labour Group (1)</td> <td>David Smith</td> <td></td> </tr> </table>			Conservative Group (10)	Carol Bull Mike Chester Andy Drummond Susan Glossop Brian Harvey	Ian Houlder David Palmer David Roach Andrew Smith Peter Stevens	The Independent Group (5)	John Burns Jason Crooks Roger Dicker	Andy Neal Jim Thorndyke	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											

Details of site visits overleaf...

SITE VISITS WILL BE HELD ON MONDAY 3 APRIL 2023 AT THE FOLLOWING TIMES

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

- 1. Planning Application DC/22/1378/FUL - All Saints Hotel, The Street, Fornham St Genevieve**
Planning application - outdoor gymnasium including open sided exercise shelter, moveable exercise equipment and equipment storage container
Site visit to be held at 9.40am at the footpath link adjacent to 44 Birkdale Court, Fornham St Martin, IP28 6XF before moving on to All Saints Hotel, IP28 6JQ for approximately 10.00am
- 2. Planning Application DC/22/2034/FUL - Porters Farm, Queens Lane, Chedburgh, IP29 4UT**
Planning application - change of use of land to well-being centre comprising of a. central hub, b. therapy building, c. pets as therapy building, d. replacement storage building and animal enclosure e. installation of four camping domes f. remodelled access, parking and associated works g. replacement garage
Site visit to be held at 10.40am
- 3. Planning Application DC/22/2107/FUL - The New Croft, Chalkstone Way, Haverhill, CB9 0BW**
Planning application - creation of a 3G Artificial Grass Pitch (AGP) with landscape bund, perimeter fencing, hardstanding areas, storage container, floodlights, access footpath with fence and bollard lighting, acoustic fence and footpath link to north-west
Site visit to be held at 11.20am

On conclusion of the site visits the coach will return to West Suffolk House by the approximate time of 12.10pm.

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/altered, together with the material planning basis for that change.
 - In making any proposal to accept the officer recommendation, a Member will clearly state whether the amended recommendation is proposed as stated, or whether the original recommendation in the agenda papers is proposed.
- Where a member wishes to alter a recommendation:
 - In making a proposal, the member will clearly state the condition and its reason or the refusal reason to be added/deleted/altered, together with the material planning basis for that change.
 - In the interest of clarity and accuracy and for the minutes, the presenting officer will restate the amendment before the final vote is taken.
 - Members can choose to;
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory);
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory) following consultation with the Chair and Vice Chair(s) of Development Control Committee.

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

Notes

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

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

Agenda

Procedural matters

Part 1 – public

1. Apologies for absence

2. Substitutes

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

3. Minutes

1 - 14

To confirm the minutes of the meeting held on 1 March 2023 (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/22/2107/FUL - The New Croft, Chalkstone Way, Haverhill

15 - 46

Report No: **DEV/WS/23/008**

Planning application – creation of a 3G Artificial Grass Pitch (AGP) with landscape bund, perimeter fencing, hardstanding areas, storage container, floodlights, access footpath with fence and bollard lighting, acoustic fence and footpath link to north-west

6. Planning Application DC/22/2034/FUL - Porters Farm, Queens Lane, Chedburgh

47 - 76

Report No: **DEV/WS/23/009**

Planning application - change of use of land to well-being centre comprising of a. central hub, b. therapy building, c. pets as therapy building, d. replacement storage building and animal enclosure e. installation of four camping domes f. remodelled access, parking and associated works g. replacement garage

Continued overleaf...

**7. Planning Application DC/22/1378/FUL - All Saints Hotel,
The Street, Fornham St Genevieve**

77 - 110

Report No: **DEV/WS/23/010**

Planning application - outdoor gymnasium including open sided exercise shelter, moveable exercise equipment and equipment storage container

Development Control Committee



Minutes of a meeting of the **Development Control Committee** held on **Wednesday 1 March 2023** 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

Ian Houlder

John Burns

Andy Neal

Jason Crooks

David Palmer

Roger Dicker

David Roach

Andy Drummond

David Smith

Susan Glossop

Peter Stevens

Ian Houlder

326. **Apologies for absence**

No apologies for absence were received.

327. **Substitutes**

No substitutions were declared.

328. **Minutes**

The minutes of the meeting held on 1 February 2023 were confirmed as a correct record, with 15 voting for the motion and with 1 abstention, and were signed by the Chair.

329. **Declarations of interest**

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

330. **Planning Application DC/22/0336/FUL - Land West of Haverhill Road, Kedington (Report No: DEV/WS/23/006)**

Planning application - one retail unit (class E) and associated vehicular and pedestrian accesses as amended by plans received 16th August and 9th November 2022 and 16th January 2023

This application was referred to the Development Control Committee following consideration by the Delegation Panel; the application was considered by the Panel as a result of call-in by one of the local Ward Members (Councillor Nick Clarke – Clare, Hundon and Kedington).

The Parish Council had raised no objections and the application was recommended for approval, subject to conditions, as set out in Paragraph 58 of Report No DEV/WS/23/006. A Member site visit was held prior to the meeting.

As part of her presentation to the Committee the Senior Planning Officer advised Members that since publication of the agenda a further six late representations had been received from village residents objecting to the proposal. All of which raised concerns previously covered in earlier representations, as outlined in Paragraph 13 of the report.

Speakers: Ann and George Bellamy (resident objectors) spoke against the application
Councillor Ann Naylor (Chair of Kedington Parish Council) spoke in support of the application
Daxa Visana (applicant) spoke in support of the application
(Mr and Mrs Bellamy were not in attendance to personally address the Committee and, instead, the Democratic Services Officer read out a pre-prepared statement on their behalf.)

Councillor Jason Crooks spoke at length on his concerns with the proposed scheme, particularly in light of the impact it would have on the character of the village due to the scale of the premises applied for.

In contrast, a number of other Members made reference to the importance of supporting sustainable rural communities and to reduce their need to travel long distances to access services. The local delivery service operated by the existing shop was also commended.

Councillor John Burns commented on the potential for development “creep” towards neighbouring Little Wratting, who did not have their own appointed Parish Council. Councillor Peter Stevens interjected and assured the Committee that Little Wratting came under his Ward (Withersfield) and he represented the village at District level.

In response to questions posed in relation to highways related matters the Senior Planning Officer explained that the exact crossing details would be agreed with the Highway Authority and were subject to a safety audit, however it is likely that Mill Road would just have a dropped kerb as opposed to a signalised crossing which was proposed on Haverhill Road. In addition, following an assessment of the road the Local Highways Authority had confirmed that the resurfacing works 50m either side of the proposed crossing were not required.

Councillor Mike Chester sought further clarification on the size of the premises applied for. The Senior Planning Officer gave additional explanation in respect of retail and storage space, and also explained how the proposal was assessed in relation to the Council’s retail assessment policy document.

The Committee were assured that controls were proposed by way of conditions in respect of the parking area (condition for materials and surface

water drainage condition) and the wildflower area (landscape management plan condition).

Councillor Peter Stevens spoke in support of the application; in terms of the planning balance he considered the benefits brought about by the proposal to outweigh any harm, accordingly he proposed that the application be approved as per the Officer recommendation. This was duly seconded by Councillor Susan Glossop.

Upon being put to the vote and with 12 voting for the motion, 3 against and with 1 abstention 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 approved plans and documents, unless otherwise stated.
- 3 No part of the development shall be commenced until details of the proposed access (including the position of any gates to be erected and visibility splays to be provided) have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to any other part of the development taking place.
Thereafter the access shall be retained in its approved form.
- 4 Prior to the development hereby permitted being first occupied, the proposed access onto the B1061 highway shall be properly surfaced with a bound material for a minimum distance of 10 metres measured from the nearside edge of the metalled carriageway, in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority.
- 5 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.
- 6 A Construction Management Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. The strategy shall include access and parking arrangements for contractors 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.
- 7 Before the development is commenced details of a new footway in the locations shown on Amended Site Plan Drawing No. 9115/19/2A shall be submitted to and approved in writing by the Local Planning Authority. The footway shall be laid out and constructed to base course before the development is first occupied and fully completed prior to

- the occupation. The footway shall be retained thereafter in its approved form.
- 8 No part of the development shall be commenced until details of the proposed off-site highway improvements indicatively shown on Amended Site Plan Drawing No. 9115/19/2A have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to first use of the development.
 - 9 Before the access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point and a distance of 43 metres in each direction along the edge of the metalled carriageway from the centre of the access. 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.
 - 10 Prior to the installation of any lighting on site details shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved details and shall be retained as such unless the written consent of the Local Planning Authority is obtained for any variation.
 - 11 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).
 - 12 No development above ground level shall take place until a scheme of soft landscaping for the site drawn to a scale of not less than 1:200, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include accurate indications of the position, species, girth, canopy spread and height of all existing trees and hedgerows on and adjacent to the site and details of any to be retained, together with measures for their protection during the course of development. Any retained trees removed, dying or becoming seriously damaged or diseased within five years of commencement shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation. The works shall be

- completed in accordance with the approved plans and in accordance with a timetable to be agreed with the Local Planning Authority.
- 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.
- 14 The rating level of noise emitted from any external plant, equipment or machinery associated with the development hereby approved shall be lower than the existing background noise level by at least 5dB in order to prevent any adverse impact. The measurements / assessment shall be made according to BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound at the nearest and / or most affected noise sensitive premise(s), with all external plant, equipment or machinery operating at maximum capacity and be inclusive of any penalties for tonality, intermittency, impulsivity or other distinctive acoustic characteristics.
- 15 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 Site Investigation, based on;
i. all previous site uses,
ii. the nature and extent of potential contaminants associated with those uses,
iii. the underlying geology of the site,
iv. a conceptual model of the site indicating sources, pathways and receptors,
v. potentially unacceptable risks arising from ground, groundwater and ground gas contamination at the site, and a detailed assessment of the risk to all receptors that may be affected, including those off site.
A Remediation Plan, based on the preliminary risk assessment carried out above, giving full details of the remediation measures required and how they are to be undertaken (including a contingency plan for dealing with any unexpected contamination not previously identified in the Site Investigation).
A Verification Plan providing details of the data that will be collected in order to demonstrate that the works set out in above are complete.
Prior to occupation the Remediation Strategy shall be carried out in accordance with the approved details unless varied with the express written approval of the Local Planning Authority.
- 16 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.
- 17 Prior to commencement of development a scheme for the provision of fire hydrants within the application site shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied or brought into use until the fire hydrants have been provided in accordance with the approved scheme.

- Thereafter the hydrants shall be retained in their approved form unless the prior written consent of the Local Planning Authority is obtained for any variation.
- 18 Prior to first operational use of the site, 4 car parking spaces shall be equipped with working electric vehicle charge points, which shall be provided for staff and/or customer use at locations reasonably accessible from car parking spaces. The Electric Vehicle Charge Points shall be retained thereafter and maintained in an operational condition.
- 19 Any site preparation, construction and ancillary activities, including access road works and deliveries to / collections from the site in connection with the works shall only be carried out between the hours of:
08:00 to 18:00 Mondays to Fridays
08:00 - 13.00 Saturdays
And at no times during Sundays or Bank / Public Holidays without the prior written consent of the Local Planning Authority.
- 20 Prior to first use of the development hereby approved 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. The use shall not commence unless and until details of the biodiversity enhancement measures to be installed have been agreed in writing by the Local Planning Authority.
- 21 The premises shall not be open to the public outside of the following hours: 07:00 - 20:00 Monday - Sunday
- 22 No deliveries, loading or unloading shall take place on the site except between the hours of 07:00-20:00 on Monday to Saturday and at no time on Sundays, Bank or Public Holidays.

331. **Planning Application DC/22/0476/FUL - Zone 2, Suffolk Business Park, General Castle Way, Rougham Industrial Estate (Report No: DEV/WS/23/007)**

(Councillor Roger Dicker declared, in the interests of openness and transparency, that his son was employed by the company who proposed to operate from Unit A of the application, at an existing premises elsewhere in the District.)

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

Furthermore, the Parish Council had objected to the proposal which was in conflict with the Officer recommendation to approve, subject to conditions as set out in Paragraph 75 of Report No DEV/WS/23/007; inclusive of amendments to Conditions 3 and 4 to insert the word 'archaeological' and one further additional condition in relation to the installation of public litter bins on site.

A Member site visit was held prior to the meeting.

As part of her presentation the Senior Planning Officer explained that she had undertaken informal discussions with one of the Ward Members (Moreton Hall) Councillor Birgitte Mager in respect of cycle routes in the vicinity.

The Committee was also advised that signage for the scheme was subject to a separate application for advertisement consent.

Speaker: Justin Bainton (agent) spoke in support of the application

In response to question concerning highways related matters, the Senior Planning Officer confirmed that the Local Highways Authority were satisfied that the drive-through area would not result in queuing on the adjacent highway. Furthermore, they were also content with the delivery arrangements and parking provision, which was in line with the standard operating arrangements of McDonalds premises.

Councillor John Burns commented on the lorries he observed parked on the highway near to the site when the Committee visited earlier in the week. The Senior Planning Officer explained that there was a lorry park nearby, therefore, lorries were unlikely to park near to the scheme in large numbers.

Councillor Brian Harvey made reference to the need for clear and advance signage from the adjacent A14. The Service Manager (Planning Development) explained that this would need to be addressed by National Highways as it was not the responsibility of the developer as part of the scheme before the Committee.

In relation to the two electrical vehicle charging points proposed, Members were advised that the number required for the development was in line with policy.

A number of the Committee voiced concern on the potential levels of litter that could be generated by the development. The Service Manager (Planning – Development) proposed that the additional condition in respect of litter bins could be expanded to include the requirement for a management plan to be submitted which outlined the collection of litter on site and in the immediate proximity by the premises operators.

Councillor Andy Drummond was content with the amendment as proposed in relation to litter collection and therefore proposed that the application be approved, this was duly seconded by Councillor Ian Houlder.

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 approved plans and

- documents, unless otherwise stated.
- 3 No building shall be occupied (open for trade) on Site A until the archaeological site investigation and post investigation assessment, in so far as it relates to Site A, has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance in accordance with the programme set out in the Written Scheme of Investigation dated 12.5.22 and the provision made for analysis, publication and dissemination of results and archive deposition.
 - 4 No building shall be occupied (open for trade to the public) on Site B until the archaeological site investigation and post investigation assessment, in so far as it relates to Site B, has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation dated 12.5.22 and the provision made for analysis, publication and dissemination of results and archive deposition.
 - 5 The Highway and associated infrastructure, site C, shall not be brought into use until the site investigation and post investigation assessment, in so far as it relates to Site C, has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation dated 12.5.22 and the provision made for analysis, publication and dissemination of results and archive deposition.
 - 6 All planting within the approved scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.
 - 7 Notwithstanding the indicative details shown on the plans hereby approved, no development above ground level shall take place on either Site A or Site B of the development, until a scheme of hard landscaping has been submitted for that individual site and agreed in writing by the Local Planning Authority and shall include the following:
 - a) Finished levels, materials, any signage, furniture/sitting areas and a maintenance plan to demonstrate how the hard landscaping features will be repaired/replaced (as appropriate) over time.
 - b) All details of any fencing, gates, walls or other means of enclosure within the development.
 - c) details of demarcation of parking bays and pedestrian pathways
 - d) A programme setting out how the plan will be put into practice including measures for protecting plants, including root barrier membranes for proposed tree, woodland, hedgerow and scrub landscaping, for both during and after development has finished.The hard landscaping scheme shall be installed prior to first occupation of the commercial buildings hereby permitted to which the details relate or the substantial completion of the development, whichever is the sooner, and maintained thereafter in accordance with the maintenance plans hereby approved.
 - 8 Prior to the first occupation of Sites A, and B and/or first use of the

roadways, footways, and cycle ways in Site C by members of the public, a Landscape Management Plan for the site shall be submitted to and approved in writing by the Local Planning Authority. The details should include the long-term design objectives, management responsibilities, specifications, maintenance schedules and periods for all hard and soft landscape areas and including all wooded, vegetated and SuDS areas together with a timetable for the implementation of the Landscape Management Plan. The Management Plan shall include details of the arrangements for its implementation and shall be carried out in accordance with the approved details, supporting documents / reports, surveys, and timetable(s) unless the Local Planning Authority gives written consent for any variation.

- 9 The areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins as shown on Drawing No. 509-SFL-EX-00-DR-L-0501 Rev P03 for Site A and Site B, shall be provided in their entirety, before the development on that individual site is brought into use and shall be retained thereafter for no other purpose.
- 10 A Construction Management Strategy for either Site A or Site B shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on that individual site. The strategy shall include access and parking arrangements for contractors 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.
- 11 The use shall not commence on either Site A or Site B until the areas within the site shown on Drawing No. 509-SFL-EX-00-DR-L-0501 Rev P03 for the purposes of loading, unloading, manoeuvring and parking of vehicles and the facilities for the purposes of cycle parking have been provided on that individual site and thereafter the areas shall be retained, maintained and used for no other purposes.
- 12 The strategy for the disposal of surface water for either Site A, Site B or Site C, (Ref: 66200833-SWE-ZZ-XX-RP-C-3010 Rev 04 Dated: 25 July 2022 and 22 July 2022 Ref: 4180262/ZM/009) and the Flood Risk Assessment (FRA) (Ref: 66200833-SWE-ZZ-XX-RP-C-0002 Rev 04 Dated: 25 July 2022)and all supporting information shall be implemented as approved in writing by the local planning authority (LPA). The strategy shall thereafter be managed and maintained in accordance with the approved strategy.
- 13 Within 28 days of practical completion of either Site A, Site B or Site C, the surface water drainage verification report for that individual site shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.
- 14 Prior to the commencement of development on either Site A, Site B or Site C 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 LPA. The

CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include:

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

15 Prior to the occupation of either Site A or Site B hereby permitted a scheme detailing mitigation measures to reduce and prevent crime and anti-social behaviour on and around that site should be submitted to and approved by the LPA. The mitigation measures shall be retained thereafter.

The Scheme should take into account the guidance and recommendations made by Suffolk Constabulary.

16 The site preparation and construction works (excluding internal fit out) including deliveries to the site and the removal of excavated materials and waste from the site shall be carried out between the hours of 08:00 to 18:00 Mondays to Fridays and between the hours of 08:00 to 13:00 on Saturdays and at no time on Sundays, Bank or Public Holidays without the prior consent of the Local Planning Authority.

17 Prior to first use of either Site A or Site B, details of the ventilation system and system to control odours from any primary cooking process of that individual site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the measures to abate the noise from the systems and a maintenance programme for the systems. In the event of primary cooking taking place, the system shall be installed prior to first use and thereafter the systems shall be retained and maintained in complete accordance with the approved details unless the written consent of the Local Planning Authority is obtained for any variation.

18 The cumulative noise rating level resulting from the operation of all new fixed plant for either site A or Site B shall not exceed:

a. at Battlies Lodge Daytime (0700 2300 hours) 40 dB LAeq1hr Night time (2300 0700 hours) 30 dB LAeq15min

b. At 94/95 Ipswich Road - Daytime (0700 2300 hours) 50 dB LAeq1hr Night time (2300 0700 hours) 40 dB LAeq15min,

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

20 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (MLM, October 2021).

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.

- 21 Prior to the commencement of development on Site A, Site B or Site C, 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 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
- 22 Prior to the commencement of development on either Site A, Site B or Site C, A Biodiversity Enhancement Strategy for protected and Priority species on that individual site, prepared by a suitably qualified ecologist 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 or product descriptions to achieve stated objectives;
 - c) locations, orientations and heights of proposed enhancement measures by appropriate maps and plans (where relevant);
 - d) persons responsible for implementing the enhancement measures; and
 - e) details of initial aftercare and long-term maintenance (where relevant).
- The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.
- 23 Neither Site A or Site B, shall be brought into use until a lighting design scheme for biodiversity relating to that individual site, 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 for that site, 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.
- 24 During construction of the development hereby permitted, the trees

located within the site (Zone 2 Suffolk Business Park General Castle Way Rougham Industrial Estate, (Sites A, B and C) shall not be lopped or felled without the written consent of the local planning authority unless noted on the approved soft landscape plans or Arboricultural Impact Assessment.

- 25 During construction of either Site A, Site B or Site C, any trees within or near to that individual site, shall be protected in accordance with the requirements of BS 5837 (2012) 'Trees in Relation to Design, Demolition and Construction'. The protection measures shall be implemented prior to any below ground works and shall be retained for the entire period of the duration of any work at the site, in connection with the development hereby permitted.
- 26 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 as amended (or any Order revoking and re-enacting that Order) and the Town and Country Planning (General Permitted Development) Order 2015, as amended, the use of Site A shall be used only as a restaurant - food and drink (with takeaway including from the building and delivery) and associated drive thru and for no other purpose; and site B shall be used only as a café - food and drink (with takeaway including from the building and delivery) and associated drive thru and for no other purpose.
- 27 Prior to the commencement of the use on either Site A or Site B, the section of highways, access, and pedestrian footpaths identified as Site C, shall be fully completed in accordance with the approved details except with the written agreement of the Local Planning Authority.
- 28 The use of Site C shall not commence until full details of lighting to serve the highway have been submitted to and approved by the Local Planning Authority. The development shall be completed in accordance with the approved scheme which shall thereafter be retained and maintained in accordance with the approved scheme.
- 29 If, during development, of either Site A, Site B or Site C, contamination not previously identified is found to be present within that site then no further development of said site (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.
- 30 Within 3 months of occupation (open for trade to the public) of either Site A or Site B, at least two (2no) in the of the car park area for each individual site shall be equipped with dedicated, working, electric vehicle charge points, which shall be available for public use. The electric vehicle charge points shall be 'rapid', i.e. they will be DC chargers with a CCS cable, with each individual unit capable of a power rating of at least 50kW. The electric vehicle charge points shall be retained thereafter and maintained in an operational condition.
- 31 Prior to first use of either site A or site B, a litter management scheme shall be submitted in writing to the Local Planning Authority with regards to the respective site. The scheme shall include details of external litter bins for public use within the respective site, details of maintenance and emptying of the litter bins and details of regular litter picking within the vicinity of the site. The litter management scheme

shall be undertaken in accordance with the approved details in perpetuity.

The meeting concluded at 11.31am

Signed by:

Chair

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Development Control Committee

5 April 2023

Planning Application DC/22/2107/FUL – The New Croft, Chalkstone Way, Haverhill

Date registered:	13 December 2022	Expiry date:	10 February 2023 EOT 26 April 2023
Case officer:	Amy Murray	Recommendation:	Approve application
Parish:	Haverhill Town Council	Ward:	Haverhill East
Proposal:	Planning application – creation of a 3G Artificial Grass Pitch (AGP) with landscape bund, perimeter fencing, hardstanding areas, storage container, floodlights, access footpath with fence and bollard lighting, acoustic fence and footpath link to north-west		
Site:	The New Croft, Chalkstone Way, Haverhill		
Applicant:	Mr Peter Betts		

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:

Amy Murray

Email: amy.murray@westsuffolk.gov.uk

Telephone: 01284 757366

Background:

This application is before Development Control Committee because the application is on land owned by West Suffolk Council. The site is rented to Haverhill Community Sports Association who operate the New Croft site.

Haverhill Town Council have adopted a 'neutral stance'.

The application is recommended for APPROVAL by Officers.

The application was subject to a full re-consultation as the red line was amended to include a footpath to the north-west which provides a link to Samuel Ward Academy car park.

A site visit is scheduled to take place on Monday 3 April 2023.

Proposal:

1. Planning permission is sought for a 3G artificial grass pitch (AGP) with associated development, including a steel storage container, six 15m high floodlights, landscape bund and footpath link to the neighbouring Samuel Ward Academy car park. The pitch measures 106m x 70m and provides the following pitches:
 - a. 100m x 64m 11v11 youth pitch
 - b. Two 63.8m x 46m 9v9 pitches
 - c. Two 55m x 37m 7v7 pitches
 - d. Four 37m x 27m 5v5 pitches
2. The majority of the perimeter fencing will be 4.5m high, with an area to the south-east measuring 6m in height due to an additional ball stop fence.
3. The landscape bund and acoustic fence are located along the north-west boundary and are proposed to mitigate noise impacts. The bund is 1.5-2m in height and the acoustic fence is 15m in length and 2.m in height.
4. Parking is provided on-site which has 125 parking spaces. However, the applicant has also proposed to use the neighbouring car park at Samuel Ward as an overflow car park after school hours, which has a capacity of 112 spaces. This is an informal arrangement.
5. The proposed opening hours for the new pitch are:
0800-2200 hours Monday-Friday
0800-2000 hours Saturday and Sunday

Application supporting material:

6. The following documents have been submitted in support of the application:
 - Topographic survey
 - Location plan
 - Proposed block plan
 - Existing and proposed block plan
 - Proposed layout

- Proposed elevations (floodlights, fencing and storage container)
- Existing lighting scheme
- Proposed lighting scheme
- Bund plan and sections
- Parking plan
- Proposed drainage plan
- Proposed drainage strategy
- Design and Access Statement
- Lighting assessment
- Lighting specification
- Sports lighting statement
- Noise Management Plan
- Preliminary Ecological Appraisal
- Proposed materials
- Reduction of Obtrusive Light
- Drainage Strategy
- Drainage exceedance flows
- Flood Risk Assessment 2016
- Construction Management Plan
- Noise Impact Assessment
- Parking Assessment

Site details:

7. New Croft is located to the north-east of Haverhill and comprises a clubhouse, playing fields, 3G pitch, enclosed grass football pitch and stands. It is accessed off Chalkstone Way. The New Croft provides sports and football facilities which can be hired by the community. It has two member clubs - Haverhill Rovers FC and Haverhill Borough FC. The clubhouse is also hired out for other purposes, such as yoga and fitness.
8. To the north of New Croft is Samuel Ward Academy, to the east is Westfield Primary Academy, to the south is a residential area off Chalkstone Way and to the west is another residential area, which includes Churchill Avenue. The nearest residential neighbour to the proposed development is 38.5m away at 22, Churchill Avenue.
9. The existing area proposed for the AGP currently comprises two grass pitches, which are not always useable during wetter months of the year.
10. The site is not located within a conservation area and the existing buildings on and adjacent to the site are not listed. The site is located within Flood Zone 1, although there is a history of surface water flooding.

Planning history:

11.

Reference	Proposal	Status	Decision date
SE/08/1344	Regulation 3 Application – Erection of (i) single storey clubhouse/community changing room facility (ii) provision of football ground; associated training pitch & 3no. community	Application Granted	19 December 2008

use pitches (iii) Erection of
seated covered stand &
standing covered stand &
2no. dugouts

Consultations:

12. The consultation responses set out below are a summary of the responses received. Full copies of consultation responses are available to view online through the Council's public access system using the link below:

[Planning portal- DC/22/2107/FUL](#)

Environment & Transport – Highways

13. The Highway Authority has reviewed the parking assessment and parking plan and has no objection to the proposal.

Private Sector Housing and Environmental Health (PHH)

14. 06.01.2023- PHH responded to the application with recommended conditions to secure the proposed floodlight specification, compliance with ILP Guidance Notes for the Reduction of Obtrusive Light 2021 and restrictions on the use of the floodlights. PHH also recommended conditions to restrict construction hours, hours of operation, construction of the fencing to reduce rattling and compliance with the submitted noise management plan and code of conduct. The hours of operation recommended by PHH are as follows:

0900-2100 hours Monday-Friday
0900-2000 hours Saturday and Sunday

(The proposed opening hours are:
0800-2200 hours Monday-Friday
0800-2000 hours Saturday and Sunday)

In addition, queries were raised regarding discrepancies in the proposed bund height. The applicant sought to address PHH's concerns so that the proposed hours could be considered acceptable. This included the addition of a 15m long, 2m high acoustic fence on the north-west corner, which is closest to the nearest residents (located on Chalkstone Way). An amended noise impact assessment was provided accordingly.

17.01.2023- PHH responded to the re-consultation, however, their concerns regarding the opening hours remain. They acknowledge that the maximum predicted sound level at 22 Chalkstone Way has been reduced to 60 dB (a target noise level provided by PHH to the applicant) and that it is an existing site with similar facilities in the immediate vicinity. However, their concern is that the response to sound can be subjective and is affected by many factors, both acoustic and non-acoustic. For example, it can be affected by the margin by which a sound exceeds the background sound level, its absolute level, time of day and change in the acoustic environment, as well as local attitudes to the source of the sound and the character of the neighbourhood.

It is accepted in the submitted NIA that there would be a moderate change in noise levels for the worst affected residents. PHH contends that just how moderate this is actually perceived by nearby residents would be

influenced by the hours of use and that the reduced hours recommended by them would inevitably have less of an impact than the hours proposed by the applicant.

Green Space and Heritage

15. "The installation of a second 3G Artificial Grass Pitch (AGP) on the New Croft Playing Field is referenced in the Football Foundation's West Suffolk Local Football Facilities Plan (LFFP). It is also referenced in our Playing Pitch and Outdoor Sports Facilities Assessment February 2022.

From a community sports perspective the facilities and training offered at the Haverhill Sports Associations site has been extremely successful and the need for an additional 3g facility is clearly made. If this were not the case then the Football Foundation would not be willing to invest further resources into the site.

Notwithstanding the above success, and proven need for the facility, car parking on the grass verges outside of the venue by those using the current facility has been flagged as an issue of concern. The LFFP makes reference to car parking being 'an issue'. The planning application makes reference to the current number of parking spaces and indicates that no additional capacity will be created. The fact that there is no acknowledgement of the challenges associated with the current offsite parking issues, linked to this popular facility, will be of concern to some in the local community.

The New Croft Playing Fields, formally known as the Chalkstone Playing Fields, has for many years been set out for pitch sports. The new 3g pitch will replace two existing grass pitches (1 x 11v11 sized pitch and 1 x 5v5 sized pitch), so there are no additional pitches being created on site. The replacement artificial football pitch will mean that the site will be capable of carrying more games over the season, as 3g artificial pitches are more durable than grass pitches."

Sport England

16. "Summary: Sport England raises no objection to this application which is considered to meet exception 5 of our adopted Playing Fields Policy, subject to a condition relating to hours of use.

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (in particular Para. 97), and against its own playing fields policy, which states:

'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

1. all or any part of a playing field, or

2. land which has been used as a playing field and remains undeveloped, or
3. land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'

Sport England's Playing Fields Policy and Guidance document can be viewed via the below link:

https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy

Assessment against Sport England Policy

The proposal seeks to convert a grass football pitch to a 3G floodlit facility that will provide the following pitches:

- 2) 100m x 64m 11v11 youth pitch
- 3) Two 63.8m x 46m 9v9 pitches
- 4) Two 55m x 37m 7v7 pitches
- 5) Four 37m x 27m 5v5 pitches

There will be a 4.5m high perimeter fence and six floodlight columns.

Opening hours will be:

0800-2200 hours Monday-Friday

0800-2000 hours Saturday and Sunday

I have consulted the Football Foundation and Suffolk FA on the proposal, and they comment as follows:

'This proposal is a priority project for football, identified within the Local Football Facility Plan, and as such is being supported by the Football Foundation and Suffolk FA. There is a significant deficit of 3G FTPs across the authority, and the single pitch currently in situ is oversubscribed and unable to meet current demand. We are therefore fully supportive of the proposal.'

The proposal clearly meets exception 5 of our playing fields policy, in that it will provide a facility that will help the development of football in the Haverhill area and is identified in the West Suffolk LFFP.

Conclusions and Recommendation

Given the above assessment, Sport England does not wish to raise an objection to this application as it is considered to meet exception 5 of the above policy. The absence of an objection is subject to the following condition being attached to the decision notice should the local planning authority be minded to approve the application:

Hours of Use as set out in the planning statement.

0800-2200 hours Monday-Friday

0800-2000 hours Saturday and Sunday

If you wish to amend the wording of the recommended condition(s), or use another mechanism in lieu of the condition(s), please discuss the details with the undersigned. Sport England does not object to

amendments to conditions, provided they achieve the same outcome and we are involved in any amendments.”

Ramblers Association

17.No objection

Lead Local Flood Authority

18.03.01.2023- The LLFA initially issued a holding objection as they required further information regarding the site investigation and how the groundwater levels were identified. Additionally, the drainage strategy did not include features to achieve the four pillars of sustainable drainage systems (water quality, water quantity, amenity and biodiversity).

In response to these comments, the agent provided trial hole data, exceedance flow directions, greenfield run-off rate estimation, micro drainage calculations and an updated drainage strategy document.

19.01.2023- The LLFA removed their holding objection and recommended planning conditions to secure the strategy for the disposal of surface water and flood risk assessment, submission of a drainage verification report and submission of a Construction Surface Water Management Plan (CSWMP).

Place Services - Ecology

19.“We are satisfied that there is sufficient ecological information available for determination of this application.

The Preliminary Ecological Appraisal (BJ Collins, November 2022) has assessed the site as having low ecological value, with some boundary features illuminated by existing street and flood lighting, stating “The artificial turf pitch sits close to the western and northern boundary hedgerows that contain habitats of limited value to commuting and foraging bats, connectivity across this linear feature is significantly impacted by high levels of existing artificial illumination.” The submitted CEMP includes a brief section on biodiversity, in Section 7, which includes details relating to fencing, storage of materials and covering trenches.

We are satisfied the submitted lighting documents sufficiently demonstrate that the proposed new artificial lighting will not spill on to the surrounding boundary features or cause upward illumination. The proposals also include the provision of a landscape bund along the western side of the sports pitch, this will further reduce light spill. Furthermore, the Preliminary Ecological Appraisal (BJ Collins, November 2022) has also included a review of the provided lighting documents, which has not highlighted any potential impacts to protected and or Priority species from the proposed lighting scheme. Therefore, subject to the lighting plans not altering and causing light spill on to the surrounding boundary features, we have no objection to the proposed lighting plans.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Preliminary Ecological Appraisal (BJ Collins, November 2022) and the Construction & environmental Management Plan (CEMP) (SIS Pitches, November 2022) should be

secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly Hedgehogs and breeding birds.

Additionally, no biodiversity enhancement measures are identified in the documents provided. We recommend that, to secure net gains for biodiversity, as outlined under Paragraph 174d and 180d of the National Planning Policy Framework 2021, reasonable biodiversity enhancement measures will need to be provided. The bespoke biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured by a condition of any consent. It is recommended that this could also include provision of bird boxes, log piles and native species rich hedgerow planting. Additionally, the proposed landscape bund could be seeded with a native wildflower grassland seed mix.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006."

The response from Place Services concludes that impact will be sufficiently minimised, subject to conditions to secure the submitted Preliminary Ecological Appraisal and submission of a biodiversity enhancement strategy.

West Suffolk Council Property Services

20. The Property Services team shared concerns regarding the parking issues around the site and users of New Croft using the grass verges along Chalkstone Way. They consulted with Parking Enforcement who stated that they believe people park on the grass verge to avoid parking charges on the site and that the problem is worse on Saturdays when there are home games. They also shared anecdotal concerns that the gate to the overflow parking on the site is often closed. The property team conclude their response stating:

"In summary Property Services would like to see the club's existing car park fully utilised, their existing over flow car parking available when required and this path to Samuel Ward additional overflow car parking constructed with a formal agreement made with the school for the path, which I presume will pass onto their land at some point, and for use of the parking spaces, together with a planning condition that no parking should take place on the grass verges on Chalkstone Way outside the ground."

SCC Archaeological Service (SCCAS)

21. "This site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER). Archaeological investigations east of the proposed site have recorded two later Bronze Age cremations and an unenclosed settlement comprising three circular buildings dating from the middle Iron Age (HER number: HVH 072). A coaxial field system dating from the late Bronze Age – middle Iron Age, with occupation evidence dating from the middle Iron Age comprising storage pits and two post-built structures (HVH 099) and isolated pits and parallel ditches dating from the late Bronze Age – Early Iron Age (HVH 059). 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."

The response from SCCAS goes on to recommend conditions to secure a programme of archaeological work in accordance with an approved Written Scheme of Investigation and submission of site investigation and post investigation assessment.

Representations: Town Council

22.12.2022- The Town Council originally objected to the scheme stating: "Whilst members of the Town Council support the concept of this application, they have major concerns over parking and loss of open community space.

Highways: There are already major problems with parking in and around the site, with vehicles parking illegally on the grass verges and dangerously on the highway. The proposed 125 spaces are not enough to alleviate this problem.

Loss of Public Amenity: The loss of the community open space, primarily used for recreational use by the residents of the Chalkstone Estate since the early 1970's, will have a major detrimental effect on local resident's health and wellbeing, access to opportunities for informal activities close to home and for play and social interaction."

15.02.2023- The Town Council removed their objection, stating: "Following the meeting of the planning working party last night (14th February 2023), members resolved to withdraw all objections raised on the 20th December 2022.

Therefore, following commitments and assurances by the applicant to address issues raised by the Town Council and other consultees, please accept this as notification of the Town Council's support of application DC/22/2107/FUL."

13.03.2023- Following the re-consultation of the application, the Town Council responded as follows:

"Although the Town Council are submitting a NETURAL stance, they wish to emphasise that the conditions agreed regarding acoustic fencing, floodlights, and parking are enforced."

Ward Members

23.Councillor John Burns has raised strong concerns regarding the following:

Existing parking issues and users of New Croft parking on grass verges.
Potential residential amenity impacts as a result of noise and light spillage.
Loss of land that is currently available for the community.

Conflict between members of the public and cars with HGVs during construction and potential loss of parking spaces during this time.

Following the re-consultation, Councillor Pat Hanlon commented as follows:

"I would like to give my full support, as the pathway in the re-consultation will help to alleviate the parking in and around the Hamlet Croft area."

Local Representations:

24. Two objections have been received from residents of Churchill Avenue. They have raised the following concerns:
- Noise from ball impacts and shouting can already be heard from the existing pitch which is further away than the proposed pitch.
 - Current issues with users of the site parking on grass verges
 - Parking at Samuel Ward after school hours will result in further noise impacts from shouting, slamming doors, revving engines, stereos.

Policy:

25. 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.

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:

Core Strategy Policy CS2 - Sustainable Development

Core Strategy Policy CS3 - Design and Local Distinctiveness

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM6 Flooding and Sustainable Drainage

Policy DM20 Archaeology

Policy DM42 Open Space, Sport and Recreation Facilities

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.

Other Documents of Relevance:

27. Football Foundations West Suffolk Local Football Facilities Plan (LFFP).
[West Suffolk Local Football Facilities Plan](#)

Playing Pitch and Outdoor Sports Facilities Assessment February 2022
[Playing Pitch and Outdoor Sports Facilities Assessment February 2022](#)

Officer comment:

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

- Principle of Development
- Impact on character and appearance
- Highways
- Neighbouring amenity
- Drainage and flood risk
- Archaeology
- Ecology

Principle of Development

29. Policy CS1 of the St Edmundsbury Core Strategy document states that the towns of Bury St Edmunds and Haverhill will be the main focus for new development to direct development to more sustainable locations. The site is located in the settlement boundary of Haverhill and is therefore considered a sustainable location for growth.

30. Chapter 8 of the NPPF (2021), provides support for the promotion of healthy communities and the provision of social and recreational places to improve people's health and well-being. Policy DM42 of the Joint Development Management Policies Document (2015), states that proposals for the provision, enhancement and/or expansion of amenity, sport or recreation open space will be permitted subject to compliance with other Local Plan policies. Additionally, Strategic Objective D of the St Edmundsbury Core Strategy seeks to maintain and develop leisure facilities, commensurate with the level of housing growth to meet the needs of residents and visitors to the district, and the Haverhill Vision, 2031 document aspires to promote active leisure participation as a way of achieving good health. New Croft is identified in the Haverhill Vision document as an important sports facility.

31. This proposal seeks to enhance the sports provision at New Croft by providing an additional all-year-round artificial grass pitch (AGP). The requirement for an additional 3G pitch on the New Croft Playing Field is referenced in the Football Foundation's West Suffolk Local Football Facilities Plan (LFFP) and the West Suffolk's Playing Pitch and Outdoor Sports Facilities Assessment February 2022. The West Suffolk's Playing Pitch and Outdoor Sports Facilities Assessment sets out the current and future needs for outdoor sports facilities and identifies New Croft as a potential site for a further 3G pitch.

32. Furthermore, demand for these facilities is emphasised in the response from Sport England, which states:

"I have consulted the Football Foundation and Suffolk FA on the proposal, and they comment as follows:

'This proposal is a priority project for football, identified within the Local Football Facility Plan, and as such is being supported by the Football Foundation and Suffolk FA. There is a significant deficit of 3G FTPs across the authority, and the single pitch currently in situ is oversubscribed and unable to meet current demand. We are therefore fully supportive of the proposal.'

33. Existing use of the site

A further material consideration when assessing the principle of development is the existing use of the. As the site currently comprises two grass football pitches, Sport England was consulted and has considered the application in accordance with the National Planning Policy Framework and against its own playing fields policy, which states:

'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field and remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'

34. Sport England conclude that they have no objection to the proposal as it clearly meets exception five of their playing fields policy, which states:

"The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field."

35. Concern has been raised by the Town Council that the existing grass football pitches that will be replaced with the 3G pitch have historically been used by local residents and will no longer be available for community use. However, there will still be three other grass football pitches available on the New Croft site. Additionally, given the demand indicated above and the fact that this pitch is usable all year round, this solution is considered an enhanced sports provision for the wider community.

36. In summary, subject to compliance with other relevant planning policies (which are discussed below), it is considered that the principle of development is established in local and national planning policy. In addition, it is recognised that there is a demand for this type of facility in the District.

Impact on character and appearance

37. Paragraph 130 of the NPPF requires development to be visually attractive and to be sympathetic to local character. Policy CS5 requires proposals to demonstrate an understanding of local context and to be designed to a high standard. Policy DM2 requires all proposals to recognise and address key features of an area and to create or maintain a sense of place.
38. The extent of the proposed pitch, including footway, storage areas and dugouts measures 113m x 78.5m. The majority of the perimeter fencing will be 4.5m high, with an area to the south-east measuring 6m in height due to an additional ball stop fence. The fence will be typical dark green mesh fencing. To the north-west is a landscape bund measuring 1.5-2m in height and 6.6m in depth and an acoustic fence measuring 2m in height and 15m in length. To the south-east a footpath is proposed which leads from the entrance to the site to the proposed pitch. Along this path will be a 0.5m high knee rail fence and there will be 1m high bollard lighting. There will also be a footpath linking the site to the neighbouring Samuel Ward site to the north-west and six 15m high floodlights will surround the pitch.
39. The context of the site includes an existing 3G pitch of a similar size located to the south-east of the proposed AGP. The existing pitch has six floodlights. In front of the proposed pitch are further grass football pitches which run adjacent to Chalkstone Way. To the rear are Samuel Ward Academy buildings, to the west is the car park for Samuel Ward Academy and to the south-east is Westfield Primary Academy. The pitch is set back from Chalkstone Way by 68m.
40. Given the site context, which includes existing education development and sports facilities, as well as the siting of the development which is set back from the road and contained against existing boundaries, no adverse impacts on the surrounding character and appearance of the area is considered to arise in relation to the proposed built form of the development.
41. The proposed floodlighting is also considered acceptable in this context as the lighting plan indicates that light spillage will be minimal. In addition, the floodlighting will be contained against existing buildings and adjacent to an existing pitch which also has floodlighting. Furthermore, a condition is recommended to restrict the hours of use of the flood lights and to ensure that they are only used when daylight is fading, thereby reducing the visual impacts of the floodlighting further.
42. In summary, the proposal is considered to comply with policy CS3 of the St Edmundsbury Core Strategy, policy DM2 of the Joint Development Management Policies Document and the NPPF (2021), with particular reference to chapter 12- *Achieving well-designed places*.

Highways

43. The proposed artificial grass pitch will utilise the existing access off Chalkstone Way. There are 125 spaces at the New Croft site. A 'parking eye' system is in operation, where users must register their vehicle license plate to avoid parking charges. Along Chalkstone Way are double yellow lines to prevent parking.

44. There is also an informal arrangement with neighbouring Samuel Ward Academy whereby users of New Croft are allowed to use the Samuel Ward car park outside of school hours. The Samuel Ward car park has a capacity of 112 spaces. The proposal has been amended during the course of the application (and was subject to a full re-consultation), to include a footpath link between the site and Samuel Ward Academy car park. It is considered that the footpath link will encourage users of New Croft to park in the car park at Samuel Ward Academy at peak times.
45. However, it should be noted that the arrangement with Samuel Ward is an informal agreement, which could be revoked at any time and cannot be secured by planning condition. Therefore, whilst an assessment of the Samuel Ward parking has been included for completeness, this proposal will need to be judged based on the parking provision at New Croft only.
46. The planning application is supported with a parking assessment and a parking plan. The parking plan indicates 125 parking spaces at the New Croft site and 112 spaces at the neighbouring car park at Samuel Ward Academy.
47. The parking assessment is based on parking surveys for both Samuel Ward and New Croft carried out on a Thursday and a Saturday (when Haverhill Rovers Football Club had a home fixture), in January 2023, between 8am and 9pm. It provides a simple vehicle count of the number of cars using both car parks. The results are summarised as follows:
- Thursday**
- New Croft- ample capacity with the maximum cars recorded being 70
 - Samuel Ward- reached a peak of 128 cars (capacity is 112) between 14.45-15.00 and then drops off significantly (after school pick up time).
- Saturday**
- New Croft- peak was between 15:45 – 16:00 with a total of 108 parked vehicles.
 - Samuel Ward- peak was between 9:30am – 9:45am with a total of 25 parked vehicles.
48. Notwithstanding the spare capacity at New Croft indicated above, the Officer is aware that there have been ongoing issues with users of New Croft parking on the grass verges along Chalkstone Way, which requires driving across pavements and results in erosion of the grass verge. Although it is understood from the applicant that signage and fencing may be installed to help prevent this in future.
49. The parking assessment then examines the anticipated number of additional vehicles as a result of this development (which is estimated at 52 vehicles) and adds this to the existing use identified in the parking surveys. The report concludes that the additional vehicles on a weekday can be accommodated at the New Croft site. However, when there is a home football match, the New Croft site does not have enough parking spaces and, in this scenario, 35 cars would need to park at Samuel Ward Academy.
50. As stated above, in terms of assessing this planning application, the provision at Samuel Ward cannot be secured and therefore a worst-case

scenario should be considered. In this case, when forecasting the parking requirement for the proposed 3G pitch, there would not be enough parking spaces for potentially up to 35 cars at the site and these users may therefore utilise areas around the site to park their vehicles.

51. The Highway Authority has been consulted on the proposal and has no objection, noting that there is no accident history in the area. Paragraph 111 of the NPPF states that:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

52. Unacceptable impacts on highway safety or severe cumulative impacts on the road network are clearly not considered to arise by the Highway Authority in this case. Notwithstanding this, it is noted that the lack of sufficient parking on site could result in around 35 vehicles trying to park near to the site at peak times (for example, on a Saturday afternoon when Haverhill Rovers are playing a match at the adjacent stadium). This may result in cars parking on grass verges / on double yellow lines (which could be enforced against by the Civil Parking Enforcement team). Therefore, it is concluded that a moderate degree of highways related harm may arise as a result of this proposal, which weighs against the scheme in the planning balance but not at a level that is considered would justify a refusal of planning permission.

53. The planning application is also supported with a Construction and Environmental Management Plan (CEMP). This document was amended during the course of the planning application to ensure that the proposed construction hours align with the construction hours proposed by PHH. The CEMP Indicates that the site compound will be located adjacent to the clubhouse. Concern has been raised that there may be possible conflict between construction vehicles and members of the public using the clubhouse. It is expected that there will be disruption during construction and the operators will need to manage this with users of the site. The CEMP is generally acceptable and can be secured by planning condition.

Neighbouring amenity

54. Chapter 12 of the NPPF sets out national policy in relation to achieving well designed places and paragraph 130 of the NPPF (2021) outlines six criteria which planning polices and decisions should meet to deliver well-designed places. This paragraph includes specific reference to amenity and well-being, stating that developments should:

“create places that are safe, inclusive and accessible and which promotes health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine that quality of life or community cohesion and resilience.”

55. Policy DM2 accords with the principles of the NPPF (2021), stating that development should 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.

56.The planning application proposes the following opening hours:

0800-2200 hours Monday-Friday
0800-2000 hours Saturday and Sunday

57.The nearest residential properties are located off Chalkstone Way and Churchill Avenue. 22 Churchill Avenue is the nearest with a separation distance of 46m between them and the proposed pitch itself. The key neighbouring amenity considerations in this case is light pollution from the floodlights and noise from ball impacts, shouting and whistles.

58.The planning application is supported with a Noise Impact Assessment (NIA) and proposes noise mitigation measures, including a landscape bund and acoustic fence.

59.The first part of the NIA examines the predicted equivalent continuous sound level (LAeq) – this is the method to describe sound levels that vary over time, resulting in a single decibel value. The report refers to World Health Organisation (WHO) guidelines for community noise and concludes the following:

“According to the WHO guidance, moderate annoyance is caused by noise levels exceeding **50 LAeq(T) dB externally** and **35 LAeq(T) dB internally**. Therefore, where noise levels from the proposed development do not exceed 50 LAeq(T) dB externally and 35 LAeq(T) dB internally, the effect is below the Lowest Observed Adverse Effect Level and will have no adverse effect. The noise level of the AGP may be noticeable but not intrusive and is considered acceptable in planning terms.”

60.The predicted noise level (LAeq) at the façade/ garden of 22 Churchill Avenue (the worst affected property) is **47 dB** and the report concludes that:

“The predicted noise levels at the nearby residential properties are below the proposed criterion of 50 dB LAeq (1 hour) derived from WHO1999 as being the threshold for the onset of moderate community annoyance.”

61.The assessment goes onto predict that an *internal* equivalent noise level at the worst-case dwelling (22 Churchill Avenue) will be **32 dB LAeq (1 hour)**. Again, this is below the WHO guidance of **35 LAeq(T) dB internally** (WHO guidance states that to enable casual conversation indoors during daytime, the sound level of interfering noise should not exceed 35 dB LAeq).

62.In terms of long-term impact, the report concludes that there will be a moderate impact for 22 Churchill Avenue.

63.The report also provides an assessment of *maximum* noise levels generated by AGP activity, rather than LAeq/ equivalent noise levels only. This includes noise from voice, whistle, and ball impact. In terms of established guidance in relation to maximum noise levels, the report states:

“There are no specific noise criteria for maximum noise levels from this type of noise during the day. There is a night-time maximum noise

criterion of 45dB LAmax(fast) for bedrooms at night in BS8233:2014 and WHO1999. With sound reduction through an open window this would equate to 60dB LAmax(fast) outside a dwelling.

64. During the daytime, a higher maximum noise level is likely to be permissible but is not stated in any relevant guidance documents. The difference between the daytime and night-time equivalent noise criteria in both WHO and BS8233:2014 is 5 decibels, it may therefore be that a 5 decibel increase to the maximum noise level is appropriate. This produces a 60 dB LAmax (fast) + 5dB assessment criteria of 65 dB LAmax (fast)."

65. The predicted levels for the worst affected dwelling are as follows (at ground floor façade):

Voice: 52 dB LAFmax (Churchill Avenue)

Whistles: 67 dB LAFmax (Churchill Avenue)- a 'no whistle' policy after 19.00hrs is recommended to reduce impacts from whistles.

Ball Impact: 61 dB LAFmax (Churchill Avenue)- predicted to be 60 dB LAFmax with the acoustic fence.

66. The report concludes that:

"Based on the IEMA guidelines, the proposals result in a Moderate change in noise levels to the worst-case residential houses to the northwest on Churchill Avenue during the proposed hours of use. Despite this, the internal and external levels within these dwellings will be acceptable." and "With regards to planning policy, we would expect that the development would potentially be noticeable but not intrusive and would result in 'no observed adverse effect'. This is defined in the NPPG as 'Noise can be heard but does not cause any change in behaviour or attitude. The proposals can slightly affect the acoustic character of the area but not such that there is a perceived change in the quality of life.'"

67. PHH has reviewed the proposal and accept that in acoustic terms, it could be argued that the proposal is acceptable. However, how people respond to sound is subjective and is influenced by factors such as the margin by which a sound exceeds the background sound level. In this case, the fact that there will be a moderate noise impact on nearby residents is undisputed, but the acceptability of this moderate impact will be influenced by the hours of operation- the longer and later the noise impacts, the less acceptable the noise levels are. PHH states, therefore, that the proposed hours should be reduced slightly to remove noise impacts between 08.00- 09.00hrs and 21.00-22.00hrs:

Proposed hours:

0800-2200 hours Monday-Friday

0800-2000 hours Saturday and Sunday

PHH recommended hours:

0900-2100 hours Monday to Friday

0900-2000 hours Saturday and Sunday

68. It is considered that this reduction in hours is justified and will help to reduce noticeable noise impacts on residents from whistles, shouting and ball impacts at sensitive times of day, such as first thing in the morning

and late in the evening. After further consultation with PHH, it is also considered reasonable to extend the restricted weekend hours to include bank holiday and public holidays.

69. Clearly, noise impacts on nearby residents weighs against the proposal in the planning balance. Planning conditions to secure reduced opening times, a no whistle policy after 7pm and the proposed bund and acoustic fence will help to reduce impacts. In addition, a noise management plan and code of conduct has been provided by the applicant (noting that this document states the proposed opening times rather than the reduced opening time, a planning condition has been recommended requesting that this is submitted to and approved in writing by the LPA prior to first use). Further to note is that the design and access statement requests a condition to allow extended opening times for match days. Notwithstanding the noise impacts above and the 'no whistle' policy after 7pm recommended by the acoustic consultant, this is no longer required by the applicant.
70. A further potential impact on residential amenity is light spillage. However, the submitted lighting assessment indicates that the light levels experienced by nearby residents will be less than 1 lux. Planning conditions to secure the lighting details submitted and the hours of use of the floodlights have been recommended.
71. Concerns have also been raised regarding the noise arising from the additional use of the Samuel Ward car park. Whilst the proposed parking provision at Samuel Ward is an informal arrangement and cannot be assessed as a parking solution that can be secured in this case, it is considered that the anticipated, additional parking at Samuel Ward car park is likely to be acceptable in terms of noise impacts. It is already a well-used car park serving a busy secondary school, the additional use is not considered to adversely impact neighbouring amenity.

Drainage and flood risk

72. Policy DM6 (Flooding and Sustainable Drainage) requires all proposals for new development to detail how on-site drainage will be managed so as not to cause or exacerbate flooding elsewhere. The site is located in flood zone 1 and therefore has a low risk of river or sea flooding. It does, however, have a history of surface water flooding.
73. This planning application is supported with a strategy for the disposal of surface water (dated 12th January 2023, ref: SIS028-09-00) and a Flood Risk Assessment (dated 13th December 2016, ref: 5003-UA008973-UU41R-04). Additionally, site assessment information, including trial hole data, exceedance flow directions, greenfield run-off rate estimation and micro drainage calculations was provided during the course of the planning application.
74. In this case, the surface of the synthetic turf area of the AGP will be permeable, with the underlying stone sub-base acting as an attenuation/storage area for surface water. Additionally, a perforated drainage system will be installed underneath the pitch base and will connect to the existing outfall chamber to the southeast of the site.

75. SCC as the Lead Local Flood Authority (LLFA) reviewed the submitted documents and initially objected to the scheme as they required further information regarding the site investigation and how the groundwater levels were identified. Additionally, the drainage strategy did not include features to achieve the four pillars of sustainable drainage systems (water quality, water quantity, amenity and biodiversity). The requested information was provided by the agent and the LLFA removed their holding objection subject to planning conditions to secure the strategy for the disposal of surface water and flood risk assessment, submission of a drainage verification report and submission of a Construction Surface Water Management Plan (CSWMP). The requirement for a CSWMP is a pre-commencement condition and imposition of this condition has been agreed with the agent.

Archaeology

76. Joint development management policy *DM20 – Archaeology*, states that proposals will not be acceptable if there would be a material adverse effect on Scheduled Ancient Monuments or other sites of archaeological importance, or their settings. It goes on to state that on sites of archaeological interest, or of potential archaeological importance, that appropriate measures, such as site investigations and recording of the heritage asset should be secured.

77. SCC Archaeology Service has reviewed the proposal and states:

“This site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER). Archaeological investigations east of the proposed site have recorded two later Bronze Age cremations and an unenclosed settlement comprising three circular buildings dating from the middle Iron Age (HER number: HVH 072). A coaxial field system dating from the late Bronze Age – middle Iron Age, with occupation evidence dating from the middle Iron Age comprising storage pits and two post-built structures (HVH 099) and isolated pits and parallel ditches dating from the late Bronze Age – Early Iron Age (HVH 059). 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.

78. 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.”

79. The response from SCCAS goes on to recommend conditions to secure a programme of archaeological work in accordance with an approved Written Scheme of Investigation and submission of site investigation and post investigation assessment. The condition relating to the programme of archaeological work/ Written Scheme of Investigation is a pre-commencement condition and imposition of this condition has been agreed with the agent.

Ecology

80. Section 40 of the Natural Environment and Rural Communities Act (NERC Act) states that the Local Planning Authority must “in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”. Additionally, the National Planning Policy Framework (2021), at paragraph 8c and Chapter 15, states that LPAs have a duty to protect and enhance sites of valued landscapes, biodiversity or geological value and soils when determining planning applications. At a local level, this is exhibited through policies CS2, DM10, DM11 and DM12.
81. The planning application is supported by a Preliminary Ecological Appraisal (PEA) and a Construction and Environmental Management Plan (CEMP). Place Services has provided comments on the submitted documents on behalf of the Council.
82. The PEA concludes that the site has low ecological value and notes that some boundary features are illuminated by existing street and flood lighting. The report states:
- “The artificial turf pitch sits close to the western and northern boundary hedgerows that contain habitats of limited value to commuting and foraging bats, connectivity across this linear feature is significantly impacted by high levels of existing artificial illumination.”
83. Place Services is satisfied the submitted lighting documents sufficiently demonstrate that the proposed new artificial lighting will not spill onto the surrounding boundary features or cause upward illumination, noting also that the landscape bund along the western edge of the sports pitch will further reduce light spillage. Furthermore, the PEA also includes a review of the submitted lighting documents and this does not highlight any potential impacts to protected and/ or Priority species from the proposed lighting scheme.
84. Therefore, subject to securing the lighting details and the lights not causing light spill on to the surrounding boundary features, Place Services has no objection to the proposed lighting plans.
85. In addition, the mitigation measures identified in the PEA and CEMP should be secured by condition to conserve and enhance protected and Priority species particularly Hedgehogs and breeding birds.
86. With regards to biodiversity enhancement measures, these are not identified in the submitted documents. Therefore, to secure net gains for biodiversity, in accordance with Paragraph 174d and 180d of the National Planning Policy Framework (2021), a Biodiversity Enhancement Strategy, including reasonable biodiversity enhancement measures, should be secured by condition. Place Services recommend that biodiversity measures could include provision of bird boxes, log piles and native species rich hedgerow planting. Additionally, the proposed landscape bund could be seeded with a native wildflower grassland seed mix.
87. In summary, the ecological impacts of the proposal are considered acceptable subject to securing the mitigation measures and/ or works identified in the PEA and CEMP and the submitted lighting details.

Conclusion:

88. Planning permission is sought for a 3G artificial pitch with associated development, including a steel storage container, six 15m high floodlights, landscape bund and footpath link to the neighbouring Samuel Ward Academy car park.

The proposed opening hours for the new pitch are:

0800-2200 hours Monday-Friday

0800-2000 hours Saturday and Sunday

89. The principle of development is acceptable, and the scheme will provide a high-quality sports facility in an area where there is a deficit of 3G pitches. The current facility is oversubscribed and unable to meet current demand. Clearly, enhanced sports facilities will contribute positively to the health and wellbeing of the community.

90. The impacts on the character and appearance of the area, flood risk, archaeology and ecology are all considered acceptable, subject to conditions. However, the highways and neighbouring amenity impacts weigh against the scheme in the planning balance.

91. Parking is provided on-site which has 125 parking spaces. However, the applicant also proposes to use the neighbouring car park at Samuel Ward as an overspill car park after school hours, which has a capacity of 112 spaces. This is an informal arrangement and cannot be secured by planning condition. Based on the parking assessment, the lack of sufficient parking on site could result in around 35 vehicles trying to park near to the site at peak times (for example, on a Saturday afternoon when Haverhill Rovers are playing a match at the adjacent stadium). The Local Highway Authority has not objected and unacceptable impacts on highway safety or severe cumulative impacts on the road network are not considered to arise.

92. With regards to neighbouring amenity, it is accepted by both the noise consultant and Public Health and Housing that there will be a moderate noise impact on nearby residents, particularly at 22, Churchill Avenue. The noise impacts include those from shouting (52 dB LAFmax outside the property), whistles (67 dB LAFmax) and ball impacts (60 dB LAFmax). Whilst, in acoustic terms, these maximum noise levels and the equivalent continuous sound level may comply with accepted standards, it is considered by PHH that these would be far more tolerable if the proposed hours were reduced slightly to avoid sensitive times, such as first thing in the morning and late in the evening (as well as securing a no whistle policy after 7pm). Therefore, the following amended hours are proposed:

0900-2100 hours Monday to Friday

0900-2000 hours Saturday, Sunday, public holidays and bank holidays

This amendment is considered reasonable to ensure that the noise impacts of the proposal are reduced to an acceptable level for nearby residents.

93. When considering the benefits and disbenefits of the scheme, it is concluded by Officers that the benefits of a much needed, all-weather pitch outweigh the moderate neighbouring amenity and highways harm. Overall, the principle and detail of the development is considered to be

acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework. It is therefore recommended for approval.

Recommendation:

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

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

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

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

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

Reference number	Plan type	Date received
01 REV 01	Topographic survey	13 December 2022
06 REV 00	Lighting layout	6 December 2022
07 REV 00	Drainage plans	6 December 2022
09 REV 00	Drainage strategy	12 January 2023
(-)	Lighting details	5 December 2022
Lighting	Specification	5 December 2022
Noise Mgmt Plan	Plan	5 December 2022
(-)	Ecological survey	5 December 2022
(-)	Materials	5 December 2022
Reduction of Obtrusive Light	Lighting details	5 December 2022
12 REV 00	Drainage plans	12 January 2023
(-)	Drainage strategy	12 January 2023
(-)	Flood risk assessment	12 January 2023
(-)	Construction method statement	10 February 2023
(-)	Noise report	10 February 2023
05 REV 01	Proposed elevations	10 February 2023
02 REV 02	Location plan	16 February 2023
03 REV 02	Block plan	14 February 2023
04 REV 02	Proposed layout	14 February 2023
07 REV 00	Lighting layout	6 December 2022
10 REV 02	Site layout	24 February 2023
11 Rev 01	Sections	14 February 2023
13 REV 00	Parking layout	10 February 2023

- 3 The strategy for the disposal of surface water (dated 12th January 2023, ref: SIS028-09-00) and the Flood Risk Assessment (dated 13th December 2016, ref: 5003-UA008973-UU41R-04) shall be implemented as approved in writing by the local planning authority. The strategy shall thereafter be managed and maintained in accordance with the approved strategy.

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.

- 4 No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the LPA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include: Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-
- i. Temporary drainage systems
 - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
 - iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses in line with the River Basin Management Plan, in accordance with policies DM6 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 14 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 5 Within 28 days of practical completion of the development hereby approved, a surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

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

- 6 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (BJ Collins, November 2022) and the Construction and Environmental Management Plan (SIS Pitches, November 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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) and 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.

- 7 Prior to first use, a Biodiversity Enhancement Strategy for protected and Priority species prepared by a suitably qualified ecologist 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 or product descriptions to achieve stated objectives;
 - c) locations, orientations and heights of proposed enhancement measures shown on appropriate maps and plans (where relevant), including timings of installation;
 - d) persons responsible for implementing the enhancement measures; and
 - e) details of initial aftercare and long-term maintenance (where relevant).

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

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species) and 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.

- 8 No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:
- a. The programme and methodology of site investigation and recording.
 - b. The programme for post investigation assessment.
 - c. Provision to be made for analysis of the site investigation and recording.
 - d. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
 - e. Provision to be made for archive deposition of the analysis and records of the site investigation.
 - f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
 - g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the

Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy HC9 of Replacement St Edmundsbury Borough Local Plan 2016, Policy CS2 of St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (2021).

- 9 Prior to first use, the site investigation and post investigation assessment shall be completed and submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under condition 7 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy HC9 of Replacement St Edmundsbury Borough Local Plan 2016, Policy CS2 of St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (2021).

- 10 The development shall be carried out in accordance with the approved Construction and Environmental Management Plan (SIS Pitches, November 2022 received by the local planning authority on 10 February, 2023) throughout the construction period.

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

- 11 The use shall not commence until the area(s) shown on Drawing No. 13 REV 00 for the purposes of manoeuvring and parking of vehicles has been provided and 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, Chapters 9 and 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 12 No external lighting other than that which forms part of the development hereby permitted and shown on the Lighting Assessment, Lighting Details

and Sports Lighting statement (appendix E) documents; shall be provided within the application site.

Reason: To prevent light pollution and protect the amenities of occupiers of properties in the locality, in accordance with policy DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies and to safeguard the visual amenities of the locality and the ecological value of the area, in accordance with policies DM2 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 13 The lighting system design will comply with recommendations published within ILP Guidance Notes for the Reduction of Obtrusive Light 2021 (Appendix C). On completion of the installation, the system will be tested and commissioned to ensure the LUX levels submitted as part of this application are achieved and not exceeded.

Reason: To prevent light pollution and protect the amenities of occupiers of properties in the locality, in accordance with policy DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies and to safeguard the visual amenities of the locality and the ecological value of the area, in accordance with policies DM2 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 14 Operating hours of the lighting system shall be limited to only between Monday to Friday from 09:00 - 21:00hrs and Saturday, Sunday, public holidays and bank holidays from 09:00 - 20:00hrs and shall be used only at the times of the year when daylight is fading or it has gone dark.

Reason: To prevent light pollution and protect the amenities of occupiers of properties in the locality, in accordance with policy DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies and to safeguard the visual amenities of the locality and the ecological value of the area, in accordance with policies DM2 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

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

- 16 Operating hours of the development hereby approved shall be limited to: Monday to Friday: 0900- 2100 hours
Saturday, Sunday, public holidays and bank holidays: 0900-2000 hours

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.

- 17 The development hereby approved will operate a 'no-whistle policy' beyond 7pm on any day, from which time onwards no whistles will be used.

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.

- 18 In accordance with the submitted noise impact assessment (Reference: 9990/SF/DO, Version Rev C, dated 10.02.2023), all fencing for the artificial grass pitch shall be fixed to the support posts with a neoprene isolator installed to fully isolate the panels from the posts and a maintenance regime shall ensure panels do not become loose so as to reduce the 'rattling' noise associated with ball impacts on metal fencing.

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.

- 19 Prior to first use of the artificial grass pitch (AGP) hereby approved a Noise Management Plan and Code of Conduct shall be submitted to and approved in writing by 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.

- 20 Prior to first use the landscape bund and acoustic fence, as shown on plans 11 REV 01 and 05 REV 01, shall be installed and thereafter shall be retained and maintained in accordance with the approved details unless the written consent of the Local Planning Authority is obtained for any variation.

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

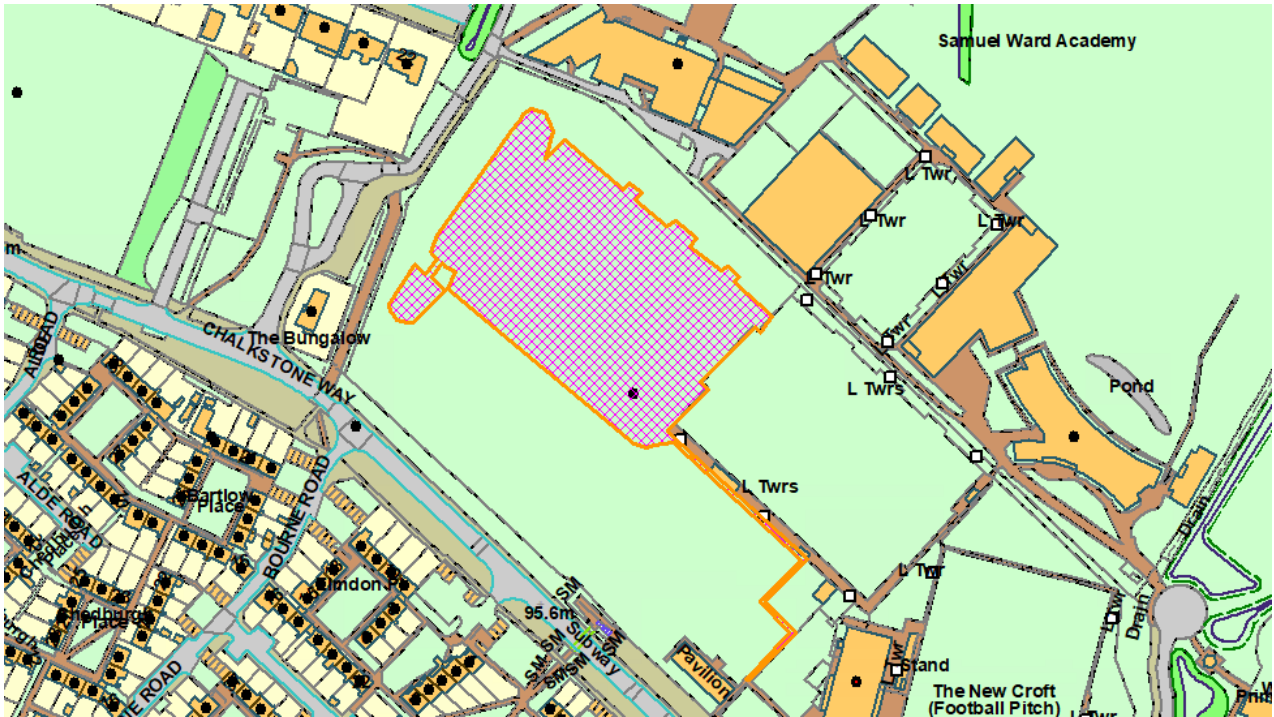
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/2107/FUL](https://www.westsuffolk.gov.uk/DC/22/2107/FUL)

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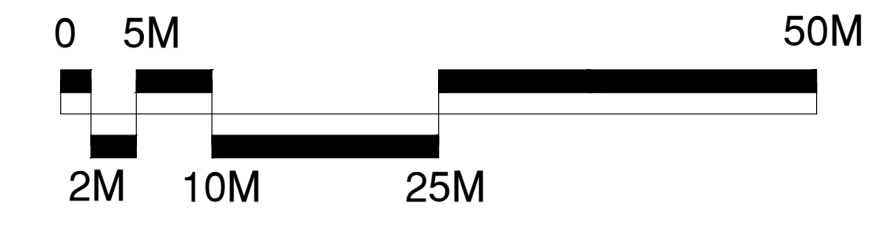
DC/22/2107/FUL - The New Croft, Chalkstone Way, Haverhill



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Haverhill Community Sports Association

Creation of a 3G



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(Second and F

- Artificial Turf Playing Area
- Footpaths & Hard Standing Areas
- 6.0m High Fence Line - 4.5m High Fencing with 1.5m Ball Stop Netting
- 4.5m High Fence Line
- 2m High Fence Line
- 1.2m High Fence Line
- 0.5m High Timber Knee Rail Fence
- 2.0m High Timber Acoustic Fence
- 1m High Bollard Lighting

Notes:
Line markings to accommodate:
1Nr. 11v11 100x64m (white)
2Nr. 9v9 63.8x46m* (blue)
2Nr. 55x37m (yellow)
4Nr. 37x27m (red)

*Smaller than recommended size but acceptable for FA match play



Proposed pathway connecting the school overflow car park

Proposed Bund

Proposed Bund
15m acoustic fence
2m high

Proposed AGP

Existing AGP

2Nr. Bollard Lighting

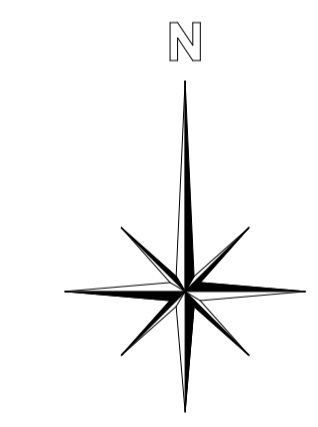
2Nr. Bollard Lighting

Proposed 2m Wide
DDA Compliant
Access Path

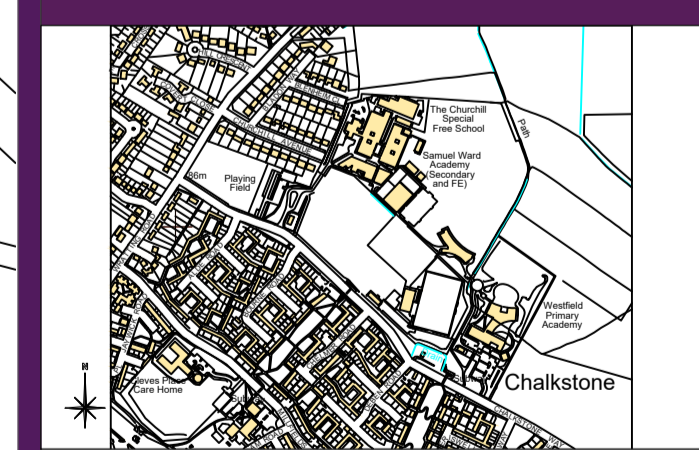
Existing Grass
Stadia Pitch

2Nr. Bollard Lighting

ROAD



02	PLANNING ISSUE	ME	WB	14.02.23
01	PLANNING ISSUE	ME	WB	10.02.23
00	PLANNING ISSUE	ME	WB	02.12.22
REV	DESCRIPTION	REV	CK	DATE



AUTHOR: ME

TITLE: Haverhill Community Sports Association
Creation of a 3G
Proposed Site Plan

PROJECT	SCALE	SIZE
SIS028	1:500	A1
DRAWING No	REVISION	
03	02	

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Development Control Committee

5 April 2023

Planning Application DC/22/2034/FUL – Porters Farm, Queens Lane, Chedburgh

Date registered:	7 December 2022	Expiry date:	7 April 2023
Case officer:	Charlotte Waugh	Recommendation:	Approve application
Parish:	Chedburgh	Ward:	Chedburgh and Chevington
Proposal:	Planning application - change of use of land to well-being centre comprising of a. central hub, b. therapy building, c. pets as therapy building, d. replacement storage building and animal enclosure e. installation of four camping domes f. remodelled access, parking and associated works g. replacement garage		
Site:	Porters Farm, Queens Lane, Chedburgh		
Applicant:	Mr and Mrs Jon and Laura Cardy		

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:

The application has been referred to Development Control Committee by the Delegation Panel following a call-in request by Councillor Mike Chester (Ward Member for Chedburgh and Chevington).

The application is recommended for APPROVAL and the Parish Council raise no objection.

A site visit is due to take place on Monday 3 April 2023.

Proposal:

1. The application proposes the change of use of the rear garden of Porters Farm to a well-being centre focusing on the needs of National Health Service (NHS) workers. The centre would comprise a central hub building with associated buildings in the curtilage to serve as a therapy suite, pets as therapy building as well as replacement stores and animal enclosure. The buildings would be supplemented by a sensory garden and pedestrian walkways.
2. The existing dwelling Porters Farm would be retained in residential use and a replacement garage is proposed in association with this.
3. A driveway would be installed through the site leading to a 16 bay car parking area with cycle parking proposed to the front of the site. Four domes are proposed at the rear of the site to be used as holiday lets.

Application supporting material:

4.
 - Existing and proposed site plan
 - Existing and proposed floor plans and elevations
 - Design and Heritage statement
 - Planning Statement
 - Preliminary Ecological Appraisal
 - Tree survey
 - Arboricultural Impact Assessment
 - Noise Impact Assessment
 - Transport Statement
 - Land Contamination Assessment
 - Lighting schematic
 - Flood risk Assessment

Site details:

5. Porters Farm is a thatched and rendered grade II listed cottage that sits within a spacious plot of approximately 1 hectare. The dwelling is located within the Housing Settlement Boundary for Chedburgh and fronts the highway with the rear of the site stretching into the countryside. A double access point enters and exits onto Queens Lane. The southern boundary of the site bounds the rear gardens of dwellings on Chestnut Crescent up to the edge of the settlement boundary with Ash House and The Nook comprising the northern edge.
6. A disused swimming pool and tennis court are located to the rear of the dwelling. The boundaries comprise established trees and hedging.

Planning history:

7. Reference	Proposal	Status	Decision date
DC/22/2035/LB	Application for listed building consent - removal of the World War two Laing Hut	Application granted	March 2023

Consultations:

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

[DC/22/2034/FUL | Planning application - change of use of land to well-being centre comprising of a. central hub, b. therapy building, c. pets as therapy building, d. replacement storage building and animal enclosure e. installation of four camping domes f. remodelled access, parking and associated works g. replacement garage | Porters Farm Queens Lane Chedburgh Suffolk IP29 4UT \(westsuffolk.gov.uk\)](#)

9. West Suffolk Conservation Officer

- The disused tennis court and existing dilapidated buildings which detract from the setting of the listed building would be removed.
- The existing trees enclose the private garden and screen longer views of the site beyond.
- The land rises from the house towards the east and there is no intervisibility between the house and its garden and the wider site.
- Although the new garage would be larger than the existing one, it would be located to the side of the house, in the same place as the existing garage and remains clearly subservient to the listed building.
- The concept for the centre includes using the benefits of the natural environment and the buildings are designed to be simple and unobtrusive within their surroundings. They would be single storey and use materials with natural muted tones to suit their serene and calming environment.
- Overall, the proposals would enhance the immediate setting of the listed building. No objection to this application subject to conditions in respect of materials and details.

10. West Suffolk Public Health and Housing

No objections subject to conditions in respect of the noise report. Recommends clarification is sought on the proposed times of use and whether a condition could be used restricting these, although its recognised this might not be possible. Consideration could be given to restricting times of access/egress to the site, times of deliveries/collections, and a complete restriction on the playing of amplified music and /or amplified voice on site.

11. West Suffolk Environment Team – contaminated land

Satisfied that the risk from contaminated land is low.

12. West Suffolk Environment Team – Air Quality

Recommends condition to ensure 15% of parking spaces are fitted with electric charge points.

13. West Suffolk Waste Team

Asked for bin collection point details – These have since been shown in the layout plan.

14. Place Services – Landscape

- Note the limitation of views and intimate enclosure of the site, but careful consideration must be made to create a harmonious balance between vegetative screening from outside receptors whilst maintaining open landscape views from users of the Site.
- No Public Rights of Way (PRoW) or visual receptors that would sustain major adverse effects, however, it is recommended that the application be supported by a Landscape and Visual Appraisal (LVA) including night time character.
- Concerns with regard to the nocturnal character of the site and the impact of lighting to the tranquillity of the locality.
- The site plan indicates that the 4no. glamping domes would be introduced at the eastern extent of the site. Nevertheless, the dispersed pattern of settlement is a defining character and quality of this landscape. Therefore, the landscape is vulnerable to infill development which reduces the gaps between buildings and alters the loose and organic settlement character.
- Welcome the reduction in hard landscaping from initial plans as this retains the rural character and dispersed nature of settlement between buildings.
- Clarification required on surfacing within site
- Recommend the use of the 'Forest Green' outer canvas for the domes
- Suggestions for appropriate planting within the site
- Every effort should be made to minimise the urbanising influences (i.e., kerbing, widening, domestic paraphernalia) to ensure that the proposals are sympathetic to the rural surroundings.
- Recommends conditions for hard and soft landscaping and a landscape management plan.

15. Place Services – Trees

- The provided Arboricultural Impact Assessment (AIA) has shown 30 trees, 19 groups of trees and 2 shrub groups on or adjacent to the site.
- One of the trees has been classed a category A, 8 Trees and 4 groups as category B, 19 trees and 15 groups as category C and 2 category U trees.
- The removal of six category C trees, six category C groups and two category U trees have been outlined.
- The removal of category C trees is not a material consideration in relation to planning and therefore no objection is raised.
- The category U trees are likely to be removed irrespective of this application.
- The pruning works described are in line with British Standard.
- Mitigation planting has been stated for the removed trees, with the planting of 14 or 15 trees having been suggested, this would mitigate the removal of the number of trees.

- The proposed development includes encroachment into the Root Protection Areas (RPAs) of the retained trees. Mitigation measures include tree protection measures, ground protection and the use of hand tools as such negative impacts are limited.
- No objection in relation to arboriculture to this application, however an Arboricultural Method Statement and Tree Protection Plan is required accompanied with a soft landscaping plan.

16. Place Services – Ecology

No objection subject to securing biodiversity mitigation and enhancement measures by condition. This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

17. SCC Highway Authority

No objection subject to conditions regarding the access, visibility, surfacing, parking provision including cycles and electric charge points, gradient, construction management strategy and bin storage.

18. SCC Archaeology

There would be no significant impact on known archaeological sites or areas with archaeological potential. No objection to the development and no archaeological mitigation is required.

19. Suffolk Fire and Rescue

No additional water supply for fire fighting purposes is required in respect of this planning application. Recommends the provision of automatic sprinkler systems.

20. Anglian Water

Confirmed that Chedburgh water recycling centre has sufficient capacity for these flows in respect of wastewater and the proposed connection is acceptable.

Representations:

21. Cllr Chester (Ward member for Chedburgh and Chevington)

I attended the public meeting regarding the above application January 3rd. Subsequently, given the local interest and concern and notwithstanding the Parish Council's 'No objections', as Ward Member I would like to call the application in.

22. Chedburgh Parish Council comment:

No objections to these two planning applications but wish the following comments to be considered by WSC Planning Committee as they make their decision:

1. The Parish Council has some concern over the excessive strain that will be added to the already inadequate sewage system that runs under Queen's Lane and collects most of the village's sewage and has historically flooded when the water table is full due to heavy rain. According to the Flood Risk Assessment report 3:12 build over agreement with Anglian Water at the time of building needs to be addressed with sewers being 3m below the road surface. The Parish Council ask that this is given due consideration during the build phase of this project.

2. The parking should have a total of 15% given to electric parking spaces and not the 12.5% mentioned in the plan.
3. There is some concern from parishioners of Chedburgh that wildlife will be affected during the build period. Could there be some sort of practical management approach placed into the scheme to help the wildlife during the build process?
4. There was some concern over light levels from the pods once the site is built and up and running. Could there be reassurance that these pods do not shine brightly at night disturbing wildlife and local neighbours?
5. Could there be re-instatement of the boundary fence between the gardens of Chestnut Crescent and where the animal huts/shelters are to be sited. Also, could the animal shelters have their rear walls (with no windows) placed along this boundary fence with the animals' open areas placed on the other side of the buildings, or for these buildings to be sited at the opposite side of the plot away from this boundary?
6. Chedburgh Parish Council would also like to see the business licence contain the information that all travel to and from the site should be from the south of Chedburgh off the A143 junction and NOT from the north side of the village via Chevington junction with the A143.
7. When considering the business licence could West Suffolk Council add conditions regarding the ongoing growth to the business and limit the number accommodation pods that can be added and also a condition that it is to remain a Wellness and Health Hub and not be sold on as a tourist business in the future.
8. Finally, with regard to the demolition of the WWII Laing hut, the Parish Council will not contest its demolition and all agreed that the systems to be used to mitigate the sound of the gravel drive and the system to install low level lighting throughout the site and the traffic restrictions prompting the use of golf buggies or wheelbarrows is seen as a positive solution to these problems.

23.18 letters of objection were received from local residents raising the following summarised concerns:

- Wrong location
- Will change character of the area
- Hub building is too large and too close to Listed building
- Overdevelopment – out of keeping with village
- Close to neighbouring dwellings
- Loss of amenity – activity, disturbance, overlooking, change view, loss of privacy, noise, impact on mental health of residents
- Noise – from activity, gravel driveway and animals – 24/7
- Light pollution
- Air pollution
- Will create traffic and parking issues - Queens Lane is a quiet lane
- Detrimental impact on wildlife
- Lack of boundary fence
- Loss of trees
- Will overwhelm drainage and sewerage system
- Poor transport links
- No facilities in village
- Should not include increase in animals on site, issue with rats
- Rainwater and surface water disposal?
- Shouldn't provide tourist accommodation
- Concerns over law and order. How will site be policed
- Concerns over future development

- Development will not benefit the village – should donate percentage of profits to Parish Council
- Will set a precedent for future development

24.5 letters of support have been received making the following summarised comments:

- Positive addition to the village
- Need for facilities
- Good plan
- Minimal effect on views and environment of residents
- Positive effect on economy and job creation / prosperity to the village
- Concerns over sewage system should be raised with Anglian water and not the applicant
- Might encourage other small businesses possibly a local shop

Policy:

25. 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.

26. 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 DM5 Development in the Countryside

Policy DM7 Sustainable Design and Construction

Policy DM11 Protected Species

Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity

Policy DM13 Landscape Features

Policy DM15 Listed Buildings

Policy DM34 Tourism Development

Policy DM41 Community Facilities and Services

Policy DM46 Parking Standards

Vision Policy RV1 - Presumption in favour of Sustainable Development

Vision Policy RV17 - Chedburgh

Core Strategy Policy CS3 - Design and Local Distinctiveness

Other planning policy:

National Planning Policy Framework (NPPF)

27. 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:

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

- Principle of Development
- Visual Amenity
- Impact on Listed Building
- Impact on Residential Amenity
- Highway Safety
- Trees
- Ecology
- Other Issues

Principle of Development

29. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the policies set out in the Joint Development Management Policies Document (2015), the Core Strategy Development Plan Document (2010) and the Rural Vision (2014). National planning policies set out in the National Planning Policy Framework 2021 are also a key material consideration.

30. 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.

31. Chedburgh is classified a local service centre within the Core Strategy. The Rural Vision 2031 describes these centres as villages which have some services and facilities to meet the needs of their communities and may be

suitable for a small amount of additional growth. RV17 sets out the services available within the village (village hall, church, employment sites) and confirms its good transport links to the A143.

32. The applicants have offered mental health support informally for the last 4 years and this project seeks to formalise this use with a development specifically designed to promote well-being, largely, but not exclusively to healthcare workers. It is intended that dedicated mental health and wellbeing workshops (with a maximum of 12) take place 3 days a week at their peak. As well as the consultation and supportive care envisaged, the centre would offer opportunities to engage with nature and interact with the applicant's animals.
33. Policy DM41 refers to community facilities and services (including healthcare facilities) providing a vital role in terms of health and wellbeing, social, recreational and cultural needs of a community. Whilst this policy is generally applied to facilities used almost exclusively by the surrounding community, such as village shops, the centre proposed is focused largely (albeit not exclusively) on healthcare workers and will therefore also be accessed by those outside of the direct community. It is understood that several local groups have expressed an interest in using the site and as such, there is potential for local community benefit.
34. Policy DM5 is applicable as whilst the dwelling sits within the village and Housing Settlement Boundary for Chedburgh, due to the extent of garden, the rear of the site sits outside of this envelope and is classified as countryside. This policy seeks to protect the countryside from unsustainable development, albeit allows economic growth and enterprise that recognises the intrinsic character and beauty of the countryside where:
- It will not result in irreversible loss of best and most versatile agricultural land;
 - There will be no significant detrimental impact on the historic environment, character and visual amenity of the landscape or nature conservation and biodiversity; and
 - There will be no significant adverse impact on the local highway network.
35. In this case, the facility proposed encompasses a large single storey hub building with smaller detached buildings to house an individual therapy suite, pets as therapy building and replacement store and animal shelter.
36. The site has historically been residential garden (as opposed to agricultural land) and consequently, we are not considering loss of agricultural land. In respect of the other considerations these will be discussed further within the report.
37. Additionally, the proposed pods will provide self-sufficient short stay accommodation within the site. Whilst they may be used by those accessing the wellbeing centre they could also be booked independently. Policy DM34 seeks to direct overnight visitor accommodation to sites that relate well to the main urban areas and defined settlements and can be made readily accessible to adequate public transport, cycling and walking links. In addition, in rural areas it must also have no significant adverse

impact on nature conservation, biodiversity or the character and appearance of the landscape and be of an appropriate scale.

38. These considerations largely mirror those required under DM5 and consequently will be discussed further below.
39. The Rural Vision 2031 acknowledges that health services have limited resources and community groups and individuals need to take an increasing responsibility, particularly in rural areas. Aspiration 22 aims for villages that are vibrant hubs of activity with health services and activities wherever possible and practical.
40. National Planning policy increasingly refers to the link between good planning and positive impacts on mental health and wellbeing, particularly access to green space. The NPPF at chapter 8 promotes healthy and safe communities which states that planning decisions should *enable and support healthy lifestyles, especially where this would address identified local health and wellbeing needs*. Everyone is aware of the challenges which face the NHS at present and the impact that it has in its staff. This proposal has the potential to offer support to that crisis and assist West Suffolk in achieving their aspirations for locally based facilities. Whilst this must be seen as weighing in favour of the application, the development proposed must comply with the local plan and consequently, whilst the wellbeing centre and the tourism use could be acceptable in principle, this is subject to meeting the policy requirements outlined above.

Visual Amenity

41. 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 Framework 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.
42. These design aspirations are reflected in policies CS3 and DM2, which state that proposals for all development should create a sense of place and/or local character, recognising key features and special qualities of an area.
43. The garden of Porters Farm is naturally divided into distinct parcels by existing trees and landscaping and the proposal seeks to make use of this natural division. Positioning the Hub building within the central clearing prevents views from the front of the site as well as the host dwelling. The Eastern clearing extends to the rear of the site where the domes are proposed. The central car park is sited to the East of the dividing line of trees screening its view from the rest of the site.
44. Place Services have suggested a landscape visual assessment is submitted to support the application. These studies are useful in determining wider landscape impact of projects in the countryside. In this case, the boundaries of the site comprise established and mature tree planting. To the rear of the site, agricultural land bounds with no public right of way or public highway nearby. Given this, whilst views into the site are not achievable from the countryside, if they were they would be apparent only

to those working on the land as opposed to publicly available vantage points.

45. Concerns regarding the nocturnal character of the site are justified and in response a lighting schematic has been submitted detailing low level lighting throughout the site, albeit full details would be required by condition. The glamping pods would also be fitted with a curtain to prevent unnecessary light pollution.
46. The buildings themselves have been sensitively designed in single storey with pitched roofs and timber cladding. Their simple form and high quality appearance respect the rural nature of the site. Similarly, whilst it is necessary to provide a driveway and associated parking these are specified as a mesh gravel retaining system which is suitable to carry the necessary load required by building regulations and the fire service as well as reducing its appearance as far as possible. Utilising the various clearings in the site to locate buildings and parking areas where they will have least impact ensures a development which will be relatively unobtrusive. Furthermore, removal of the existing store and animal shelter as well as the disused tennis court are likely to improve the overall appearance of the site.
47. The setting is inherently rural and undoubtedly the buildings and associated infrastructure will have a somewhat urbanising effect on the site. Whilst a busy scene is created behind the dwelling with the disused swimming pool, tennis court and outbuildings, the rear of the plot appears tranquil and largely undisturbed. Notwithstanding this, beyond the frontage views of the site are almost entirely obscured by mature landscaping which conditions will ensure is retained. Further conditions will ensure a sensitive lighting scheme is achieved as well as low impact hard landscaping. Any harm in regard to the wider landscape must therefore be considered limited.
48. Therefore, in respect of policies 5 and DM34 the proposal is not considered to have a significant adverse impact on the character and visual amenity of the landscape.

Impact on Listed Building

49. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require the Local Planning Authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. This requirement for the safeguarding of heritage assets and their settings is echoed in local policy DM15.
50. The simple design, minimal scale and use of natural coloured materials appear sensitive to the host building. Prevailing landscape within the site ensures that there is no intervisibility between Porters Farm and the Hub building or longer views. The Conservation Officer acknowledges the benefits to removing existing dilapidated development which detract from the setting of the listed building and raises no objection to the overall development. The proposals would enhance the immediate setting of the listed building and consequently, the proposals are considered to comply with the provisions of policy DM15 and the NPPF.

Impact on residential Amenity

51. Policy DM2 seeks to protect against loss of amenity by reason of noise, light pollution, disturbance, overlooking and traffic as well as residential amenity.
52. A noise impact assessment has been submitted within the application. This has measured the existing background noise level and then taken into account any predicted sound to be made on site and its impact on the nearest receptors. This includes noise from the two proposed air source heat pumps, two air conditioning units, as well as noise from human activity, vehicles idling and car doors slamming. The report concludes that the predicted resultant noise levels from the proposed activities and plant are expected to meet appropriate and reasonable guidance and the relevant noise criteria.
53. At present the applicants have several farm yard animals (ducks, geese, pig, rabbits) which have been rescued over time. The proposal seeks to allow visitors to interact with these animals as a way of informal therapy. The intention is not to increase the number of animals on site which has been raised as a potential for further noise. The plans propose a new animal shelter which has been designed to improve the acoustic separation between adjacent dwellings and the animals.
54. Nearby residents have raised a number of other concerns largely in respect of the impact of the use of residential amenity. It is anticipated that vehicle movements will be limited to set arrival and departure times and it is likely that those immediately adjacent the site frontage will notice this activity.
55. There is the potential for the glamping domes to be rented separately to the wellbeing centre use and if full this could provide 16 additional people on site. The location of these domes on the Eastern boundary provides a separation distance of approximately 190 metres from the nearest dwelling. Intervening landscaping should also assist in dampening any sound emitted.
56. It is acknowledged that some views from direct neighbours may be possible but given the separation distance and single storey nature of the buildings they are unlikely to result in any overlooking or loss of privacy. During the course of the application the proposed store building has been amended to remove windows on the facing elevation which would have provided views into neighbouring gardens.
57. Concerns have been raised regarding ongoing growth of the site and whether a licence could restrict development. Planning permission would be required for any additional glamping domes or buildings as well as any proposal to change the use of the site and buildings within. Any subsequent planning application would be subject to the usual public consultation. Furthermore, concerns have been raised in terms of this development setting a precedent within the village. All applications are considered on their own merits.
58. A condition is recommended to secure a site management plan prior to first use of the centre or pods. This would set out the general timetable of events on site, specify parking and provide contact details for any issues

on site. It will also include 'site rules' for those visiting the site and outline how noise and activity will be controlled so it doesn't cause a disturbance.

59. Overall, whilst it is acknowledged that there will be considerable change to the amount of activity taking place on the application site, given the proposed use which is inherently quiet and mindful, combined with the location of buildings and landscape buffers, the proposal is not considered to result in a significant loss of amenity to local residents.

Highway Safety

60. 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.

61. 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. DM46 states that all development shall comply with Suffolk Highway Authority parking standards.

62. In terms of highway impact, at present the site is purely residential and the development proposed will undoubtedly increase traffic to the site. Chedburgh is approximately 5 miles from Bury St. Edmunds and does benefit from a direct link to the A143 and a bus service. However, it is realistic to assume that most visitors accessing the facility will travel by car, given the unique use proposed there is an assumption that some of the users will be travelling from further afield. The site is however accessible on foot with a lit pavement on Queens Lane for those locally to use as well as secure cycle storage provided.

63. Existing accesses at the site will be formalised with dropped kerbs providing an in and out arrangement to the existing gravelled frontage which contains 7 parking spaces. A new driveway will wind through the site consisting of a meshed gravel driveway which leads to a 16 space car park. The accompanying transport statement sets out how the number of spaces was achieved. The central car park would serve the workshop attendees and any external therapists. The front car park would accommodate those in the glamping domes. Given the days envisaged for glamping to take place, users would access the central car park for drop off and pick up, but would not be travelling through the site on workshop days.

64. There are no external areas of hard standing to accommodate additional vehicles so this amount of parking, whilst generous, is thought acceptable and no objections are raised by the Highway Authority.

65. In respect of policy DM5 the Highway Authority are satisfied that there will be no significant adverse impact on the local highway network and due to the location within a defined settlement and with access to public transport

and the main road, as well as a lit and paved footway the proposal complies with the provisions of DM34.

66. The proposals are therefore considered to comply with the provisions of the NPPF, DM2, DM5, DM34 and DM46

Trees

67. DM13 is the primary policy when considering the impact of proposals on landscape features, such as trees and planting, as well as landscape character. Whilst the site is not within an area of particular landscape sensitivity it is crucial that the development respects the rural setting of the locality.

68. The application is supported by a tree survey and arboricultural impact assessment. The report states that several trees will be removed and these are categorised as C or U. As such, no objection is raised to their removal. 14 replacement trees have been suggested to ensure there is no loss to tree cover. All works proposed to retained trees is in line with British standards. Furthermore, whilst there is some encroachment into root protection areas the mitigation measures outlined are considered appropriate.

69. Consequently, the application accords with DM13 in that all tree removals and works thereon are considered acceptable and will ensure no adverse impact to the well treed character of the site.

Ecology

70. When determining applications, the Local Planning Authority has a statutory duty to consider biodiversity under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006. The NPPF within section 15, para 180 seeks to conserve and enhance biodiversity and suggests that opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity.

71. At a local level, this is exhibited through policies DM11 and DM12. The NPPF as well as DM12 seek to ensure that all developments provide ecological enhancements.

72. There are no sites of international or national importance within or directly adjacent to the site. However, there are habitats within the application site including hedgerows and trees which contribute to the biodiversity of the site and have the potential to support protected species.

73. A preliminary Ecological Appraisal has been submitted which confirms that the proposed development will not directly impact or cause the loss of habitats suitable for use by protected species. Mitigation measures during construction have been outlined and will be captured within a condition.

74. On this basis, the application is considered to result in a biodiversity net gain with a condition recommended to secure the delivery of these enhancements in accordance with policies DM11, DM12 and the NPPF.

Other Issues

75. The site is located in flood zone 1 which is at the least risk of flooding. However local residents have raised concerns in respect of surface water flooding and foul drainage. The drainage hierarchy states that sewerage should be connected to the mains if it is available. Given that this connection is available and Anglian Water have confirmed there is capacity to accommodate it, this is the correct drainage method. In terms of surface water drainage this is provided on site to manage the additional flow.
76. 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.
77. 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).
78. 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.
79. Electric vehicle charge points are shown on the proposed layout, totalling 15% of the spaces onsite and it is recommended that prior to first use these spaces are provided with charge points.

Conclusion:

80. The development proposed involves some urbanisation of the site which at present is predominantly laid to grass. The infrastructure associated with the development requires a considerable length of driveway and parking areas in addition to the buildings themselves. Furthermore, this indicates the amount of traffic likely to access the site. Only 5 miles from Bury St. Edmunds, the site has an innately rural character which would be subject to considerable change as a result of this development. As such, the recommendation has to be a balanced one.
81. The site is almost entirely enclosed by established trees and hedging, such that views into the site are severely limited. As a consequence, there is extremely limited harm to the wider landscape character. The buildings have been designed to be high quality and sensitive to their location within the grounds of a heritage asset. Their simple discreet form and positioning within the clearings of the site ensure they remain unobtrusive. Consultees have not raised objections to the application, albeit a number of finer details are required and secured by condition. The proposal is considered to enhance the setting of the listed building, preserve the internal landscape features of the site, protect ecology and not have an adverse

impact on highway safety. It is acknowledged that those residents close to the site will experience change as a result of activity within the site. Given the limitation of visibility from these dwellings, combined with the nature of the proposed use any loss of residential amenity is considered to be marginal.

82. The proposal to provide a non-medical wellbeing facility to those working for the national health service is a unique offering. It meets the aspirations within the Local Plan to provide healthcare facilities within villages and by individuals as opposed to relying on the currently struggling system. Indeed, it is the tranquil setting and rural character which is so integral to this particular development. Therefore, whilst acknowledging the dis-benefits discussed within this report and giving them adequate weight in the balance of considerations, the benefits are considered to outweigh these.

83. Having regard to the local plan and national planning policy, the application is considered to be in compliance with policies DM1, DM2, DM5, DM11, DM12, DM13, DM15, DM34, DM46, CS3, RV1 and the NPPF and recommended for approval.

Recommendation:

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

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

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

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

Reference number	Plan type	Date received
TP075- 1000 REV 5	Existing site plan	22.11.22
TP075- 1110 REV 1	Existing plans	22.11.22
TPO75-1050 REV 11	Proposed site plan	26.1.23
TPO75-1051 REV 9	Proposed site plan	26.1.23
TP075- 1100 REV 1	Proposed plans	22.11.22
TP075- 1105 REV 1	Proposed plans	22.11.22
TP075- 1115 REV 2	Proposed plans	26.1.23
TP075- 1120 REV 2	Existing and proposed plans	26.1.23
F40	Proposed plans	26.1.23
F50	Proposed plans	26.1.23

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

- 3 A Construction Management Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. The strategy shall include access and parking arrangements for contractors' 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.

- 4 Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time on Sundays, public holidays or bank holidays.

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.

- 5 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.

- 6 No development above ground level shall take place until a scheme of soft landscaping for the site drawn to a scale of not less than 1:200, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include accurate indications of the position, species, girth, canopy spread and height of all existing trees and hedgerows on and adjacent to the site and details of any to be retained, together with measures for their protection during the course of development. It shall

also 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 or retained trees removed, dying or becoming seriously damaged or diseased within five years of planting/commencement shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation. The works shall be completed in accordance with the approved plans and in accordance with a timetable to be agreed with the Local Planning Authority.

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

- 7 All mitigation measures and/or works shall be carried out in accordance with the details contained in the version two of the Preliminary Ecological Appraisal (Samsara Ecology, January 2023) 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).

- 8 Prior to first use of the site 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 plans 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)

- 9 Prior to first use of the hub building a Biodiversity Enhancement Strategy for protected and Priority species prepared by a suitably qualified ecologist 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 or product descriptions to achieve stated objectives;
 - c) locations, orientations and heights of proposed enhancement measures by appropriate maps and plans (where relevant);
 - d) persons responsible for implementing the enhancement measures; and
 - e) details of initial aftercare and long-term maintenance (where relevant).
- The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species).

- 11 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.

- 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 Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 13 No development above ground level shall take place until details in respect of the following have been submitted to and approved in writing by the Local Planning Authority.

- (i) details of the design, materials and colour/finish for the garage door in the south-west elevation
- (ii) details of the cladding, including its colour/finish, and clay tiles for the garage
- (iii) details of the works to be carried out to the swimming pool to convert it to a store
- (iv) details of the welcome, entrance and exit signs at the front of the site, including their sizes, materials, colours and any supports required

The works shall be carried out in full accordance with the approved details unless otherwise subsequently 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 and DM16 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 No other part of the development hereby permitted shall be commenced until the existing vehicular accesses has been improved, laid out and completed in all respects in accordance Suffolk County Council's standard access drawing DM03, with a minimum entrance width of 4.5 metres and appropriate signage for entry and exit and made available for use. Thereafter the access shall be retained in the specified form.

Reason: To ensure that the layout of the existing access is improved to an appropriate specification at an appropriate time in the interests of the safety of persons using the access and users of the highway. This needs to be a pre-commencement condition because access for general construction traffic is not otherwise achievable safely.

- 15 The gradient of the access driveway shall not be steeper than 1 in 12 measured from the nearside of the edge of the highway.

Reason: To avoid unacceptable safety risk from skidding vehicles and provide for pedestrian and cycling access.

- 16 Before the accesses are first used, visibility splays shall be provided as shown on Drawing No. TP075-1050, Rev. 9 with an X dimension of 2.4 metres and a Y dimension of 59 metres to the nearside edge of the carriageway for the 'Exit Only' access 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 safe 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.

- 17 Prior to the development hereby permitted being first occupied, the existing vehicular accesses onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres measured from the nearside edge of the metalled carriageway, in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure construction of a satisfactory access and to avoid unacceptable safety risks arising from materials deposited on the highway from the development.

- 18 The use shall not commence until the area(s) within the site shown on Drawing No's. TP075-1050 Rev. 11 and TP075-1051 Rev. 9 for the purposes of manoeuvring and parking of vehicles including electric vehicle charging infrastructure has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on-site parking of vehicles is provided and maintained to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway and promote sustainable modes of travel.

- 19 The use shall not commence until the area(s) within the site shown on Drawing No. TP075-1050 Rev. 11 for the purposes of secure cycle storage has been provided and thereafter the area(s) shall be retained, maintained, and used for no other purposes.

Reason: To ensure that sufficient areas for secure cycle storage are provided in accordance with Suffolk Guidance for Parking (2019) to promote sustainable travel.

- 20 Prior to first use of the development hereby approved:
- i) All of the noise protection and mitigation measures and recommended best practices associated with the development as detailed from paragraph 6.29 Mitigation Measures in the Healthy Abode (HA) Acoustics NOISE IMPACT ASSESSMENT OF PROPOSED WELL-BEING CENTRE at PORTERS FARM, QUEENS LANE, CHEDBURGH, SUFFOLK IP29 4UT, REFERENCE HA/AE395/V1, Date of Report 9 November 2022 shall be completed in their entirety in accordance with the approved details.
 - ii) The completion of the works shall be verified on site by a specialist noise consultant and the Local Planning Authority shall be notified in

writing of the completion and verification of the works.
Thereafter the approved works shall be retained.

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.

- 21 Deliveries to the site shall only take place between the hours of 07:00 and 19:00 Mondays to Saturdays with any deliveries outside of these times unloading at the front of the site at Porters Farm.

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

- 22 The holiday let units hereby permitted shall be occupied only as holiday letting accommodation or to support the wellbeing centre and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning Use Classes Order 1987 as amended or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order). The development shall not be occupied as a person's sole or main place of residence. Each letting as holiday accommodation shall not exceed a period of three weeks nor shall the unit be let or occupied to any one individual or party for a period exceeding four weeks in total within any 12 month period. On commencement of the holiday let use hereby permitted, the owners/operators of the holiday let units shall keep at all times an up-to-date Register of all lettings which shall include the name and address of the person or party occupying the accommodation during each individual letting. The Register shall be made available for inspection on demand by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area, in accordance with policy DM34 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 6 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 23 The areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins as shown on Drawing No. TP075 1050 Rev. 11 and TP075-1051 Rev. 9 shall be provided in their entirety before the development is brought into use 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.

- 24 Prior to first use of the well-being centre or holiday lets hereby approved, a site management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan will outline the 'site rules' and how they will be implemented to ensure noise and activity is adequately controlled. This will include a general timetable of workshops, any other

use and parking.

The development shall be implemented and operated in accordance with the site management plan with any changes approved in writing by the local authority.

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

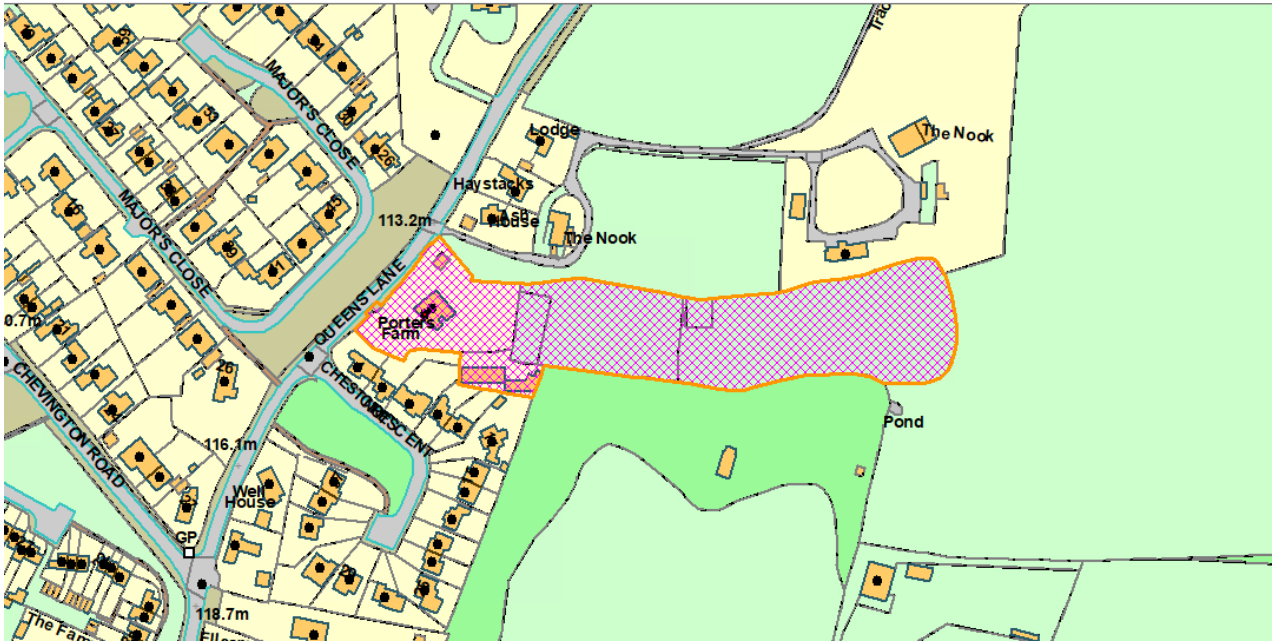
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/2034/FUL](#)

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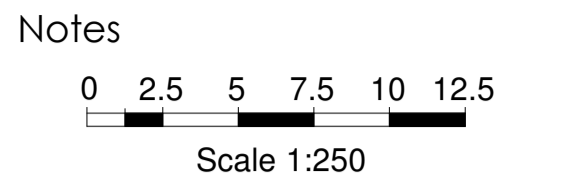


DC/22/2034/FUL and DC/22/2035/LB - Porters Farm, Queens Lane, Chedburgh



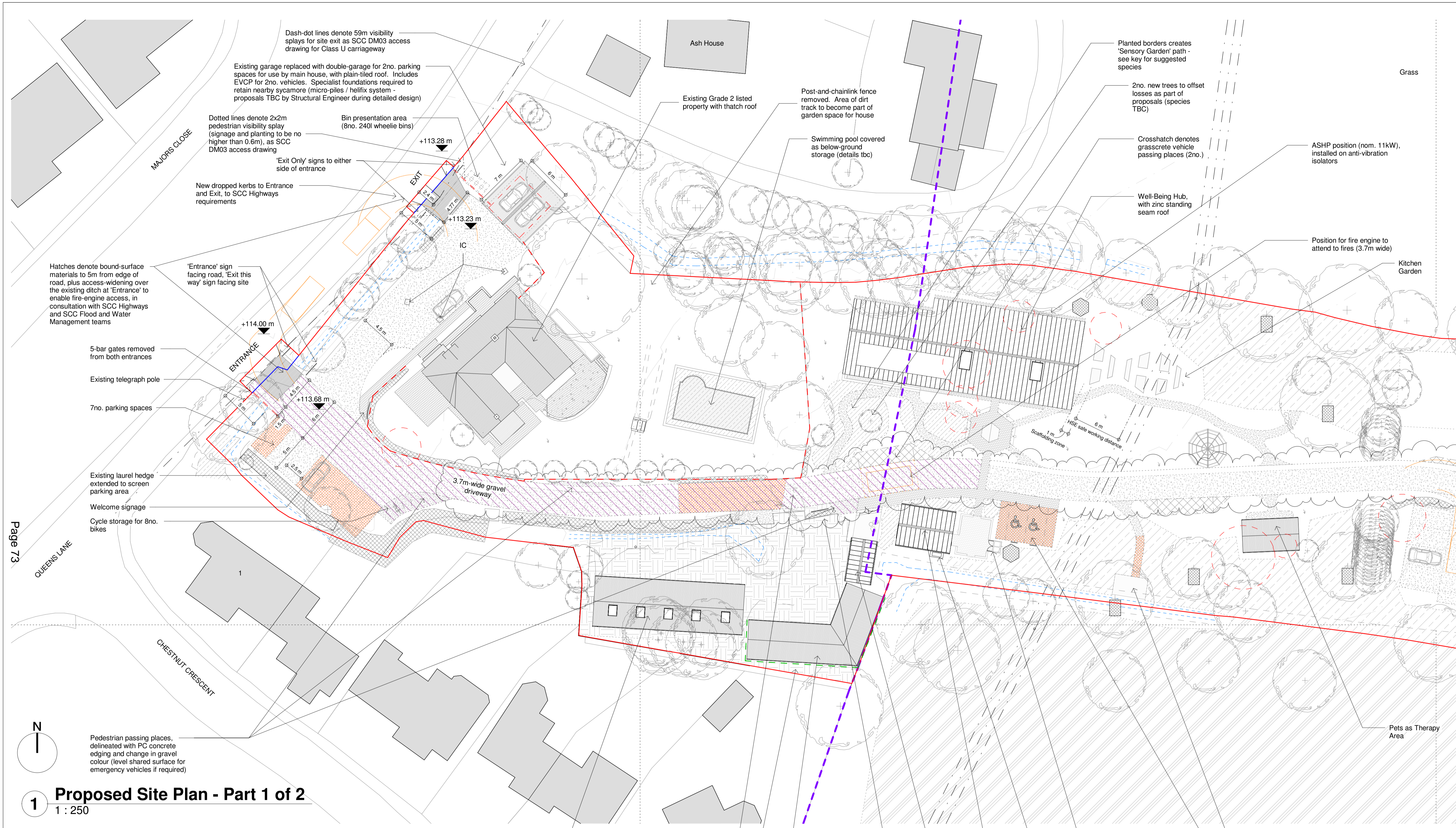
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This drawing is for information only and not to be used for construction. The architect is to be informed of any errors before work proceeds.

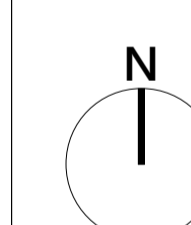


Drawing to be read in conjunction with proposals by Ligna Consultancy (Arbicultural), EAS Transport Planning, HA Acoustics, and Samsara Ecology

- Site / Floor Plan Key**
- Application Boundary
 - Site Ownership Boundary
 - - - Notional separation between private residential areas and the proposed wellbeing centre
 - - - Chedburgh Settlement Boundary (estimated)
 - - - Surface water ditch
 - - - Bank edge
 - Overhead Lines (11kW)
 - Fire engine tracking - to be read in conjunction with supporting information by EAS Transport
 - - - Tree removals
 - ▨ Gravel paths / driveway
 - ▨ Grasscrete
 - ▨ Tarmac / Similar
 - ▨ No-dig 3D cellular system to protect root areas. Ground levels raised to suit (nom. 150mm increase) - see proposals by Ligna Consultancy
 - ▨ Gravel retention system as Terram Bodpave 85 or similar
 - ▨ Paths / Hardstanding
 - ▨ Patio (porcelain planks)
 - ▨ Pebble border with french drain system below to connect to sitewide positive drainage system
 - ▨ Hedges
 - ▨ Plants / Groundcover
 - ▨ Earth



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1 Proposed Site Plan - Part 1 of 2
1 : 250

- Ecology**
- As recommended by Samsara Ecology, "Planting in the sensory garden and around the site should be nectar-rich and provide food throughout the season.
- Plants can include:-
- Coneflower - *Echinacea spp.*
 - English bluebell - *Hyacinthoides non-scripta*
 - Heather - *Erica cinerea*
 - French marigold - *Tagetes patula*
 - Currant - *Ribes spp.*
 - Lady's bedstraw - *Galium verum*
 - Golden rod - *Solidago spp.*
 - Grape hyacinth - *Muscari armeniacum*
 - Lavender - *Lavandula angustifolia*
 - Honeysuckle - *Lonicera periclymenum*
 - Lungwort - *Pulmonaria officinalis*
 - Ice plant - *Sedum spectabile*
 - Primrose - *Primula vulgaris*
 - Purple toadflax - *Linaria purpurea*
 - Sweet violet - *Viola odorata*
 - Meadow saffron - *Colchicum autumnale*
 - Winter aconite - *Eranthis hyemalis*
 - Sea holly - *Eryngium maritimum*
 - Michaelmas daisy - *Aster pyrenaicus*
 - Wood anemone - *Anemone nemorosa*
 - Verbena - *Verbena bonariensis*
 - Common sunflower - *Helianthus annuus*
 - Alyssum - *Alyssum montanum*
 - Wallflower - *Erysimum cheiri*
 - Red valerian - *Centranthus ruber*
- As recommended by Samsara Ecology, "Planting schemes should also include night-scented plants, which will attract prey species of bats. The scheme could include:-
- Cherry pie (*Heliotropium arborescens*)
 - Evening primrose (*Oenothera biennis*)
 - Honeysuckle (*Lonicera periclymenum*)
 - Night-scented catchfly (*Silene noctiflora*)
 - Night-scented stock (*Matthiola bicornis*)
 - Nottingham catchfly (*Silene nutans*)
 - Soapwort (*Saponaria officinalis*)
 - Sweet rocket (*Hesperis matronalis*)
 - Tobacco plant (*Nicotiana glauca*)
 - White jasmine (*Jasminum officinale*)
- Improvements**
- ▨ Insect Hotels (2no.)
 - ▨ Hibernaculum (nom. 1.5m dia.) (1no.)
 - ▨ Bird Boxes (5no.)

Rev	Date	Description	Drwn	Chkd
11	20.01.2023	Driveway widened to 3.7m to suit fire safety officer comments	MP	-
10	11.01.2023	South-facing windows to Stores removed and replaced with rooflights. Description for construction for Animal Shelter added	MP	-
9	23.12.2022	Revised following comments from highways	MP	-
8	15.11.2022	Planning Submission	MP	-
7	04.11.2022	Planning Review	MP	-
4	21.10.2022	General revisions	MP	-
5	03.10.2022	Design updates following consultant feedback	MP	-
4	14.09.2022	Design update. Drawing rescaled to 1:250	MP	-
3	14.07.2022	Design development for new concept	MP	-
2	09.12.2021	Additional passing place	MP	-
1	09.12.2021	First issue	MP	-

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Project: Porter's Farm, Queens Lane, Chedburgh, IP29 4UT

Drawing: Proposed Site Plan - Part 1 of 2

Drawing Number	Revision
TP075 - 1050	11

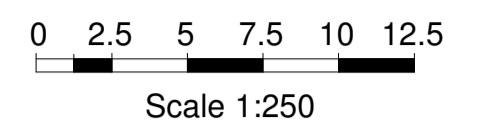
Scale(s)	First Issue	Site	Drwn	Chkd
1 : 250	09.12.2021	AI	MP	-

Status: Planning Application

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This drawing is for information only and not to be used for construction. The architect is to be informed of any errors before work proceeds.

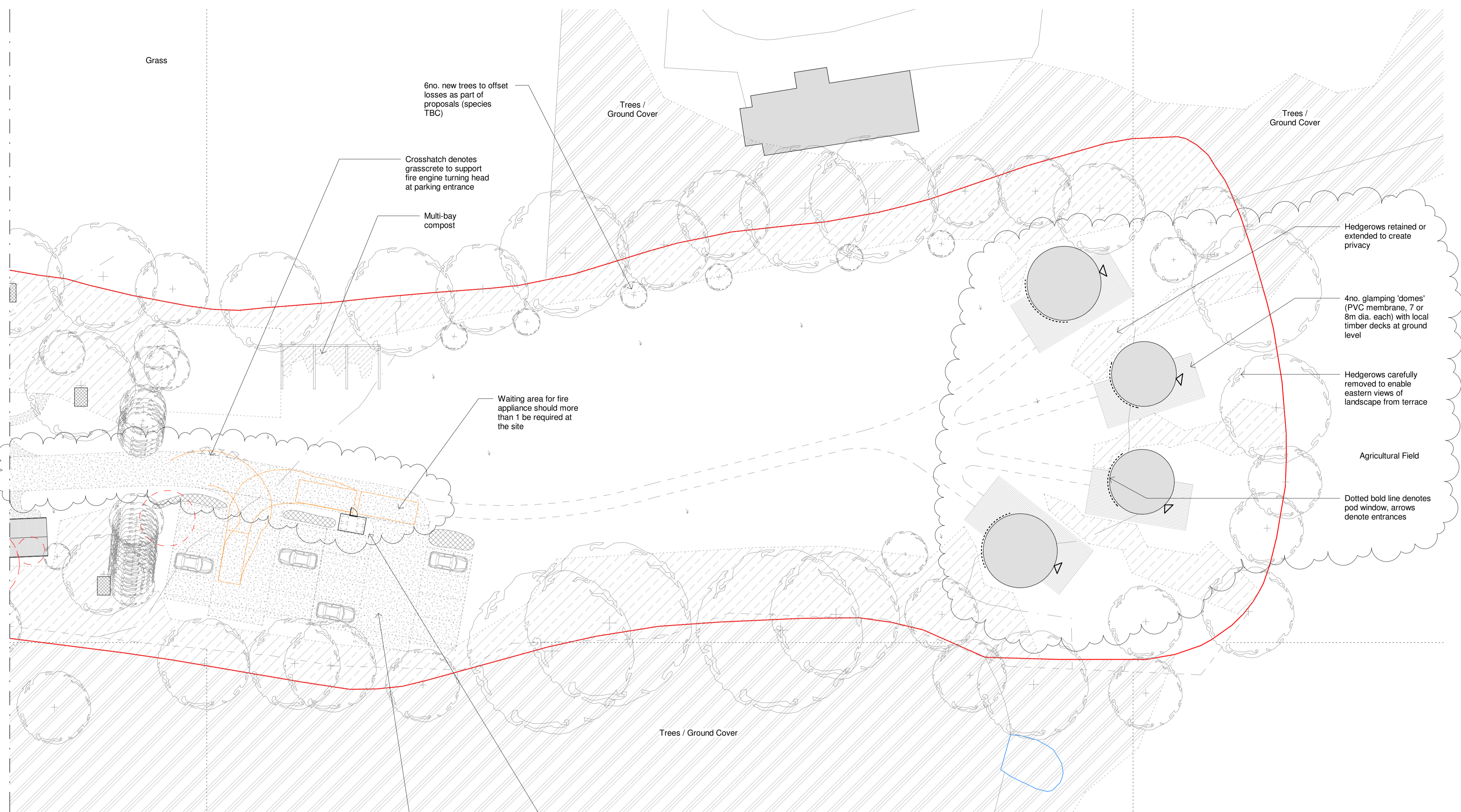
Notes



Drawing to be read in conjunction with proposals by Ligna Consultancy (Arboricultural), EAS Transport Planning, HA Acoustics, and Samsara Ecology

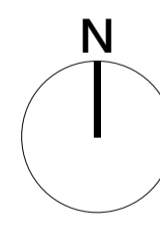
Site / Floor Plan Key

- Application Boundary
- Site Ownership Boundary
- - - Notional separation between private residential areas and the proposed wellbeing centre
- - - Chedburgh Settlement Boundary (estimated)
- - - Surface water ditch
- - - Bank edge
- - - Overhead Lines (11kV)
- Fire engine tracking - to be read in conjunction with supporting information by EAS Transport
- - - Tree removals
- Gravel paths / driveway
- Grasscrete
- Tarmac / Similar
- No-dig 3D cellular system to protect root areas. Ground levels raised to suit (nom. 150mm increase) - see proposals by Ligna Consultancy
- Gravel retention system as Terram Bopave 85 or similar
- Paths / Hardstanding
- Patio (porcelain planks)
- Pebble border with french drain system below to connect to sitewide positive drainage system
- Hedges
- Plants / Groundcover
- Earth



See drawing 1050 for Proposed Site Plan - Part 1 of 2
Page 75

1 Proposed Site Plan - Part 2 of 2
1 : 250



16no. parking spaces (2no. to include EVCPs, with infrastructure in place for future connectivity for 5no. additional spaces). Parking area as short-term drop-off for glamping pods - visitors to use wheelbarrows / golf buggies to carry luggage

Bin store for short-stay domes (4no. 240l wheelee bins)

Ecology

Planting
As recommended by Samsara Ecology.
"Planting in the sensory garden and around the site should be nectar-rich and provide food throughout the season."

- Plants can include:-
- Coneflower - *Echinacea* spp.
 - English bluebell - *Hyacinthoides non-scripta*
 - Heather - *Erica cinerea*
 - French marigold - *Tagetes patula*
 - Currant - *Ribes* spp.
 - Lady's bedstraw - *Galium verum*
 - Golden rod - *Solidago* spp.
 - Grape hyacinth - *Muscari armeniacum*
 - Lavender - *Lavandula angustifolia*
 - Honeysuckle - *Lonicera periclymenum*
 - Lungwort - *Pulmonaria officinalis*
 - Ice plant - *Sedum spectabile*
 - Primrose - *Primula vulgaris*
 - Purple toadflax - *Linaria purpurea*
 - Sweet violet - *Viola odorata*
 - Meadow saffron - *Colchicum autumnale*
 - Winter aconite - *Eranthis hyemalis*
 - Sea holly - *Eryngium maritimum*
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 - Common sunflower - *Helianthus annuus*
 - Alyssum - *Alyssum montanum*
 - Wallflower - *Erysimum cheiri*
 - Red valerian - *Centranthus ruber*

As recommended by Samsara Ecology.
"Planting schemes should also include night-scented plants, which will attract prey species of bats. The scheme could include:-

- Cherry pie (*Heliotropium arborescens*)
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- Soapwort (*Saponaria officinalis*)
- Sweet rocket (*Hesperis matronalis*)
- Tobacco plant (*Nicotiana glauca*)
- White jasmine (*Jasminum officinale*)

Improvements

- Insect Hotels (2no.)
- Hibernaculum (nom. 1.5m dia.) (1no.)
- Bird Boxes (5no.)

Rev	Date	Description	Drwn	Chkd
9	26.01.2023	Glamping pods reduced in scale and repositioned	MP	-
8	20.01.2023	Driveway widened to 3.7m to suit fire safety officer comments	MP	-
7	11.01.2023	Driveway extent revised	MP	-
6	23.12.2022	Revised following comments from Highways	MP	-
5	15.11.2022	Planning Submission	MP	-
4	04.11.2022	Planning Review	MP	-
3	21.10.2022	General revisions	MP	-
2	03.10.2022	Design updates following consultant feedback	MP	-
1	14.09.2022	First Issue	MP	-

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Project
Porter's Farm, Queens Lane, Chedburgh, IP29 4UT

Drawing
Proposed Site Plan - Part 2 of 2

Drawing Number
TP075 - 1051

Scale(s)
1 : 250

Status
Planning Application

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Development Control Committee

5 April 2023

Planning Application DC/22/1378/FUL – All Saints Hotel, The Street, Fornham St Genevieve

Date registered:	5 August 2022	Expiry date:	2 October 2022 EoT 07 April 2023
Case officer:	Tamara Benford-Brown	Recommendation:	Approve application
Parish:	Fornham St. Martin cum St. Genevieve	Ward:	The Fornhams and Great Barton
Proposal:	Planning application - outdoor gymnasium including open sided exercise shelter, moveable exercise equipment and equipment storage container		
Site:	All Saints Hotel, The Street, Fornham St Genevieve		
Applicant:	Mr David Harris		

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:

This application is before Development Control Committee following a referral from Delegation Panel on 7 March 2023.

The Parish Council have raised objections to the proposal which is contrary to the officer's recommendation for APPROVAL.

A site visit is due to take place on Monday 3 April 2023.

Proposal:

1. The application seeks planning permission for an already constructed and operating (retrospective) outdoor gym alongside associated equipment and storage container. The gym is located within the grounds of All Saints Hotel and is used by The Health Club who are based at the hotel. The outdoor gym is used by both members of The Health Club and hotel guests with regular exercise classes scheduled at the site.
2. At the time of the application, there are two additional planning applications pending decision within All Saints Hotel (DC/22/1887/FUL & DC/23/0051/FUL), one for a new access and another for the installation of two tennis courts.

Site details:

3. All Saints Hotel is located along The Street in Fornham St Genevieve and outside of any settlement boundary. Therefore, the site is located within designated countryside for planning policy purposes. Across the site there are two Tree Preservation Orders; John's Hill Plantation and Fornham Park under the references 030(1960) and 003(1974) with both constituting woodlands made up of mixed species. There is a Public Right of Way track which runs north-west to south-east of the site through the golf course associated with the hotel.
4. The outdoor gym itself is located towards the south-east of the hotel complex. Due to the changes in ground levels, the gym is located on a slight hill within John's Hill Plantation, which leads from the car park towards the main entrance via a concrete access track. The gym is surrounded by trees with the golf course towards the south. Adjacent to the hotel complex to the east, there is a residential housing estate which can be accessed via the B1106. Park Avenue, St Andrews Drive and Birkdale Court are residential cul-de-sacs within the estate with dwellings backing onto the All Saints Hotel complex. The closest residential dwellings to the outdoor gym sit approx. 50m from the site.

Planning History

5. Most recent applications:

Reference	Proposal	Status	Received date	Decision date
DC/16/0808/FUL	Planning Application - Equipment and maintenance store	Application Granted	19 April 2016	16 June 2016

DC/16/1338/FUL	Planning Application - Construction of (i) two storey front extension in association with spa (ii) 1no. first floor front extensions in association with spa (iii) 1no. first floor extension in association with hotel lobby and (iv) single storey golf club building	Application Granted	23 June 2016	18 October 2016
DC/17/1351/FUL	Planning Application - Creation of access off Mildenhall Road into All Saints Golf and Country Club	Application Granted	29 June 2017	26 January 2018
DC/18/1372/FUL	Planning Application - New bedroom wing to existing hotel to create 42 no. additional rooms	Application Granted	16 July 2018	4 July 2019
DC/19/0533/FUL	Planning Application - (i) New vehicle access (ii) modifications to pedestrian access, landscaping and relocated parking following closure of existing access	Application Granted	26 March 2019	24 September 2019
DC/19/1700/FUL	Planning Application - (i) Change of use of part of golf course for the siting of 35no. caravan holiday homes (ii) new access from A1101 (iii) construction of access roads, parking spaces and associated infrastructure (as amended by email on 14.01.2019 to omit 2 caravans)	Application Refused	20 August 2019	7 February 2020
DCON(A)/19/0533	Application to Discharge Condition 6 (construction management strategy) of DC/19/0533/FUL	Application Granted	9 October 2019	27 November 2019
DC/19/2144/FUL	Planning Application - Single storey reception hall extension to front of hotel	Application Granted	23 October 2019	9 December 2019
DC/19/2201/FUL	Planning Application - single storey rear extension	Application Granted	6 November 2019	18 December 2019
DC/20/0682/FUL	Planning Application - (i) Change of use of part of golf course for the siting of 35no. caravan holiday homes (ii) new access from A1101 (iii) construction of access roads, parking spaces and associated infrastructure	Application Refused	23 April 2020	21 July 2020

(previous application
DC/19/1700/FUL)

DCON(A)/17/1351	Application to discharge Condition 8 (Surface Water) of DC/17/1351/FUL	Application Granted	4 August 2020	24 September 2020
DC/20/1912/FUL	Planning application - Change of use of part of golf course for the siting of to 22 caravan lodge holiday homes with construction of new access, road, parking spaces and associated infrastructure	Application Withdrawn	3 November 2020	19 January 2021
DC/20/1919/FUL	Planning application - First floor extension with external terrace and hipped roof	Application Granted	6 November 2020	11 January 2021
DC/21/0128/FUL	Planning application - a. two storey extension above existing three storey bedroom wing b. five storey extension, creating a total of nine residential dwellings	Application Refused	22 January 2021	3 June 2021
DC/21/0445/FUL	Planning Application - two tennis courts, one pickleball court and golf driving range with fencing	Application Granted	2 March 2021	15 November 2021
DC/21/1142/FUL	Planning application - a. change of use of part of golf course for the siting of 15 caravan lodge holiday homes b. associated infrastructure (as amended)	Application Refused	24 May 2021	4 February 2022
DC/21/1426/FUL	Planning application - a. reconfiguration of second floor roof to existing bedroom wing b. four storey linked extension creating 37 bedrooms and three residential dwellings on the second floor.	Application Refused	8 July 2021	12 October 2022
DC/21/1582/FUL	Planning application - single storey extension to eastern elevation of existing facility to create a members lounge	Application Granted	30 July 2021	16 November 2021
DC/22/0483/FUL	Planning application - a. reconfiguration of second floor roof to existing bedroom wing b. four storey linked extension creating 46 bedrooms	Application Granted	18 March 2022	17 June 2022

DC/22/1104/FUL	Planning application - first floor extension to gymnasium	Application Granted	22 June 2022	16 August 2022
NMA(A)/22/0483	Non-material amendment for DC/22/0483/FUL - re-definition of internal floor layouts	Application Granted	16 August 2022	13 September 2022
DC/22/1831/FUL	Planning application - a. reconfiguration of second floor roof to existing bedroom wing b. four storey linked extension creating 43 bedrooms	Application Granted	21 October 2022	26 January 2023
DC/22/1887/FUL	Planning application - create access into All Saints Golf and Country Club	Pending Decision	31 October 2022	
DCON(A)/22/0483	Application to discharge conditions 3. (ecological enhancement); 4 (Great crested newts); 6. (Arb method statement); 7. (Tree protection measures); 8. (Archaeology WSI); 9. (Archaeology post-instigation); 11. (HGV management); 14. (Electric vehicle charging point) of DC/22/0483/FUL	Application Granted	11 November 2022	4 January 2023
DC/22/2018/FUL	Planning application - first floor extension above existing reception to create office space	Application Granted	18 November 2022	23 January 2023
DC/23/0051/FUL	Planning application - construction of two outdoor tennis courts (as amended 03.03.2023)	Pending Decision	11 January 2023	
DC/23/0290/VAR	Planning application - variation of condition 2 (approved plans) of DC/22/0483/FUL to enable use of amended plans to include Infill of lower ground floor level link between new and existing bedroom wings	Pending Consideration	13 March 2023	
DCON(A)/21/1142	Application to discharge conditions 4, 8, 16, 18, 19, 20, 23 and 25 of DC/21/1142/FUL	Pending Consideration	22 February 2023	

Consultations:

6. The following comprises summaries of the consultation responses received for this planning application. Copies of the full comments can be viewed on the online planning application file published on the Council's [website](#).
7. Consultation responses are split into comments on the original submissions from 16.08.2022 and the re-consultation 01.02.2023

8. **Fornham All Saints Parish Council:**

12.09.2022

"Fornham St Martin cum St Genevieve Parish Council Objects to application DC/22/1378/FUL, with the following comments;

1. Firstly, we would like to raise our concerns over the fact that the application is retrospective and bring attention to the applicants' blatant disregard for Planning Law. The lack of a planning application has meant that all the proper safeguards to protect wildlife, the environment, neighbours and any archaeology have been bypassed. In April 2021, following a site inspection by Planning Enforcement Officer, Andy Smith, it was noted that a request had been made to the owner to submit planning permission, albeit retrospectively, however it has taken another 16 months for this to be submitted.
2. The fact that the structure has already been built within St Johns Plantation, without the appropriate planning permission, within an ancient woodland that is protected by TPO 030(1960) W1 and TPO 003(1974) W1, shows the applicants complete disregard for the natural environment and historical and environmental value of the site. Paragraph 170 of the National Planning Policy Framework states: 'Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan). The application does not mention the loss of trees, it also states that there are no protected or priority species or important habitats on the site, however, it is impossible to know what was destroyed by the removal of the trees and subsequent building works as no ecology assessment was made prior to their destruction and construction of the gym. Concerns regarding the felling of the trees were raised in March 2021 and in April 2021; as the Parish Council we reported this to the local Enforcement Team to investigate and in April 2021 were advised that a site inspection had taken place, by Tree Officer Falcon Saunders, and it was noted that there had been a loss of trees and that land levels had changed which may be detrimental to the remaining trees in the area. It was stated that actions should be carried out to mitigate some of the damage that has already occurred by carrying out remedial works and replacement planting, along with replacement planting at a previous site where tree felling had taken place within the protected woodland (without permission), none of which has been carried out or enforced. Again, this highlights a historical disregard by the applicant for obtaining the correct permissions, adhering to planning/TPO law, adhering to enforcement recommendations and lack of concern for the local environment.
3. It is noted that there is a concrete track a "service track" within the woodland on the maps in the application; which is used by groundskeepers and

presumably used during construction, this track also has no planning permission and again there is evidence of trees being felled for the construction of the track.

4. Over the last two summers neighbours have been subjected to noise disturbance, starting as early as 6:45am most days, this incorporates loud shouting by instructors, music and repetitive noise from the use of a punch bag. Not to mention the noise endured by neighbours from heavy construction machinery during construction to fell trees, along with that was the pollution from bonfires regularly lit near neighbouring properties to dispose of the trees once felled. Residents have been historically complaining to the applicant and the gym staff regarding the noise, with no resolution to the issue being reached, and in fact with little effort from the applicant to resolve the issues being demonstrated. The noise of the instructors 'shouting encouragement' and counting 5,4,3,2,1 can be heard clearly by neighbours and as far away as Lark Valley Drive end of Birkdale Court, some 300 metres away. The Parish Council have also raised the issue of noise disturbance to the applicant, again with no demonstration of any action to remediate the situation. Again, had planning permission been applied for before construction, the issue of noise pollution from the gym could have been addressed and conditions set to ensure this did not become a problem for residents. We would strongly recommend that if permission is granted, that conditions of approval be set to ensure the following; NO loud music, NO loudspeakers only headphones to be used, with opening hours 8am-5pm only, with NO Sundays or Bank Holidays.
5. Nearby neighbours are also being affected by early morning and evening light pollution, due to the lights used at the gym. Residents close by have reported light shining into their windows.
6. The application states 'No' under "Can the site be seen from a public road, public footpath, bridleway or other public land?" However, the gym structure can clearly be seen from 2 public rights of way paths across the golf course, as well as from a footpath leading from Park Avenue to St Andrews Drive.
7. The Parish Council would reiterate, that with the application being flawed with inaccurate information, the fact that it is retrospective and with the felling of TPO protected trees, along with the constant and distressing noise disturbance caused to residents, that we strongly object to the application and would strongly recommend refusal and immediate removal of the structure, along with enforcement to ensure the remedial works and replacement tree works be carried out forthwith"

22.02.2023

"Fornham St Martin cum St Genevieve Parish Council Objects to application DC/22/1378/FUL, with the following comments;

1. We reiterate our previous objections submitted in September 2022 over the fact that the application is retrospective and highlight yet again the applicants' blatant disregard for Planning Law. The lack of a planning application has meant that all the proper safeguards to protect wildlife, the environment, neighbours and any archaeology have been bypassed. In April 2021, following a site inspection by Planning Enforcement Officer, Andy Smith, it was noted that a request had been made to the owner to submit planning permission, albeit retrospectively, this took another 16 months for this to be submitted. We are

aware that due to Covid restrictions at the time, Central Government allowed outside recreation and therefore relaxed some planning restrictions, but we would be interested to be provided with information on where it said you can tarmac an area of Protected woodland and fell ancient trees and build shelters in order to provide a recreation/exercise area. There are numerous areas around the site that could have been used, well away from homes.

2. The fact that the structure has already been built within St Johns Plantation, without the appropriate planning permission, within an ancient woodland that is protected by TPO 030(1960) W1 and TPO 003(1974) W1, shows the applicants complete disregard for the natural environment and historical and environmental value of the site. The application does not mention the loss of trees, it also states that there are no protected or priority species or important habitats on the site, however, it is impossible to know what was destroyed by the removal of the trees and subsequent building works as no ecology assessment was made prior to their destruction and construction of the gym. Concerns regarding the felling of the trees were raised in March 2021 and in April 2021 the Parish Council reported this to the local Enforcement Team to investigate and in April 2021 were advised that a site inspection had taken place, by Tree Officer Falcon Saunders, and it was noted that there had been a loss of trees and that land levels had changed which may be detrimental to the remaining trees in the area and may cause flooding. It was stated that actions should be carried out to mitigate some of the damage that has already occurred; by carrying out remedial works and replacement planting, along with replacement planting at a previous site where tree felling had taken place within the protected woodland (without permission), none of which has been carried out or enforced. The applicant states in his amendments that the tarmac is porous, but this would still not be adequate to deal with flooding and surface water issues, associated with being located on a flood plain and the detrimental affect of the removal of trees. We would stress that these replanting schemes need to be enforced and set as conditions of either refusal or approval of this application going forward and that management of the trees following planting also needs to be enforced.
3. It is noted that there is a concrete track a "service track" within the woodland on the maps in the application; which is used by groundskeepers and presumably used during construction, this track also has no planning permission and again there is evidence of trees being felled for the construction of the track.
4. The Parish Council would also comment that submitting amendments to the application when it is a retrospective application, (the building is already in place and should be determined on its current state), with the addition of a storage area/container to the application is again showing disregard for the planning process, again this was added at a later date without planning permission being sought.
5. Over the last two summers neighbours have been subjected to significant daily noise disturbance, starting as early as 6:45am most days, this incorporates loud shouting by instructors, music and repetitive noise from the use of a punch bag. Not to mention the noise endured by neighbours from heavy construction machinery during construction to fell trees, along with that was the pollution from bonfires regularly lit near neighbouring properties to dispose of the trees once felled. Residents have been historically complaining to the applicant and the gym staff regarding the noise; the noise of the instructors 'shouting

encouragement' and counting 5,4,3,2,1 can be heard clearly by neighbours and as far away as Lark Valley Drive end of Birkdale Court, some 300 metres away. The Parish Council have also raised the issue of noise disturbance to the applicant, again with no demonstration of any action to remediate the situation. Again, had planning permission been applied for before construction, the issue of noise pollution from the gym could have been addressed and conditions set to ensure this did not become a problem for residents. The proposed acoustic fencing, which is a new amendment to the application, would have a detrimental impact on the visual amenity to neighbours and also have a detrimental affect on the view and character from the public footpaths, from which the dwelling and site are visible. We would strongly recommend that if permission is granted, that conditions of approval be set to ensure the following; NO loud music, NO loudspeakers only headphones to be used, with opening hours 8am-5pm only, with NO Sundays or Bank Holidays.

6. Nearby neighbours are also being affected by early morning and evening light pollution, due to the flood lights used at the gym. Residents close by have reported light shining into their windows at unsuitable times.
7. The application states 'No' under "Can the site be seen from a public road, public footpath, bridleway or other public land?" However, the gym structure can clearly be seen from 2 public rights of way paths across the golf course, as well as from a footpath leading from Park Avenue to St Andrews Drive.
8. Also, although there are a number of supportive letters in favour of the gym, it should be noted that the majority of them are from people living far away from the area and their support must not be given precedence over local residents.
9. The Parish Council would reiterate, that with the application being flawed with inaccurate information, the fact that it is retrospective and with the felling of TPO protected trees, along with the constant and distressing noise disturbance and light pollution affecting residents, that we strongly object to the application and would strongly recommend refusal and immediate removal of the structure, along with enforcement to ensure the remedial works and replacement tree works be carried out forthwith."

9. **Ward Councillors:**

Councillor Sara Broughton – No comments received for both consultations

Councillor Beccy Hopfensperger – No comments received during the first round of consultations. Email received (below) 13.02.2023

"Could you please take this e-mail as confirmation that I would like to call in DC/22/1378/FUL – due to concerns raised over affected amenities of nearby residents with regards to noise, concerns over the applications removal of trees and the affected level change of the ground giving flooding concerns, application being adjacent to an adjacent ancient woodland."

10. **Private Sector Housing and Environmental Health:**

Comments received 26.09.2022

11. "I have considered the above application and on behalf of the Private Sector Housing and Environmental Health (PSH & EH) Team can confirm I would

recommend this application be REFUSED for the reasons below. In reviewing this application, I have had specific regard to the Design & Access Statement for the Health Hub Outdoor Gymnasium at All Saints Hotel & Golf Club, Fornham St Genevieve and the Sound Acoustics Ltd letter dated 16th June 2022 addressed to Mr S Turner, The Health Hub, All Saints Hotel, Fornham St Genevieve, together with drawings for the Location and Block Plans and the Proposed Layout and the public / Parish Council comments.

12. I have noted the comments submitted are a mixed of in support and objecting; for the avoidance of doubt I wish to confirm my opinion on the application has not been influenced by these but they are informative to my consideration of this application, which I have also noted is retrospective.
13. In summary I am concerned the development will have a detrimental impact on the living amenity of residential occupiers in the vicinity of the development.
14. I have noted the contents of the Sound Acoustics Ltd letter dated 16th June 2022, which in essence concludes the development is indicated to have a low impact based on a noise assessment result of LAeq,T 45 dB from the outdoor gym as compared with an external noise in amenity spaces level of LAeq,T 50 dB as per BS 8233:2014 'Guidance on sound insulation and noise reduction for buildings'.
15. However, as noted by the author of this letter, "this does not apply specifically to outdoor gym noise and is normally used for assessing general ambient / traffic noise sources for new residential developments".
16. To quote directly from Section 1, 'Scope' of BS 8233, "This British Standard provides guidance for the control of noise in and around buildings. It is applicable to the design of new buildings, or refurbished buildings undergoing a change of use, but does not provide guidance on assessing the effects of changes in the external noise levels to occupants of an existing building" - I would humbly submit the last sentence is particularly pertinent.
17. Furthermore, Section 0, 'Introduction' of BS 8233 states, "it is necessary to remember that people vary widely in their sensitivity to noise, and the levels suggested might need to be adjusted to suit local circumstances. Moreover, noise levels refer only to the physical characteristics of sound and cannot differentiate between pleasant and unpleasant sounds" - this is important because most people would generally find the noises associated with an outdoor gym more intrusive than the noise that BS 8233 is intended to cover i.e. slow / steady sources of noise such as traffic noise.
18. This sentiment is also reinforced in the Foreword to BS 4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound', which states, "Response to sound can be subjective and is affected by many factors, both acoustic and non-acoustic. The significance of its impact, for example, can depend on such factors as the margin by which a sound exceeds the background sound level, its absolute level, time of day and change in the acoustic environment, as well as local attitudes to the source of the sound and the character of the neighbourhood. This edition of the standard recognizes the importance of the context in which a sound occurs".

19. I would submit that Sound Acoustics have outlined the 'acoustic' response to sound in their letter but less-so the 'non-acoustic' response of the nearby residents.
20. That said, they have acknowledged that there is some uncertainty of the criterion that the outdoor gym can be judged against, and consequently have provided 3 "future operational scenarios and the likely outcomes, the most appropriate of which can be adopted as necessary".
21. Scenario 1, 'Do Nothing' acknowledges that sound levels, "will be heard during lulls in ambient noise and during periods of quiet indoor noise level and therefore complaints will probably continue for the early sessions at least".
22. Scenarios 2 and 3 therefore suggest potential mitigation measures i.e. - Scenario 2, "Silent Disco" for early session on weekdays and weekends and Scenario 3, Extend fence to appropriate height and distance.
23. Scenario 2 appears to still allow for some level of potential disturbance i.e. "Normal sessions for the rest of the day should be acceptable considering higher ambient levels and more acceptable hours" (the "should be acceptable" may or may not be true), Scenario 3 appears to suggest any problems will be mitigated ("All sessions should have little impact and are much less likely to be heard above ambient noise").
24. My concern is that the application location is likely to be a relatively quiet location, this is in-part evidence by the Sound Acoustics letter, which states, "the typical observed sound pressure level (fluctuating level as opposed to average or maximum) was 45 dB" – according to the letter (with emphasis added by me), "The music and instructor's voice could be heard although this was not considered to be excessive. The maximum level was not possible to ascertain due to the rooks. The above level is considered to be largely noise from the outdoor gym although ambient noise may have had some influence" – I would submit that it's unfortunate an ambient background sound level was measured by the author on their arrival to the location at 06:30 hours before the gym class started at 06:45 hours, because it is evident from the above that the gym class was contributing to this figure (it is therefore potentially artificially high and certainly introduces a degree of uncertainty).
25. In any event, the author states, "The noise level from the outdoor gym session appears to be no more than LAeq,T 45 dB at the nearest house on Park Avenue", but there isn't any information as to how much above the ambient background sound level this is – this can be an important indicator when making an assessment of the impacts of a specific sound source.
26. BS 4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound', provides the following:
 - i. Typically, the greater this difference, the greater the magnitude of the impact.
 - ii. A difference of around +10 dB or more is likely to be an indication of a significant adverse impact, depending on the context.

- iii. A difference of around +5 dB is likely to be an indication of an adverse impact, depending on the context.
- iv. The lower the rating level is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or a significant adverse impact. Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context.

27. I want to stress that a formal BS 4142 assessment would not have been appropriate for this scenario i.e. an assessment of the impacts from the outdoor gym, because BS 4142 is not intended to be applied to the rating and assessment of sound from (amongst other things) recreational activities, music and other entertainment, people or public address systems for speech, which are likely to be the main sources of noise from an outdoor gym. However, I introduce this as what in my opinion may have been an informative comparator i.e. understanding the difference in the levels of the existing ambient background noise and noise from the gym activities.

28. That said, I also want to reiterate earlier point that, as per BS 8233, noise levels refer only to the physical characteristics of sound and cannot differentiate between pleasant and unpleasant sounds, and as per BS 4142, response to sound can be subjective and is affected by many factors, both acoustic and non-acoustic.

29. It is really for these reasons that I don't feel I can support this application and therefore recommend that it be refused because I am concerned the development will have a detrimental impact on the living amenity of residential occupiers in the vicinity of the development.

30. However, in the event the Local Planning Authority (LPA) are minded to approve this application I would as a minimum recommend conditions are attached to any permission granted along the lines of the scenarios provided by Sound Acoustics to mitigate the likelihood of the development having an adverse impact i.e. in accordance with Scenario 2, "Silent Disco" for early sessions on weekdays and weekends and Scenario 3, extending the existing acoustic barrier fence to an appropriate height and length in order to deflect sound and reduce impacts on adjacent properties.

31. Alternatively, instead of (or as well as) Scenario 2 it is my opinion that any early morning (before 08:00 hours) gym session should be prohibited altogether – I say this because as noted by Sound Acoustics (with emphasis added by me), "Scenario 3 is likely to give the best outcome although Scenario 2 would work provided the members find the headphones comfortable and easy to work with"). Prohibiting the early morning gym classes shouldn't be too much of an issue for the applicant because according to their Design & Access Statement, "The operating hours of the outdoor gym are restricted to 8am-7pm with a 6.45am morning class operating Mon/Wed/Fri in summer" – if the LPA are minded to restrict the hours of use of the outdoor gym I would also recommend a restriction to 18:00 hours only in the evening.

32. In any event, the applicant has also stated in their Design & Access Statement that the outdoor gym facility was borne out of the restrictions during the COVID-19 pandemic, which clearly don't apply anymore. Whilst I

would acknowledge this has probably become an asset of the overall Hotel & Golf Club facilities (as evidenced by the public comments submitted in support of this application), I'm not necessarily convinced this amounts to an adequate justification for making the facility permanent when there is a risk to the living amenity of those living nearby.

33. Finally, in addition to the above suggested conditions I would specifically recommend the following also be attached to any permission that may be granted:

1. A post-completion noise assessment shall be carried out and submitted to and approved in writing by the Local Planning Authority to confirm the extension of the existing acoustic fence has reduced sound levels at the façade(s) of the closest and / or most affected noise sensitive receptor(s) by at least 5 dB and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to first use of the development and thereafter be permanently retained.

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.

2. Any external artificial lighting at the development hereby approved shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals Guidance Note Guidance Note 01/20 'Guidance notes for the reduction of obtrusive light'. Lighting should be minimised, and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Note.

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

34. Following the comments submitted by Private Sector Housing and Environmental Health, a site visit was undertaken on 27.10.2022 during an exercise class. Following the visit, amended comments were received and confirmed during the re-consultation (see below).

Further comments received 20.02.2022

35. "Further to the comments I submitted in respect of the above application on 26 September 2022 I have since visited the All Saints Hotel and met with Stuart from the Health Hub at the Hotel and Andrew, the Planning Agent. The visit was timed such that I could observe for myself a gym class in progress at the outdoor gym and assess the noise therefrom for myself.

36. In short, I am now satisfied that the outdoor gym is UNLIKELY to have an adverse impact on the living amenity of residential occupiers in the vicinity of the development, subject to some mitigation measures to ensure this.

In my previous comments dated 26 September 2022 I stated:

37. *"In the event the Local Planning Authority (LPA) are minded to approve this application I would as a minimum recommend conditions are attached to any permission granted along the lines of the scenarios provided by Sound Acoustics to mitigate the likelihood of the development having an adverse impact i.e. in accordance with Scenario 2, "Silent Disco" for early sessions on weekdays and weekends and Scenario 3, extending the existing acoustic barrier fence to an appropriate height and length in order to deflect sound and reduce impacts on adjacent properties".*

On this point, the acoustic consultant for the applicant in his response to my comments has stated:

38. *"I recommend that you do the fence works in Scenario 3. A validation exercise is sensible as suggested by Dom. A silent disco system for early sessions could be an additional measure if the neighbours are not satisfied by the fence (this would need to have reasonable grounds otherwise you might as well just do that and not the fence). There is clearly a route forward that allows you to operate and provide safeguards for the neighbours".*

39. Having visited and observed / subjectively assessed a class in progress for myself I am inclined to agree that extending the existing acoustic fence to an appropriate height and length is the most appropriate way forward i.e. the "silent disco" system isn't necessarily required. Ultimately, this would be demonstrated by the validation exercise I recommended by way of Condition 1 in my original comments:

1. A post-completion noise assessment shall be carried out and submitted to and approved in writing by the Local Planning Authority to confirm the extension of the existing acoustic fence has reduced sound levels at the façade(s) of the closest and / or most affected noise sensitive receptor(s) by at least 5 dB and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to first use of the development and thereafter be permanently retained.

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.

I note the acoustic consultant has agreed this validation exercise would be sensible.

40. Whilst not expressly intended at the time of recommending the above condition, arguably the condition as worded could still provide for the "silent disco" scenario, by virtue of the wording "and additional steps to mitigate noise shall be taken, as necessary". However, ultimately, I am prepared to leave these "additional steps" unspecified because there may well be alternatives that are equally effective – and, of course, no additional steps will be required if the extension of the acoustic fence is sufficient in order to deflect sound and reduce impacts on the adjacent properties.

41. I would like to take this opportunity to thank Kieron, the acoustic consultant for providing his response to my original comments, which were appreciated and were indeed helpful in clarifying some misunderstanding on my behalf and put things right that were not originally clear to me.

For the avoidance of doubt, I would still recommend my original Condition 2:

2. Any external artificial lighting at the development hereby approved shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals Guidance Note Guidance Note 01/20 'Guidance notes for the reduction of obtrusive light'. Lighting should be minimised, and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Note.

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

42. I don't expect this to be in any way contentious because I don't believe there is any intention to 'floodlight' the outdoor gym, but I would still recommend it as a reasonable safeguard to prevent light pollution and protect the amenities of occupiers of properties in the locality as per the stated Reason for this Condition.

I also stated in my original comments:

43. *"Prohibiting the early morning gyn classes shouldn't be too much of an issue for the applicant because according to their Design & Access Statement, "The operating hours of the outdoor gym are restricted to 8am-7pm with a 6.45am morning class operating Mon/Wed/Fri in summer" – if the LPA are minded to restrict the hours of use of the outdoor gym I would also recommend a restriction to 18:00 hours only in the evening".*

44. Having seen / heard a class in progress for myself, discussed this with the applicant and better understood the original noise impact assessment and therefore 'agreed' extending the acoustic fence is likely to provide a sufficient safeguard against excessive noise, I am now satisfied an early morning (6.45am) class doesn't need to be prohibited; the LPA may, though, at their discretion want to consider whether restricting these to 3 times a week is appropriate. However, if the acoustic fence / any other mitigation measures work, arguably this shouldn't be necessary.

45. Likewise, having discussed times with the applicant specifically, I am satisfied that my previous recommendation for a restriction to use the outdoor gym up to 18:00 hours only in the evening can be relaxed to 19:00 hours (which is the time referenced by the applicant in their Design & Access Statement) – this will allow an 'after work' class to start at 5.45pm, last for 45 minutes until 6.30pm, and allow a further 30 minutes to pack away up to 7pm.

46. In summary, I wish to remove my previous objection to this application and confirm I now have NO OBJECTIONS subject to the two conditions originally recommended and reiterated above, together with one general informative as follows:

47. The Applicant is advised that irrespective of this Decision the Environmental Health Team retain their powers under the Environmental Protection Act

1990 to investigate and take enforcement action where required in respect of any statutory nuisance as provided for by the Act (see <https://www.legislation.gov.uk/ukpga/1990/43/section/79> and <https://www.legislation.gov.uk/ukpga/1990/43/section/80>).

48.Place Services (Arboricultural Consultants):

26.09.2022

"Comments

49.A retrospective application has been submitted for the construction of an outdoor gym. No tree survey has been provided as well as no Arboricultural Impact Assessment, Arboricultural Method Statement or Tree Protection Plan in support of the application. Therefore, the risks to the trees on-site due to the scheme cannot be suitably assessed. Without any of these documents being included the application should it have been submitted prior to the works being carried out, it would have been objected to based on the likely tree constraints present within the site.

50.The site is in a heavily vegetated area with some semi-mature and mature specimens. It is clear from a desktop investigation that there have been trees removed to facilitate the construction of the gym and it is likely that the removals would not have been approved without suitable justification being submitted to the Local Planning Authority. Because these trees have already been removed, we cannot determine what quality these trees were and whether they would have constituted a constraint on the development. What is clear is that several trees have been removed, given that a large woodchip pile is evident in photographs provided by the Case Officer.

51.In addition, there are arboricultural impacts to the retained trees on the site. Photographs provided have shown the presence of impermeable surfacing within the Root Protection Areas of trees that have been retained in the north-east and west of the site. The installation of this surfacing will have a negative impact on these trees as water is not able to percolate into the soil therefore restricting the trees capability to complete its physiological processes. It is clear that this is detrimental to the health of the retained trees, given the poor condition of trees within the photographs. Had this application been submitted in advance of the works, it would not have been approved without the use of permeable surfacing, which would limit the impact of the changes to the ground conditions.

52.As previously stated, an application such as this would not have been approved given the lack of information provided on the arboricultural constraints on the site, and given its location within a woodland belt, would likely have been considered unsuitable even if this information had been provided. However, on the basis that the harm has already occurred to the trees, and to those felled is obviously irreversible, support is given, subject to the following retrospective conditions.

Decision: Object

Where permission is granted subject to conditions, the following should apply in relation to trees

Protection of trees (non-dischargeable)

1. As part of this retrospective application, the trees located (All Saints Hotel, The Street, Fornham St Genevieve, Suffolk, IP28 6JQ) shall not be lopped or felled without the written consent of the local planning authority.

Reason: In order to maintain the existing vegetation at the site, which makes an important contribution to the character of the area.

2. As part of this retrospective application, any trees within or near to the site shall be protected in accordance with the requirements of BS 5837 (2012) 'Trees in Relation to Design, Demolition and Construction'. The protection measures shall be implemented prior to any below ground works and shall be retained for the entire period of the duration of any work at the site, in connection with the development hereby permitted.

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.

53. Information required prior to determination:

3. As part of this retrospective application, details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

- a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;
- location, type and materials to be used for hard landscaping including specifications, where applicable for: a) permeable paving b) underground modular systems c) use within tree Root Protection Areas (RPAs);
- a schedule detailing sizes and numbers/densities of all proposed trees/plants;
- specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and
- types and dimensions of all boundary treatments There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Unless required by a separate landscape management condition, all soft landscaping shall have a written five year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be

replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

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

54. Informative: The following British Standards should be referred to:

- i. BS: 3882:2015 Specification for topsoil
- ii. BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs
- iii. BS: 3998:2010 Tree work – Recommendations
- iv. BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces)
- v. BS: 4043:1989 Recommendations for Transplanting root-balled trees
- vi. BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations
- vii. BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf).
- viii. BS: 8545:2014 Trees: from nursery to independence in the landscape – Recommendations
- ix. BS: 8601:2013 Specification for subsoil and requirements for use 2 Landscape”

55. Following the comments, additional requested information was received, and the Arboricultural Consultant undertook a site visit on 23.12.2022. Follow up comments from the visit were received via email, details below:

Further comments received 13.01.2023

“Just to keep you updated about this application I visited just before xmas break on the 23rd December 2022.

56. During my visit, I found that the container was level with the ground adjacent to the Lime tree (T001) and advised the client to raise the container onto sleepers to prevent compaction of the ground adjacent to the tree, which without action would’ve restricted water and gas exchange to the tree and if unresolved caused a deterioration in tree health. Following the site visit, this was addressed and the client had raised the container by the next day and provided photo evidence that I can provide if required.

57. The new surfacing in the area appears to be impermeable, however this could only be confirmed by a video showing the water percolating into the soil. There is no further information available to confirm the surface is impermeable or any specification of how it was installed and to what depth below ground level. Due to this there is the potential for trees T001 and T002 to be adversely impacted in the future through the installation and it was advised that if the trees were to decline, then the surfacing would be removed and the ground adjacent to the tree retained as soil.

58.I requested for the Arboricultural consultant from Hayden's to amend their report to reflect these points with an indication of when the trees will be inspected, as well as providing information on the new species to be planted in the proposed new planting area with a suitable sizes and aftercare measures in accordance with BS8545:2014 'trees from nursery to the landscape'. If you require anything further from me please get in touch".

59.As mentioned, it was noted that the on-site storage container needed to be elevated off ground and evidence of this was received on 21.12.2022. In addition, a video was received showing rainwater on the hardstanding and the Arboricultural Consultant provided the below comments.

25.01.2023

"I have watched the below video and can confirm the surfacing is permeable".

60.Natural England:

02.10.2022

"Natural England has been sent some evidence which indicates that the woodland at the above-mentioned site could be ancient and if so, should be added to the ancient woodland inventory. Our Ancient Woodland Specialist is currently carrying out investigations and we will notify you of any further findings in due course. In the meantime, we do not recommend any woodland clearance activities at the site of this planning application until this matter has been resolved.

You should make decisions in line with paragraph 180 (c) of the NPPF which states that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss. (National Planning Policy Framework - Guidance - GOV.UK (www.gov.uk)).

Natural England and the Forestry Commission have published joint Standing Advice on Ancient Woodland, Ancient and Veteran Trees. Developers should use this guidance to decide on development proposals affecting ancient woodland, ancient trees and veteran trees. This is provided in place of an individual response to a planning application in most cases and should be taken into account by LPAs in planning decision making. Natural England will only provide advice where ancient woodland is designated as a SSSI or in exceptional circumstances".

Following receipt of the email and comments by Natural England, the Case Officer followed up via email on the results of the investigation, however no further comments have been received to confirm the results of the Ancient Woodland query. If results are received prior to Development Control Committee these will be confirmed verbally within the presentation.

Representations:

61. Over the course of the consultation and re-consultation, 29 third-party representations have been received in total. 11 in support and 18 objections. The representations can be viewed in full on the online file and the points raised are briefly summarised below.

62. Within the objections, the following concerns were raised:

- Noise disruption
- Covid restrictions are now no longer in place
- Further expansion of the gym if permission granted
- Felling of trees
- Burning on site
- Impact of Lighting

63. Support comments made the following points:

- Promotion of fitness and exercise
- Being outdoors supports mental wellbeing
- Investment to a business located within the countryside

Policy:

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

65. 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 DM5 Development in the Countryside

Policy DM13 Landscape Features

Policy DM43 Leisure and Cultural Facilities

Policy DM44 Rights of Way

Core Strategy Policy CS3 - Design and Local Distinctiveness

Vision Policy RV1 – Presumption in Favour of Sustainable Development

Other planning policy:

66.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:

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

- Principle of Development
- History of the Gym and Enforcement Case
- Character and Appearance
- Impacts to Neighbouring Amenity
- Impact to TPO trees & Ancient Woodland Concern
- Impact to Public Right of Way (PROW)
- Planning Balance

Principle of Development

68.In accordance with Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications must be determined in accordance with the development plan unless there are material considerations that indicate otherwise. The development plan comprises the policies set out in the Joint Development Management Policies Document (2015), the Core Strategy Development Plan Document (2010) and the Rural Vision (2014). National planning policies set out in the NPPF 2021 are also a key material consideration.

69.Paragraph 11 of the NPPF (2021) (as well as policy DM1 and RV1) 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.

70.Policy DM5 states that the countryside will be protected from unsustainable development and sets out in what circumstances development might be acceptable. As All Saints Hotel is located outside of a settlement boundary, it is therefore considered under this policy. The policy states under criteria d, *"A new or extended building will be permitted, in accordance with other policies within this Plan, where it is for essential small-scale facilities for outdoor sport or recreation or other uses of land which preserve the openness, appearance and character of the countryside, leisure facilities, and new tourism"*.

71. Policy DM13 looks at landscape features and permits development where it will not have an unacceptable adverse impact on the character of the landscape, landscape features, wildlife or amenity value. Individual proposals will be assessed based on their specific landscape and visual impact.

72. In addition, policy DM43 supports the provision of leisure and cultural facilities. The policy also states:

"Planning applications for new leisure or cultural facilities or improvements and extensions to existing facilities, will be permitted provided that:

- a) the proposals are connected to and associated with existing facilities or located at a site that relates well to (where achievable within or on the edge of) a defined settlement and can be made readily accessible to adequate public transport, cycling and walking links for the benefit of non-car users;*
- b) there would be no unacceptable impacts on the character, appearance or amenities of the area and the design is of a standard acceptable to the local planning authority;*
- c) vehicle access and on-site vehicle parking would be provided to an appropriate standard".*

73. In the case of this application, the outdoor gym at All Saints Hotel provides an extension of the Health Club which provides facilities for outdoor fitness and leisure facilities. The outdoor gym is connected to facilities within the main hotel through The Health Club, which provides a good existing access and transport links. The gym itself is located within an area of trees and woodland which is predominantly screened from public vantage points and following the submission of a planning application, amendments have been sought to reduce impacts on the character, appearance, and amenity of the area – this is discussed in more detail below. The principle of development is therefore considered acceptable and further impacts are assessed and considered below.

History of the Gym and Enforcement Case

74. The outdoor gym was developed during the national lockdown as a result of the COVID-19 pandemic. At the time, the Government allowed outdoor group activities such as exercise and workout classes in line with restrictions. Government guidance given at the time to Local Planning Authorities was to work with businesses during this response and operation throughout the lockdown and to take a tolerant approach towards planning enforcement.

75. As the site is located within an area of protected trees, it was brought to the Council's attention that tree removal had been undertaken in order to facilitate development. Officers within the enforcement team observed that ground levels had changed (due to soil movement) however there was no evidence available to prove that an offence of tree removal had been committed. A planning application was requested in order to regularise the development and ensure a replanting scheme was provided to mitigate for the changes to the woodland area and trees protected under the TPO. Impact on protected trees is assessed in more detail below.

76. Information in this report relating to enforcement activity is provided for background information only. Whilst the application is retrospective, the planning authority must assess the application on its merits taking into account national and local planning policy and any other material considerations in the usual way.

Character and Appearance

77. Policies DM2 and CS3 seek to ensure that proposed development respects the character, scale and design of the existing and the surrounding area. In addition, paragraph 130 of the NPPF requires development to be visually attractive and to be sympathetic to local character.

78. The outdoor gym is located within St Johns Plantation adjacent to the hotel. The site includes an access track leading from the front of the hotel with an area of porous tarmac hardstanding for the gym area. In the south-west corner of the hardstanding, there is an open-sided covered shelter for covered activities which measures approx. 9.0m deep, 6.0m in width, 2.2m to the eaves and 3.8m overall in height. In addition, there is a range of gym equipment scattered within the hardstanding including a metal bar trapeze, weights, rowing machines and other workout equipment. A shipping container is located to the west of the site, outside of the hardstanding area to store the equipment for the site and is accessed by the staff of the hotel.

79. On the eastern boundary of the gym, there is an existing 1.8m acoustic barrier fence. Following comments made by the Private Sector Housing and Environmental Health team, it has been agreed that the acoustic fence is to be raised to a maximum height of 3.0m and will extend from the eastern boundary round to the north of the site. The extension of the fence will include treated softwood fence boards to match the existing with treated timber capping boards and dura posts which are to be hand dug into the ground to avoid damage to tree roots.

80. Policy DM2 states that development should take "mitigation measures into account, not affect adversely important landscape characteristics and prominent topographical features". There has been concern voiced by the Parish Council and neighbour comments that some trees have been removed in order to facilitate development. In light of this, the applicants have agreed to a replanting scheme along the eastern boundary of the gym which is shown within the submitted Arboricultural Impact Assessment and drawing 499 P1 A. The addition of the acoustic fence for the gym and replanting trees in close proximity to the site will help to maintain a woodland feel to the character of the site and again contribute to screen the site from public view and subsequent visual impacts.

81. With the addition of the extended acoustic fence and replanting scheme, officers consider that the gym will not create adverse impacts to the character or appearance of the surrounding or wider area and is therefore compliant with policy.

Impacts to Neighbouring Amenity

82. Policy DM2 seeks to ensure that new development does not have a detrimental impact on residential amenity, nor the amenities of the wider area. The policy states the amenities of adjacent areas by reason of noise, smell, vibration, overlooking, overshadowing, loss of light or other pollution (including light pollution, or volume or type or vehicular activity generated), must be considered.
83. As the gym is already constructed and in operation, impacts to amenity have arisen during its use. According to the submitted Design and Access Statement, the gyms operating hours are "restricted to 8am-7pm with a 6:45am morning class operating Mon/Wed/Fri in summer". The gym has a maximum of 20 people who can use the gym at any one time with all activities supervised by an instructor from The Health Club. There is a residential housing estate to the east of the site which is accessed via Park Avenue and Lark Valley Drive both from the B1106 road. Due to the existing woodland on site, there are many trees along the eastern boundary of the site which acts as a boundary between the hotel complex and residential estate. The distance between the outdoor gym and the closest residential dwelling is approx. 40m with the gym sitting on a higher ground level than the estate. As noted within the representations, objections to the application include concerns by reason of noise – through instructions being shouted during classes, music playing and light pollution. On the Health Club website, it states that the outdoor gym is predominantly used for workout classes which run at set times through the week (Mon-Sun) from early mornings through to early evening.
84. Private Sector Housing and Environmental Health (PSH & EH) have assessed the application and initially raised concerns that the development could cause adverse impacts. A noise assessment was submitted by the applicants which was undertaken by 'Sound Acoustics Ltd' and provided three scenarios for mitigation of noise. Scenario 1 proposed that no mitigation was implemented, Scenario 2 explored the option and viability of using wireless overhead headphones to create a 'silent disco' environment for class attendees – this would mean that music and instructions could be announced by the instructor at normal speaking levels and then heard through the headphones throughout the class. However, concern was raised by Sound Acoustics Ltd, on this option and whether attendees would be comfortable working out while wearing the overhead headphones – particularly when outdoor temperatures rise. Lastly, Scenario 3 suggested the option of extending the acoustic fence by both length and height in order to screen the height of the instructor and therefore mitigate projected noise when the class is running.
85. A site visit was undertaken by PSH & EH to inspect the site and understand the three options further. Following the visit and discussion between Sound Acoustics Ltd, PSH & EH and the managers of the gym and hotel, it was recommended that scenario 3 would provide the best option to mitigate sound. As per comments submitted by PSH & EH on 20 February 2023, it is "unlikely" that the gym, with the fencing provisions, would cause adverse impacts to amenity. Furthermore, amended plans have been received to illustrate the addition of the acoustic fence (of maximum height 3.0m) and details of installation in relation to the surrounding trees.

86. For the lighting concerns, it has been noted that there is an existing light sited adjacent to the storage container to light the gym area during the winter months. This is the only light present within the gym. As per the comments submitted by PSH & EH, a condition to control lighting has been recommended. Officers have reviewed this condition and would amend the wording of the condition so that no external lighting is installed without written consent by the Local Planning Authority (LPA) in order to control and assess any additional lighting within the site. In addition, a condition to control the operational hours of the gym has also been recommended. This has been applied in line with the submitted design and access statement and the comments made by PSH & EH. The condition recommends that the gym may be used between 8:00am – 19:00pm Monday – Sunday which allows for an after-work evening class to finish at 18:30pm allowing a half hour window for equipment to be packed away. The condition also recommends a schedule with three 6:45am classes permitted on Monday, Wednesday, and Friday during the summer months.
87. During the course of the application, details of the gym have been amended in order to mitigate the impacts to the amenity of adjacent neighbours and the surrounding area. Officers consider that with the distance between the gym and the neighbouring estate to the east of the site (approx. 40m) and with the implementation of the acoustic fence and conditions to control its further use, it is unlikely the gym will cause adverse impacts to the amenity of local residents and is therefore compliant with policy DM2.

Impact to TPO Trees & Ancient Woodland Concern

88. Policy DM13 requires all development proposals to 'demonstrate that their location, scale, design and materials will protect, and where possible enhance the character of the landscape, including the setting of settlements, the significance of gaps between them and the nocturnal character of the landscape'. The policy goes on to state that 'where any harm will not significantly and demonstrably outweigh the benefit of the proposal, development will be permitted subject to other planning considerations. It is essential that commensurate provision must be made for landscape mitigation and compensation measures, so that harm to the locally distinctive character is minimised and there is no net loss of characteristic features'.
89. The site of the gym is located within an area of woodland covered by two tree preservation orders which cover St Johns Plantation and the wider site of All Saints Hotel. Place Services have provided comments on the application and assessed the impact to the surrounding TPO trees. In addition, the application has been assessed against policy DM13 and the importance of preserving trees which help contribute to the wider landscape.
90. Impacts to the trees within the site have been a primary consideration of this application. As the trees within the area are protected by a Tree Preservation Order, any works to or removal of trees would need the consent of the LPA. It is acknowledged that any previous damage, harm to or removal of trees within the site to facilitate the construction of the gym cannot be undone. To prevent any further decline of the surrounding trees, mitigation can be secured and implemented by imposing appropriate conditions.

91. Following initial comments made by Place Services on 26 September 2022, a site visit was undertaken in December 2022 to view the surrounding trees on the site and further information was requested from the agent. This included a detailed Arboricultural Impact Assessment (AIA) with details of existing vegetation and landscape features, replacement planting schedule and specifications for maintenance of the site. An assessment was conducted by the Arboricultural specialists 'Haydens' and submitted documents to address matters raised were received by the LPA on 23 January 2023.
92. Following the site visit, the on-site container used to store the equipment was elevated onto wooden sleepers in order to reduce pressure on the roots of the adjacent tree (T001).
93. Concerns were raised on the permeability of the new surface installed for the gym which is within the Root Protection Areas (RPAs) of the remaining trees. Within paragraph 4.4.2 of the AIA, it states that no excavation was required to install the tarmac area and that it is permeable. A video was sent to the LPA confirming that the hardstanding installed is permeable and would allow water to percolate into the soil beneath. Place Services confirmed the evidence provided on the video was acceptable via email on 25 January 2023.
94. Within paragraph 4.7.2 of the submitted AIA, it is noted that the retained trees in close proximity to the gym will be inspected and monitored on a yearly basis. This is illustrated by a table within the submitted AIA. The inspection timings originally were due to commence in Summer 2024, however upon the advice of Place Services this has been brought forward to Summer 2023 and has been acknowledged in the assessment.
95. A replanting schedule is detailed within paragraph 4.6.1 (under Landscape Implications) of the AIA. The assessment states that new planting will be instated within the south-east area of the site and is shown within drawing no. 9809-D-AIA. The replacement trees will include a mix of similar trees which can be found throughout the woodland including European Lime, Sycamore, Scots Pine and English Oak. The trees will be planted with a spacing distance of 1.5m-2.0m between new trees so they have suitable space to grow and establish. A condition is recommended to ensure replacement planting is carried out within a suitable timeframe.
96. In relation to the concerns surrounding whether St Johns Plantation and the TPO area is considered an Ancient Woodland, initial comments from Natural England on 2 October 2022 stated that an investigation was being conducted at the site. Following this comment, the Case Officer requested via email the results of the investigation on 5 October 2022, 15 November 2022 and 8 March 2023, however no response was received up to the time of this report being written. An Arboricultural Officer at West Suffolk Council provided comments of his knowledge of the site. It was noted that on the 1800 Ordnance Survey maps, the golf course site and general area around All Saints Hotel is shown as mixed conifer and broadleaf plantation, which in itself, would indicate the woodland is not ancient. The LPA acknowledges that formal confirmation has not been received on the conclusion of whether the woodland is ancient, however special regard has been given to the existing surrounding trees at the site including suitable measures for their protection.

97. Following receipt of a detailed AIA and replanting plan, officers consider that on balance the mitigation measures to protect the health of the existing trees surrounding the gym does not warrant a recommendation for refusal. Replanting of trees within the site and appropriate monitoring compensates for the loss of trees resulting from the installation of the gym as required within policy DM13. Furthermore, officers consider the concerns on tree loss and future vitality have been addressed.

Impact to Public Right of Way (PROW)

98. Policy DM44 aims to protect PROW routes, it states that development which would adversely affect the character of, or result in the loss of existing or proposed rights of way, will not be permitted unless alternative provision or diversions can be arranged which are at least as attractive, safe and convenient for public use.

99. As noted within the site details, there is a PROW track which runs through the golf course and wider complex of All Saints Hotel. This proposal contains development within the north-east of the overall land occupied by the hotel and has no impact on the PROW route. There is an un-made service track which is annotated on the amended layout plan (drawing no. 488 P1 A) enabling access to the golf course to the east of the application site. The PROW track will not be impacted by the proposal and therefore accords with policy DM44.

Conclusion

100. As the application is retrospective, officers have considered the impacts of the existing operational gym. Throughout the application, there has been negotiation with the agent/applicant, resulting in appropriate mitigation measures to address the concerns in relation to both neighbouring amenity and trees within the site.

101. As discussed above, to alleviate amenity concerns (noise and lighting), the existing acoustic fence is to be extended in both height and length to reduce the amount of noise onto the residential estate to the east. This will be supplemented by a post-completion noise assessment which will be submitted to the LPA. In addition, no external lighting will be installed within the site without prior agreement with the LPA.

102. For the concerns surrounding the trees on the site, a scheme of replanting has been submitted with new trees to be planted towards the south-east of the gym. Yearly monitoring, including a written report, will be undertaken for the retained trees adjacent to the site in order to track the trees health and record any improvement or deterioration which may be associated with the gym.

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

Recommendation:

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

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

Reference number	Plan type	Date received
499 P2	Proposed elevations & floor plans	5 August 2022
499 BP2	Proposed block plan	5 August 2022
499 P1	Layout	23 January 2023
499 SL1	Location plan	23 January 2023
499 ABF 1	Accoustic fence	23 January 2023
(-)	Arboricultural impact assessment	23 January 2023
(-)	Appendix	23 January 2023
9809-D-AIA	Landscape plan	22 November2022

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

2. A post-completion noise assessment shall be carried out and submitted to and approved in writing by the Local Planning Authority to confirm the extension of the existing acoustic fence has reduced sound levels at the façade(s) of the closest and / or most affected noise sensitive receptor(s) by at least 5 dB and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to first use of the development and thereafter be permanently retained.

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.

3. No external artificial lighting other than that which forms part of the development hereby permitted shall be installed unless submitted to and approved in writing by the Local Planning Authority.

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

4. Any trees within or near to the site shall be protected in accordance with the requirements of BS 5837 (2012) 'Trees in Relation to Design, Demolition and Construction'. The protection measures shall be implemented prior to any below ground works and shall be retained for the entire period of the duration of any work at the site, in connection with the development hereby permitted.

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.

5. The development shall be carried out strictly in accordance with the submitted Arboricultural Impact Assessment (AIA), including the Appendix Letter, undertaken by 'Haydens - Arboricultural Consultants' received by the LPA on 23 January 2023.

Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policy 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.

6. Within 3 months of the granting of permission or the next available planting season (whichever is sooner), the replacement planting shall be implemented in accordance with the submitted Arboricultural Impact Assessment and Appendix letter (undertaken by Haydens – Arboricultural Consultants) received on 23 January 2023 and the Local Planning Authority shall be advised in writing that the replanting has been carried out. If any replacement tree is removed, becomes severely damaged or becomes seriously diseased it shall be replaced with a tree of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To preserve trees and hedges on the site in the interest of visual amenity and character of the area, in accordance with policies DM2, 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.

7. The opening hours of the outdoor gym shall be restricted to the following hours:

08:00am - 7:00pm Monday to Sunday, with three 45-minute classes starting at 06:45am permitted on Monday, Wednesday, and Friday in the Summer months (1st June – 31st August).

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

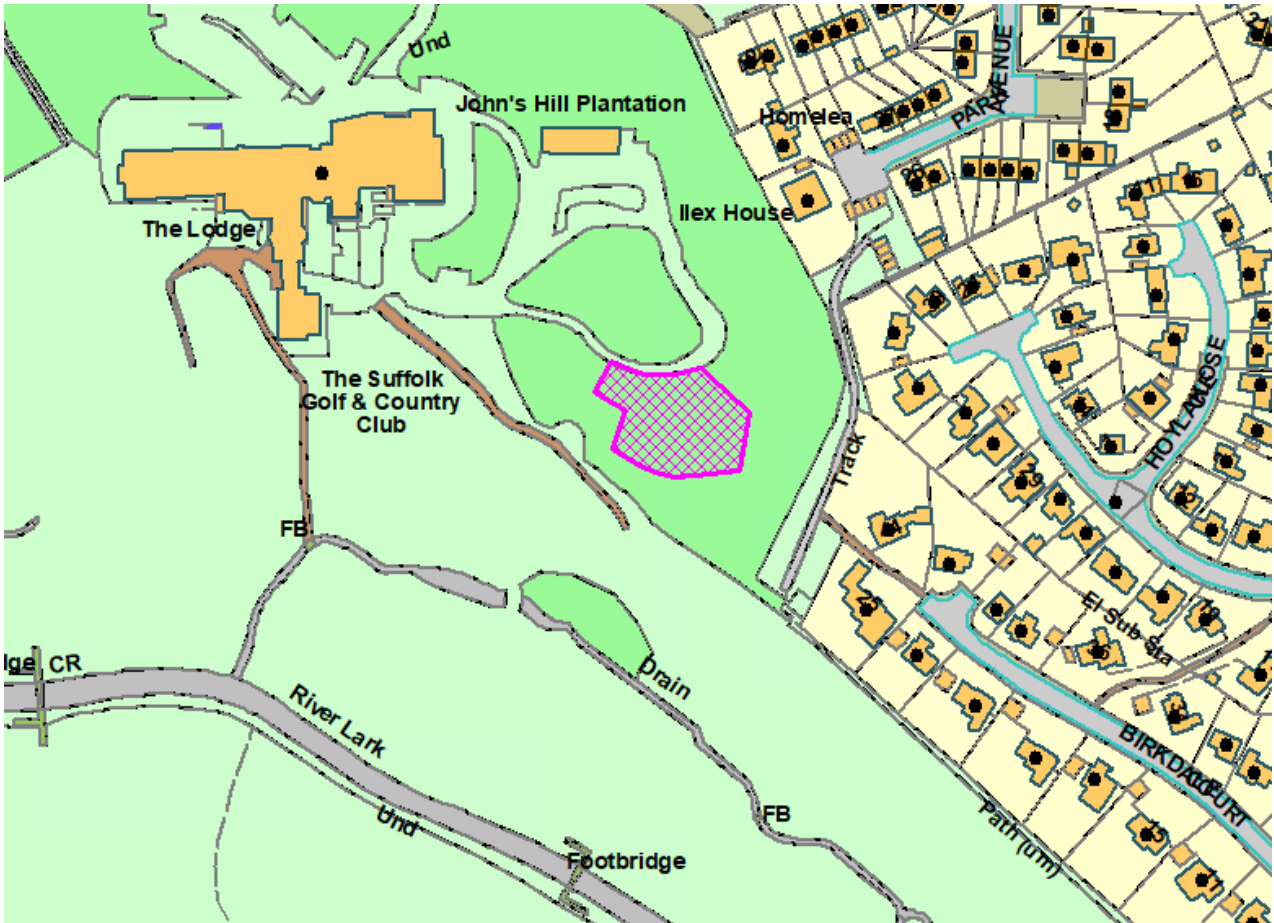
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/1378/FUL](#)

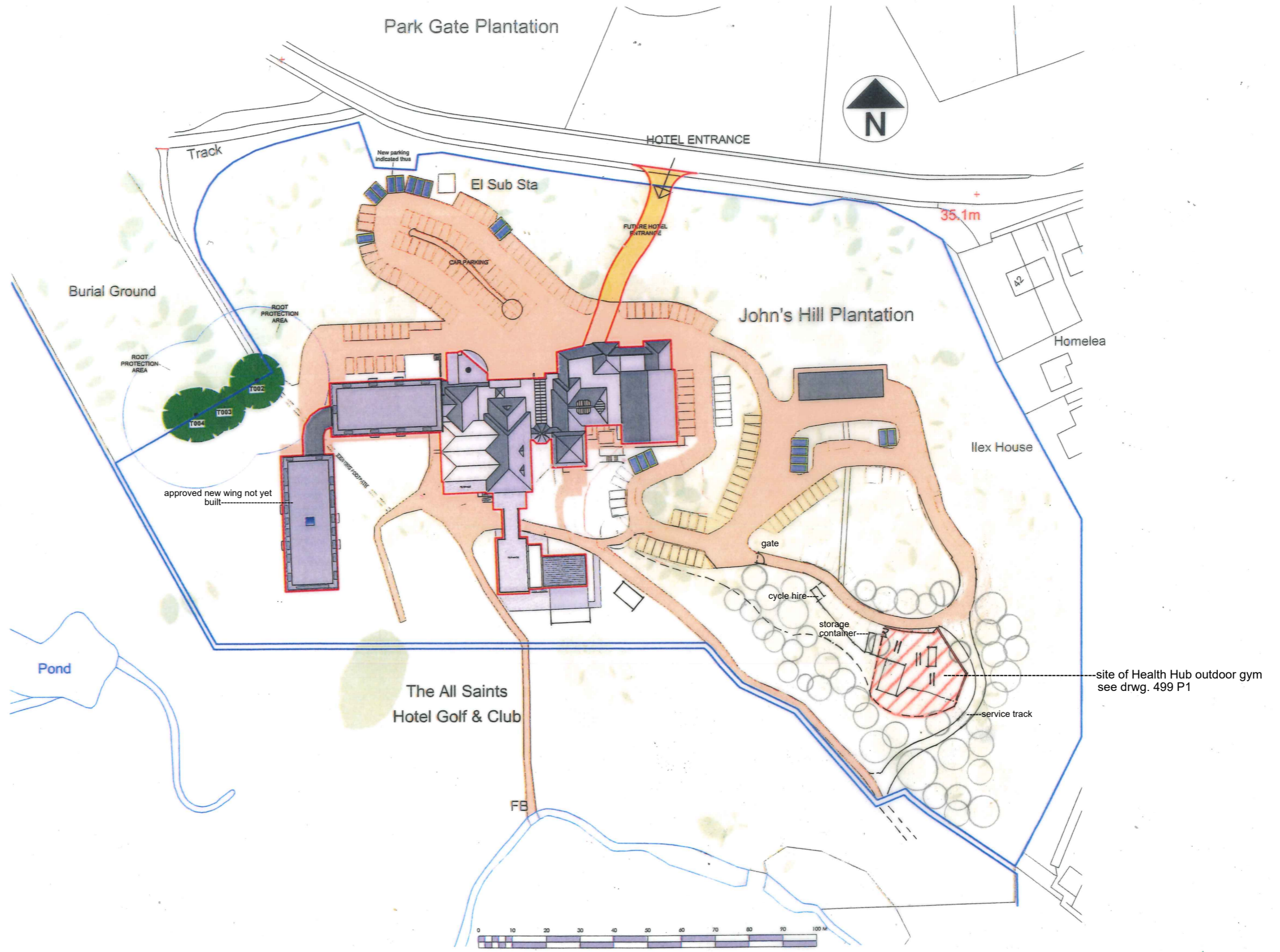
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BLOCK PLAN SHOWING HEALTH HUB OUTDOOR GYM
Scale 1:1250

ANDREW KELLOCK ARCHITECTS MILL MOUNT WATTISFIELD ROAD THELNETHAM SUFFOLK IP22 1JE andrewkellock333@btinternet.com 07790022867	job	ALL SAINTS HOTEL & GOLF CLUB FORNHAM ST GENEVIEVE BURY ST EDMUNDS IP28 6JQ
	drwg	HEALTH HUB OUTDOOR GYM BLOCK PLAN AS PROPOSED
	no.499 BP2	scale 1:1250

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