



St Edmundsbury
BOROUGH COUNCIL

DEV/SE/15/13

Development Control Committee

5 February 2015

Planning Application DC/14/1667/FUL

Land South of Rougham Hill, Rougham Hill,

Bury St Edmunds

Date: 5 September **Expiry Date:** 31 October 2014
Registered: 2014

Case Officer: Christine Flittner **Recommendation:** Grant Planning
Permission subject to
conditions

Parish: Bury St Edmunds **Ward:** Southgate

Proposal: Change of use of woodland to Gypsy/Traveller site consisting of
five pitches

Site: Land South of Rougham Hill, Rougham Hill, Bury St Edmunds

Applicant: Mr Kevin Delaney

Synopsis:

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

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Background:

This application is referred to the Committee as a result of the objection received from the Town Council and the overall number of representations received.

The application is recommended for approval.

Proposal:

1. Planning permission is sought for the change of use of woodland to a gypsy/traveller site consisting of five pitches. Each pitch would be capable of occupation by a single family and it is proposed that each would accommodate a day/utility room, a mobile home and space for two touring caravans and three vehicles. The proposed site is to be provided and occupied by an extended family comprised of two brothers and their respective families and it would be privately run. The applicants have been living and working in the area for approximately four years.
2. A new vehicular access would be provided from the mini roundabout on Rougham Hill into the northern end of the site and the internal access road would run along the western boundary serving each pitch. The footpath to the east of the site would be retained and the application indicates that the mature trees along side it would be protected to ensure their retention. A close boarded fence is proposed approximately 5 metres into the site from the edge of the footpath. The application form confirms that foul drainage would be discharged to the mains sewer and surface water would be discharged to soakaways. The agent is checking the position in relation to foul drainage due to the response from Anglian Water (see para 20) and an update will be provided on this matter at the meeting.
3. The application has been amended since submission to show the root protection areas for some of the mature trees on and adjacent to the site and the resulting alterations to pitch layout. An extended period of re-consultation was carried out between 10th December 2014 and 8th January 2015 to allow for the Christmas and New Year period.

Application Supporting Material:

4. Information submitted with the application as follows:
 - Signed application forms (including ownership certification).
 - Design & Access & Planning Statement.
 - Phase 1 Habitat Survey Report.
 - Arboricultural Plan and tree survey
 - Information on public consultation carried out prior to submission of application
 - Confidential details relating to the family members
 - Drawings (including location plan, site layout plan and a plan showing ,

elevations and floor plans of the proposed day rooms).

Following a request for further information a Phase 1 Contaminated Land study was submitted at the end of November and in early December amended plans and an amended tree survey schedule were submitted. These have been published on the website and subjected to consultation.

Site Details:

5. The site is situated within Bury St Edmunds at the eastern end of Rougham Hill. It lies to the south of the A14 and a group of business units. The Veterinary Investigation Centre also lies in this area to the north of the site with a Golf Driving Range occupying land to the south. A lorry park containing a café borders the site to the west and a public footpath lies to the east of the site with open fields beyond. The site area is 4,432 square metres (0. 44320Ha).
6. Beyond the immediate site boundaries in the wider locality lie the County Council Recycling facility, The Firs Residential Park and properties on Rushbrooke Lane.
7. The current use of the site is as a Community Woodland. It is understood from information on a plaque within the site that the woodland was planted in 1974 by West Suffolk County Council for the enjoyment of future generations and in tribute to the Suffolk countryside.
8. The application site forms part of the wider south-east Bury St Edmunds strategic development allocation set out in the newly adopted Bury St Edmunds Vision 2031 document. Policy BV7 of Vision 2031 identifies 74.9 Ha of land as being allocated for development.

Planning History:

9. There is no relevant previous planning history on the site.

Consultations:

10. Suffolk County Council Local Highway Authority: **no objection** and recommends conditions are imposed to secure:
 - Access drainage
 - Provision of turning and parking areas
 - Details of access, visibility and gates
 - Details of external light sources
11. Suffolk County Council – Rights of Way: **no objection** and provides notes on applicants responsibility in relation to the public footpath.
12. Suffolk Fire and Rescue Service: comment - no additional water supply for firefighting purposes is required.

13. Suffolk County Council – Waste Planning Authority: makes the following comments;

- The Borough Council is aware of the permitted waste uses in the vicinity of the site. The County Council is currently exploring an alternative waste site with the Borough Council. Notwithstanding this, the County Council has planning permission for the new waste facility and may proceed to implement the permission.
- The Borough Council must determine this application in light of the permitted uses which could still take place and, in line with policy WDM1 of the Suffolk Waste Core Strategy, must satisfy itself that this new development is compatible with both the existing and permitted waste uses at the household waste site and transfer station. The Borough Council is aware that the permitted waste transfer station has already been a matter of controversy with some local residents.
- The permitted lorry park provides important transport facilities for the strategic A14 trunk route. In determining this application, the relationship between this proposed development and the adjacent lorry park needs to be given due consideration. Specifically, the Borough Council must evaluate and consider noise arising from the lorry park and the potential impacts of this noise on the residents of the proposed development. Given the particular characteristics of this type of housing, including minimal noise insulation, the Borough Council must consider whether this is a suitable location for this type of residential development to come forward without noise mitigation measures.
- If it is minded to approve this application, the Borough Council must satisfy itself that the proposed development will not prejudice the operation of the lorry park. If the lorry park were to close without a suitable replacement, it is reasonable to expect negative impacts on the local highway network.

14. West Suffolk – Environmental Health - Public Health and Housing - no objection – and has the following observations;

The site is approximately 165m from the A14 which is a high source of noise and if the planning application was for residential homes a noise survey would be required. As the application is for “travellers” who by nature may not be resident all the time on this site a condition for a noise survey is not required.

15. West Suffolk – Environmental Health – Contaminated Land – no objection based on the submitted information for the site, this Service is satisfied that the risk from contaminated land is low. The standard unsuspected contamination note is recommended so the developer is aware of his responsibility for the safe development and secure occupancy of the site.

16. West Suffolk – Housing Development and Strategy – **no objection** and makes the following comment;

The family have been established in the area for a number of years, therefore have a local connection to Bury St Edmunds. They are in housing need because we do not have suitable accommodation for them in terms of a Gypsy and Traveller site. There is a need to provide a site.

17. West Suffolk – Planning Policy – **recommended that the planning application as submitted be approved** - full comments attached at Appendix 1.

18. West Suffolk – Ecology and Landscape – **no objections** subject to the imposition of conditions as follows; (full comments attached at Appendix 2)

- The position, species and root protection area (RPA) of all the mature trees to be marked on a plan with details of protection measures for their retention.
- Details of no-dig pads for mobile homes and caravans to be submitted.
- Details for dayrooms/utility foundations where they are within RPAs.
- Details of no-dig construction for permeable hard standing required for car parking and leisure functions.
- Details of boundary treatment to lorry park to provide an effective visual screen.
- A further assessment of trees for bat potential to be submitted alongside details relating to the retention/removal of trees (all trees to be removed will need to be assessed) to ensure there is no impact on bats.
- Implementation in full of the mitigation measures in the ecological report
- Details of external lighting to be submitted (BS42020:2013).
- Details of the way in which the close board fence will be adapted to ensure there is connectivity between the two parts of the woodland (part of boundary treatment condition).
- Details of a management plan for the defunct hedgerows and mature trees retained adjacent to the PRow (Public Right of Way) to mitigate the loss of canopy cover (a condition or other obligation).

19. Environment Agency – **no objections** – and make the following advisory comments (summarised);

The site is located within Flood Zone 1 (low risk) of our flood map. The site is located above a Principal Aquifer and Source Protection Zone 2. We do not consider this proposal to be High Risk, but make advisory comments relating to pollution prevention and contamination (These can be addressed via notes).

20. Anglian Water – confirm that there are no foul sewers within the vicinity of the development therefore no comment to make on the proposal.

21. Suffolk Wildlife Trust – comments submitted on the content of the ecological survey report which accompanied the application. In summary the comments are as follows;

- When weighing this proposal against other relevant planning policies there must be confidence that there will be no net loss of biodiversity value in the area.
- Should planning permission be granted for any development the recommendations within the ecological survey report should be implemented in full via planning conditions.
- Construction methods should be conditioned to ensure retained trees are protected.

22. Forestry Commission – Role is to highlight Government policy relating to trees and woodland so attention is drawn to the following;

- UK Forestry Standard – presumption against the conversion of forest land to other uses unless there are compelling reasons in the public interest for doing so.
- Natural Environment and Rural Communities Act, 2006, S40 – “Every public 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”.
- Forestry and Climate Change Guidelines - Forest management should contribute to climate change mitigation over the long term through the net capture and storage of carbon in the forest ecosystem and in wood products.
- National Planning Policy Framework (2012) Paragraph 118 – “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” Paragraphs 132, 135 and 139 - state how heritage assets, whether designated or non designated, should be treated when considering the impacts of a proposed development. Heritage assets are irreplaceable. Non designated assets with equivalent significance to designated assets should be considered in accordance with policies for designated assets.
- Keepers of Time – A Statement of Policy for England’s Ancient and Native Woodland (2005) Page 10 “The existing area of ancient woodland should be maintained and there should be a net increase in the area of native woodland”

23. Bury St Edmunds Ramblers Association – **no objection** as the footpath is to be unaffected by the proposal.

24. Suffolk Preservation Society – **objects** to the proposal on the following grounds (summarised);

- The site forms part of a strategically scaled, adopted housing allocation for 1250 dwellings
- Policy CS3 requires the preparation of a concept statement (approved May 2013) and a masterplan before applications are considered on the site.
- The N/E corner of the site is identified for lower density housing in a landscaped setting.
- Policy BV7 sets out key policy considerations for this site and in the absence of a masterplan, which is a crucial stage of the effective planning of the site, it would be wholly inappropriate to jeopardise the effective development of this site by adopting a piecemeal approach at this early stage.

25. Suffolk Constabulary – comments as follows (summarised);

- It is not envisaged that the location at Rougham Hill would cause any issues from a policing perspective. There are no nearby neighbours and the setting is screened from the road.
- We have been working with the council/traveller liaison officers for many months in relation to the family who have been trying to purchase land within the town.
- The family has links to the town and children are being put through school.
- There were issues due to unauthorised encampments which were resolved by provision of short term permission to reside at Moreton Hall on a tolerated site.

26. Comments are awaited from the following;

- EDF Plc
- National Grid
- BT
- Traveller Liaison Officer
- Waste Management Operations Manager

Any comments received will be reported by way of a late paper or as a verbal update at the meeting.

27. As a result of the re-consultation further responses were received from the following consultees;

- Suffolk County Council Highways
- Suffolk County Council Rights of Way
- Suffolk Fire and Rescue Service
- Suffolk Constabulary
- Forestry Commission

The responses all reiterated the comments made on the original submission.

Representations:

28. Town Council – **objects** and comments

(1) Loss of trees (2) nature conservation (3) contrary to replacement St Edmundsbury Local Plan, 2016, Policy NE3 'Protection of Landscape' which states that development will be permitted only where it does not have an adverse impact on features of landscape and amenity value and (4) contrary to Vision 2031 'South East Bury Concept Statement' para. 1.27 relating to the retention of trees.

These comments were reiterated in response to the re-consultation.

29. Cllr Sarah Stamp **objects** to the proposal as both Borough and County Councillor for the area on the following grounds (summarised);

- Against development of the woodland which was planted by the County Council for local people to enjoy as stated on the memorial stone.
- The woodland is used by many local residents for dog walking and enjoyment of the area.
- The established trees should be protected and the woodland should not be developed as this would be contrary to the County Council's aspirations for woodlands as outlined on p19 of its Nature Strategy (May 2014).
- According to the application the public footpath amenity which runs alongside the wood would be taken away by the development of the site.
- Until the masterplan has been adopted in accordance with Policy BV7 of Vision 2031 I fail to see how this planning application can be considered. It is contrary to the Vision 2031 South East Bury Concept Statement adopted by this council (Paragraph 1.27 relating to the retention of trees) and it goes against the Borough's aspirations for the protection of landscape.
- These objections would stand for any proposed development on this site which is premature given the masterplan is under development and inappropriate given the designation and specific history of the wooded area.
- These comments were reiterated in response to the re-consultation.

30. Amec Environment and Infrastructure UK Ltd has submitted an **objection** on behalf of Hopkins Homes and Pigeon (Bury East) Ltd for the following reasons (summarised);

- **Loss of open space and impact on visual amenity** – there is no justification assessment to demonstrate that the open space is surplus to requirements as required by the NPPF. The woodland makes a positive contribution to the character and appearance of the area so its loss would cause detriment to the overall quality of the local area.
- **No policy support for the development proposals** – there is no current identified need for gypsy and traveller

accommodation in Bury St Edmunds. The latest supply figures identify a current supply of 19 pitches and no current need exists for the creation of five pitches. There is also no policy requirement through the adopted Core Strategy or Bury Vision for the provision of gypsy and traveller accommodation in this location.

- **Contrary to the vision for S/E Bury St Edmunds** – the application site is within the red line area of policy BV7 and Hopkins and Pigeon are concerned that the proposal may impact negatively on the comprehensive delivery of this allocation. The application is premature of the masterplan process: policy BV7 of Bury Vision 2031 states that “applications for planning permission will only be determined once the masterplan for the whole site has been adopted by the Local Planning Authority”. Hopkins and Pigeon have aspirations to deliver a high quality neighbourhood on the south east Bury strategic site and the proposal will be at odds with this proposed high quality neighbourhood. This will negatively impact on the proposed and this will be compounded through the loss of woodland.
- **Residential amenity** – it is questionable whether this development will provide a suitable level of residential amenity for future occupiers. Given the nature of the proposals there is no opportunity to mitigate the impacts from the neighbouring uses including the A14, lorry park and recycling centre in the same way as designing permanent residential dwellings.
- There are no factors which should outweigh the policies of the Development Plan, accordingly planning permission should be refused.

31. 34 letters/e-mails have been received from local residents at the following addresses raising **objections** to the proposed development;

- 8, 10, 24, 27, 31, 35, 36, 37, 41, 42, 43, 46 and one unnumbered at The Firs Residential Retirement Park
- 1, 3, 4, 6, 10, 11 and 12 Byfield Way
- 1, 2, 4, and 5 Governors Mews
- 87 and 100 Home Farm Lane and 106 Home Farm Lane representing the Home Farm Lane (South) and Hardwick Park Residents Group
- The Gate House, Far End, Southgate Farm, Rushbrooke Lane
- 63 Sicklesmere Road
- 1 Oaklands Park (Business Premises), Rougham Hill
- Felsham Barn and Blenheim, Great Barton

32. 3 petitions have been received as follows;

- The Firs Residential Retirement Park – signatures from the residents of 30 addresses.
Nos 1,2,3,4,5,6,7,8,9,10,11,12,14,16,18,19,20,23,24,25,27,28,31,32,33,35,36,37,38, and 39.

- Byfield Way - signatures from the residents of 17 addresses, Nos 1,2,3,4,5,6,7,8,10,11,12,14,15,16,17,18 and 19.
- Southgate House, Rougham Road – signatures from the residents of 14 addresses, Nos 4, 5, 6, 7, 8, 9, 14, 17, 21, 24, 27, 29, 32 and 33.

33. In addition there were 8 letters/emails submitted from residents of the local area, Moreton Hall and Troston who wished to have their contact details withheld or who wrote in anonymously. The points made in these representations have been considered in the determination of the application and normally it would not be possible to accord as much weight to the comments made as the weight to be attributed to those with names and addresses disclosed. This is because the precise location of the contributor is not known. However due to the volume and range of the published responses received the nature of these 'withheld' representations are all of the same subject type and as a result they have been included in the paragraph below.

34. The issues and objections raised are summarised as follows:

- Highway safety - Increase in traffic as businesses will be run from the site and the roundabout at Rougham Hill is already congested.
- Residential amenity - not the right place for the site as it's a quiet safe place to live and there will be additional noise generated.
- Residential amenity - The area is not big enough for 50-60 residents and there should be a control on how many residents can be on the site.
- Local amenity - the site is on high ground and will be clearly visible from Rushbrooke Lane appearing as a blot on the landscape.
- Ecology - wildlife habitats would be destroyed with the felling of trees and decimation of commemorative woodland planted by the County Council contrary to their aspirations for Woodlands as outlined on page 19 of Nature Strategy (May 2014).
- Ecology/Woodland - the land is owned by Suffolk County Council which means tax payers own it and its continued community use should be supported.
- Ecology/Loss of woodland - this should only be lost in exceptional circumstances and there is no assessment to justify this loss. The semi mature oak woodland is healthy and provides good landscape value that could be sensitively incorporated into a housing scheme and managed to enhance its potential.
- Ecology/Bats - it is unrealistic to recommend that night lighting should not be introduced on a residential site.
- Local amenity - the woodland acts as a natural barrier and assists in screening parts of the town from the A14 and mitigating noise.
- Planning Policy - proposal would be contrary to Policy BV7 of Vision 2031 adopted in October 2014 as will be situated in the buffer/green corridor and applications should only be determined once the masterplan for the site has been adopted by the planning authority to avoid pre-empting this favoured process.
- Planning Policy - Vision 2031 for the SE Bury strategic site is for a high quality sustainable neighbourhood with landscaping which has

been supported by local councils and endorsed by a Government Inspector with the expectation that mature trees and belts are retained and supplemented. This is the intention of the developers bringing forward the masterplan.

- Planning Policy - the concept plan for the development of SE Bury shows that the area close to the community woodland is envisaged for low density housing which equates to high value properties, so the provision of a travellers site is inconsistent.
- Planning Policy - the pressure placed on the Borough Council to accommodate travellers is recognized, however appendix 10, para 1.32 of the masterplan concept statement, is at best advisory as has not been the subject of public consultation and states that the developer must examine need at the time of development in relation to traveller site provision and it is not yet time.
- Planning Policy and Need - the Government Inspector in his Vision Report of July 2014 – paras 38 and 39- states that sufficient, deliverable pitches with planning permission exist for the next five years to meet the needs of the travelling community , therefore the requirements of PPTS para 9(a) & (b) are met by the plan. The Vision document identifies a broad location for growth to meet identified need in years 6 – 10 and not at the present time.
- Planning Policy and Need - members of the settled community applying for residential use on this woodland site would be turned down, so this site should be refused as sufficient sites exist with the Borough.
- Planning Policy - development of the site on a piecemeal basis, contrary to adopted policy, will deter providers of quality businesses and housing from investing in the Vision 2031 plan.
- Planning Policy – All strategic sites are open to the possible establishment of travellers’ sites, not just the SE strategic site.
- Planning Policy – the application does not comply with council policies DS3 (design and impact), the Concept Plan and Vision 2031 that seek to create local distinctiveness, a sense of place, character and ensure protection and enhancement of the natural environment.
- Planning Policy – The Government issued a consultation paper on September 14th 2014 setting out its intentions to change the definition of gypsies and travellers for planning purposes to someone who travels rather than someone who has travelled and gives up permanently. The reason for this is to ensure fairness in the planning system. This should be noted by the Council and the application refused.
- Need - do not deny the need for a site, but the wrong location.
- Need - provision of this type has been attempted before with disastrous results.
- Site layout/amenity – the site being long and narrow does not follow the Good Practice Guide on Designing Gypsy and Travellers sites as the preference is for a horseshoe design as opposed to linear.
- Site layout/use – there is no provision in the layout for the applicants to run their building business from the site and keep it separate from the residential areas of the site as suggested in the

Good Practice Guide on site design.

- Drainage – there is no adopted sewer in Rougham Hill and Oaklands Park uses a private sewage treatment plant, so until full details of where the sewage will go and who will pay are provided there is a reason to object.
- Property price - would be negatively affected should this development proceed and potential purchasers deterred.
- Local amenity - the site is too close to the public footpath and will taint the view and detract from amenity.
- Local amenity - there will be an increase in litter which is already an issue due to the lorry park.
- Residential amenity - the site will be too close to the lorry park and industrial area which isn't a good environment for residential development.
- Procedure - the application seems to be receiving priority treatment which is inappropriate.
- Procedure - will the site be financed from public funds only to result in closure when the south east development area goes ahead?.
- Highway and personal safety - young children will occupy the site and concern about them using the unlit cul-de-sac of Rougham Hill without a footpath as the Police have informed that the area is often used for unpleasant purposes at night.
- Procedure – the concept of a “permanent site for travellers” is contradictory as the word “traveller” implies an itinerant lifestyle and this proposal appears as an attempt to manipulate the planning regime in a wholly inappropriate manner.

35.As a result of the reconsultation process 7 further responses were received from the following addresses;

- 12 Byfield Way
- 1 Byfield Way
- 36 The Firs
- 37 The Firs
- 2 Governors Mews
- 5 Governors Mews
- 6 Byfield Way

The representations reiterated the original comments made as already detailed.

36. The following comments (summarised) were received in a joint statement from the residents of 1 Byfield Way, 106 Home Farm Lane and Southgate Farm, Rushbrooke Lane in response to the West Suffolk Planning Policy comments;

- The recommendation for approval has no merit.
- The justification for the recommendation of approval is based on the purported actual need of the applicants for use of the site.
- There is no actual need as set out in the Inspector's report on the examination of the Vision 2031 documents which recognises that there are existing permissions for five pitches which are deliverable

and sufficient to meet need for the next five years.

- This is a lifestyle wish that has no parallel in the provision of housing for members of the settled community, rather than actual need.
- Special case treatment given to members of the travelling community is a source of public disillusion with the planning process as highlighted by a recent government consultation.
- No analysis exists of alternative options that might be relevant to the present applicants.
- If actual need were accepted as a material consideration there are other substantial material considerations to take an opposing position.
- There is no case for contravening policy BV7 of the recently adopted Vision 2031 which has been the product of a long and detailed process culminating in public examination and adoption. This would undermine the credibility of SEBC's commitment to the plan.
- DC/14/1261 was withdrawn on officer advice due to conflict with policy BV7 and is further instance of unwarranted special treatment with the actual need of travellers being more pressing than the need for housing for the settled community.
- The Government consultation on changes to Planning Policy for Traveller Sites have not yet been brought into force but should be accorded due weight as the direction of travel for the planning regime.
- The site cannot be considered outside the context of the planned 1250 dwelling, high quality residential for the SE Bury strategic site as the red line boundary of the overall site shows that the present community woodland is bounded on its N/E and S/E edges by planned residential land.
- There will be a net loss of woodland with no compensatory provision made in the planning application which fails to accord with the provisions of Policy NE3, whereas the draft masterplan is compliant with this policy and the Vision 2031 document.
- The present application proposes a semi -industrial aspect and will not be compatible with the high quality development planned for the SE Bury strategic site, so offending the provisions of policy CS3 and emerging policy DM14.

Policy:

37.The application has to be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. At present the Development Plan comprises:

- St Edmundsbury Core Strategy, December 2010
- Bury St Edmunds Vision 2031, September 2014
- Remaining saved policies in the Replacement St Edmundsbury Borough Local Plan, 2006
- The emerging Joint Development Policies document (consultation on the Inspector's modifications ended on 27th November, with adoption planned for February 2015)

38. The following policies within these documents are relevant in the consideration of this application:

Core Strategy

- CS2 Sustainable Development
- CS3 Design and Local Distinctiveness (this replaced Policy DS3 of the Replacement Local Plan)
- Policy CS6 Gypsies, Travellers and Travelling Showpeople
- Policy CS11 Bury St Edmunds Strategic Growth

Bury St Edmunds Vision 2031

- Policy BV1 - Presumption in Favour of Sustainable Development
- Policy BV7 – Strategic site South East Bury St Edmunds
- Paragraphs 5.51-5.56 – Gypsy and Traveller sites
- Appendix 10 – South East Bury St Edmunds Concept Statement

Replacement St Edmundsbury Borough Local Plan 2006

- NE2 Protected Species
- NE3 Protection of the Landscape

Joint Development Management Policies Document

- The Joint Development Management Policies document is currently under examination. A consultation on the Inspector's proposed modifications to the policies ended on 27 November 2014. It is anticipated that this document will be adopted in February 2015. At this stage in the plan process the document can be afforded a significant degree of weight. The policy particularly relevant to the proposals is Policy DM11 (as modified) Impact of Development on Sites of Biodiversity and Geodiversity Importance; and DM14 (as modified) – Landscape Features.

National Policy

The following Central Government planning guidance are material considerations in the making of planning decisions:

- The National Planning Policy Framework (2012)
- National Planning Policy Guidance (2014)
- Planning policy for Traveller Sites (2012)

39. The National Planning Policy Framework (the Framework) sets out government's planning policies for England and how these are expected to be applied.

40. Paragraph 14 of the Framework identifies the principle objective:

“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision taking this means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole;
 - or specific policies in this framework indicate development should be restricted."

41. This presumption in favour of sustainable development is further reinforced by advice relating to decision-taking. Paragraph 186 of the Framework requires Local Planning Authorities to "approach decision taking in a positive way to foster the delivery of sustainable development". Paragraph 187 states that Local Planning Authorities "should look for solutions rather than problems, and decision takers at every level should seek to approve applications for sustainable development where possible".

42. The Government has released its National Planning Practice Guidance (NPPG) (March 2014) following a comprehensive exercise to review and consolidate all existing planning guidance into one accessible, web-based resource. The guidance assists with interpretation about various planning issues and advises on best practice and planning process.

43. Central Government recently undertook consultation in respect of changes to national planning policy and Planning Policy for Traveller Sites with a view to strengthening policy in these areas. The proposals relate primarily to changes to Planning Policy for Traveller Sites, although some would apply to the settled community and would involve changes to wider national planning policy. The consultation document states that the Government remains committed to increasing the level of authorised traveller site provision in appropriate locations to address historic undersupply as well as to meet current and future needs. However, the Government also believes that further measures are needed to ensure that planning rules apply fairly and equally to both the traveller and settled community. The Government's view is that where travellers have ceased to travel then they should be treated no differently to members of the settled community.

44. The consultation ended on 23 November 2014 and currently analysis of the feedback is taking place. There has been no change to Planning Policy for Travellers Sites to date, therefore it remains the current national policy position to be considered and applied in the determination of this application.

Officer Comment:

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

- Principle of Development
- Planning Policy Considerations
- Need and supply
- Ecology and Landscape (Natural Heritage)
- Environmental Conditions (Flood Risk, Drainage and Contamination)
- Design, Layout and Residential Amenity

Principle of Development

46.At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. The policies in paragraphs 18 to 219 of the Framework, taken as a whole, constitute the Government's view of what sustainable development means in practice for the planning system. It goes on to explain there are three dimensions to sustainable development:

- i) economic (contributing to building a strong, responsive and competitive economy),
- ii) social (supporting strong, vibrant and healthy communities) and,
- iii) environmental (contributing to protecting and enhancing our natural, built and historic environment;)

47.The Framework explains (paragraph 9) that in order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. It is Government policy that the planning system should play an active role in guiding development to sustainable solutions.

48.The application site is situated within the settlement boundary of the town and is thus considered to be situated in a sustainable (accessible) location.

49.It is important to identify at this early stage of the assessment that the application is on land which forms part of a wider strategic area of growth in south east Bury St Edmunds. Policy BV7 – Vision 2031 states 'applications for planning permission will only be determined once the masterplan for the whole site has been adopted by the local planning authority.' As a result the proposal for development on this land could be considered as premature coming forward in advance of the masterplan

50.Representations received which have been detailed in the report make it very clear that this is a major concern to many who contributed and to depart from the master planned approach at such an early stage in the life of the plan would undermine the credibility of the Council and its commitment to deliver the provisions of BV7 and the overall Vision 2031. This is a matter which has already received careful consideration in respect of application DC/14/1261/FUL which was submitted in July 2014 for change of use of land to form an extension to the residential

retirement park at The Firs. Similarly the application site formed part of the wider south-east Bury St Edmunds strategic development allocation set out in the newly adopted Bury St Edmunds Vision 2031 document.

51. Whilst work has commenced (by a developer consortium), a masterplan for the whole site is yet to be adopted by the Council. Consultation on the draft masterplan is likely to take place in Spring 2015, to be followed by the submission of a planning application. As a result the application proposal for The Firs (being part of the masterplan site) was considered contrary to Policy BV7 and in early November the application was withdrawn, one of the reasons being its prematurity in advance of the masterplan process for the whole site.
52. This application for a gypsy and traveller site, also located within the boundary of allocated site BV7, could therefore be considered as premature of the masterplan process for the whole site. However, Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
53. It is necessary to identify the distinction between the application for the extension to the residential retirement park, and the current proposal for change of use of land from woodland to a gypsy and traveller site as this is a material consideration in the determination process and must be accorded weight. There are specific policies which apply and are set out in Planning Policy for Traveller Sites (PPTS) and whilst contributors have noted that the Government have consulted on a potential future change of this policy, the responses are still being collated and any change is yet to be announced. As a result the policy document issued in March 2012 must be considered the most relevant and up to date national policy at the moment.
54. It is considered that unlike the need for market housing, the presentation of an actual need for a gypsy and traveller site is a material consideration that could warrant the departure from an adopted development plan. PPTS, Policy H, para 22, b) requires the local planning authority to consider the availability (or lack) of alternative accommodation for the applicants along with a number of other criteria such as the existing level of local provision, need for sites and personal circumstances of the applicant.
55. It is recognised that Policy BV7 is a recently adopted policy of the development plan which carries weight in the decision making process, however there are additional policies and factors to be considered, such as Policy CS6 of the Core Strategy, the requirements set out in the national Planning Policy for Traveller Sites and need and supply in relation to sites for travellers in the Borough. These matters are considered in the following paragraphs.

Planning Policy Considerations

56. National guidance in the form of Planning Policy for Traveller Sites seeks (inter alia) 'to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.'
57. Within the guidance, 'gypsies and travellers' means 'persons of nomadic habit of life, whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling show people or circus people travelling together as such.' The applicant has indicated that the reason his family are seeking a permanent site is that maintaining the nomadic way of life is becoming more difficult if access to employment, and continuity of health care and education are required.
58. Where there is no identified need for traveller sites, local planning authorities are advised in PPTS under Policy B to adopt criteria-based policies in policy documents in order to provide a basis for decisions in case applications come forward. Policy CS6 of the Core Strategy is a criteria based policy which conforms to this guidance and will be discussed later in this section of the report.
59. Policy H of PPTS sets out information on determining planning applications for traveller sites and sets out the issues, amongst other relevant matters, to be considered and these will be dealt with in turn below;
- **a) the existing level of local provision and need for sites** - The family clearly have an urgent 'actual' need for a site, despite the 'theoretical' short term need for sites having been met by other planning permissions. This is demonstrated by the various unauthorised encampments which were resolved by the provision of short term permission to reside at Moreton Hall (temporary stopping site). This assessment is supported by the comments of the West Suffolk Housing Development and Strategy team.
 - **b) the availability (or lack) of alternative accommodation for the applicants** - A number of rounds of 'calls for gypsy and traveller sites' took place during the preparation of the Vision 2031 site allocation documents, the most recent being in summer 2013. No sites were submitted to the Council or identified at that time. It is also understood that the family themselves have been actively searching for site in the vicinity of the town. The site is within the red line boundary of Policy BV7 which indicates availability and intent to deliver; however, to date no discussions have taken place with the developer consortium as to the location of a gypsy and traveller site in the context of the masterplan. The developers are currently objecting to this application on the basis that the location of a site will be considered at the time of development, should there be a need at that time. It should be noted that if planning permission is granted for Gypsy and Traveller provision at the community woodland site, this may well meet all of the gypsy and traveller needs for the SE site.

- **c) other personal circumstances of the applicant** – Information submitted as part of the application confirms that the family have been living in the Bury St Edmunds and the wider area for some years, have children in local schools and have made local employment connections.
- **d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites** - Policy CS6 sets out the locally specific criteria against which any applications for a gypsy and traveller site should be determined. This is considered in further detail below.
- **e) that they should determine applications for sites from any travellers and not just those with local connections'** – the applicants have come into the area from Essex where there was extreme pressure for accommodation, but have been in the Borough for around four years.

60. The relevant local policy is Policy CS6 of the Core Strategy. It is a criteria based policy for the assessment of proposals for gypsies, travellers and travelling showpeople as advised in PPTS. The policy states that proposals which would not cause unacceptable harm will be permitted where they have regard to the following factors:

- Designated and protected habitats and species, heritage designations, soil and water quality, and other natural resources; - this will be covered in the next section of the report.
- b) The location in relation to schools, medical facilities, shops and other local services and community facilities - The site is located on the south eastern edge of Bury St Edmunds, within walking distance of shops, medical facilities and other local services and community facilities. The development of the south-eastern strategic site will further improve the availability of services and facilities in this location. It is considered to be an accessible site in a sustainable location.
- c) The amenities of nearby occupiers - The application site is located on the northern edge of the town, under Policy BV7 south east strategic growth area. The application site and the adjacent lorry park are both outside of the control of the south east area's developer and are owned by Suffolk County Council. The site lies adjacent to a lorry park and is a short distance from a waste and recycling centre. The site lies opposite a group of business units, the Veterinary Investigation Centre and to the south is a golf driving range. There are currently no residential dwellings within the immediate vicinity of the site although it is recognised that once the master plan is adopted a planning application for residential development is likely to come forward adjacent to the site. Suffolk Constabulary's response to the application confirms that application is of low risk in terms of impact on residential or other amenity.
- **d) Their size and scale in relation to any nearby existing community** - The application is for five pitches which will lie wholly within the wooded area to the east of the lorry park. The scale is deemed appropriate in relation to the site plan submitted with the application and does not directly impact on existing communities.

- e) **The character and appearance of the countryside** -The site lies within the settlement boundary of Bury St Edmunds under policy allocation BV7 for the south east strategic growth area and will not significantly impact on the character or appearance of the wider countryside. The application proposes to retain the mature trees around the site boundaries to ensure any wider impacts are minimised.
- f) **The provision of a satisfactory means of access and the adequacy of the highway network** - The site is accessed off an existing highway and it is noted that Suffolk County Council Highways have not issued an objection to the application on highways grounds.

Need and Supply of Sites

61. The most up to date evidence in terms of future requirements is the Gypsy and Traveller Accommodation Needs Assessment (GTNA) published in October 2011, with an update published in April 2012.
62. The Inspector's report into the examination of the Vision 2031 documents (July 2014) states at paragraph 39, 'There are existing planning permissions for five pitches (a net increase of three), which are deliverable and are sufficient to meet the need for the next five years, while the Bury Vision 2031 document identifies a broad location for growth to meet the identified need in years six to ten.' Thus the requirements to provide five years' worth of sites and broad locations for growth for years 6- 10 as set out in PPTS para 9(a) & (b) are met by the plan.
63. A summary of the overall requirement of need is set out in paragraphs 5.54-5.56 of the adopted Bury St Edmunds Vision 2031 document. The figures equate to a need of 4-6 pitches to 2021 (which has been met by existing permissions) and a further 3 to 6 pitches to 2031 (the south east strategic site is identified in the adopted concept statement as a suitable location, should a need be identified at the time). This total of 7-12 pitches is significantly lower than that previously required by the now revoked East of England Plan.
64. A review of the Traveller Needs Assessment is currently being undertaken by the Cambridgeshire County Council, the results of which will form an updated evidence base for the council and may result in a change in the figures. There is a requirement to update the five-year supply of deliverable sites annually throughout the Vision plan period to ensure consistency with national guidance. This was a point made by the Inspector in his report on the Vision 2031 at para.39.
65. Taking into account the requirements established in the Bury St Edmunds Vision 2031 document, it is important to distinguish between a required 'theoretical' need in a Local Plan document, as opposed to an immediate 'actual' need which presents itself in the form of family requiring a gypsy/traveller site. This application is dealing with an actual need and therefore should be assessed in relation to current planning policy, to determine whether the principle of development on the site is acceptable.

66. The identification of actual presenting need as opposed to the theoretical, model based, need has been identified by objectors/contributors as matter which should carry little, if any, weight given the up to date nature of the adopted policy. This point of view is reasonable as it has been correctly identified that the policy documents have been through lengthy preparation, consultation and examination to ensure they are robust. However, it is clear when taking into account policy documents and appeal decisions, where applicants or appellants are faced with overcrowding or there is no alternative accommodation available to them, the matter of need must carry significant weight.
67. The sites which have been approved within the Borough to meet the current level of need as identified in the GTANA are on private family owned sites and are not likely to be available to the applicant, hence his need to provide a site for his own family. The information submitted with the application states that the family have made strenuous efforts via local agents and discussions with Borough and County council officers to identify a suitable site.
68. This application would provide a total of five pitches which would meet the borough's long term need for a further 3-6 pitches to 2031. If any additional families presented a need for a gypsy and traveller site before the end of the plan period (2031), these applications would be judged against the adopted Core Strategy criteria based policy CS6 – Gypsies, Travellers and Travelling Showpeople.

Ecology and Landscape (Natural Heritage)

69. The Framework confirms the planning system should contribute to and enhance the natural environment by (inter alia) minimising impacts on biodiversity and providing net gains where possible. The Framework states that protection of designated sites should be commensurate with the status of the site, recognising the hierarchy of international, national and local designations.
70. Core Strategy policy CS2 seeks to secure high quality, sustainable new development by (inter alia) protecting and enhancing biodiversity, wildlife and geodiversity. Saved Local Plan policy NE2 safeguards protected species from the potentially adverse impacts of development, unless there is no alternative to development and suitable mitigation measures have been undertaken.
71. The development proposals would not affect any internationally, nationally or locally designated sites of nature conservation interests.
72. The site comprises plantation broadleaf woodland estimated to be 40 years old with hedgerows and mature trees on the north eastern boundary which significantly pre-date this. The ecological report highlights that the plantation trees are densely planted and as such there is little understorey planting. The most mature and significant trees are located on the north

east boundary of the site and this is reflected in the arboricultural assessment. In addition the southern and northern boundaries which are not planted with oaks have developed into diverse scrub. The woodland is considered to be of moderate ecological value and of moderate landscape value providing separation between the Public Right of Way (PRoW) and the lorry park which it screens from the north and west.

73. There is no indication/record to suggest that this small area of woodland is 'ancient' woodland although one mature oak has been identified as a veteran tree. Whilst the NPPF para 118 seeks to protect irreplaceable habitats, the woodland to be lost here is not irreplaceable due to its moderate value and noting that the mature trees including the oak are to be retained.
74. In terms of the layout of the site and the impact on trees the proposals will require the removal of a number of trees consisting mainly of plantation oak in the central part of the site. The proposed access road and the dayroom /utility buildings are located along the south western side of the site and this will minimise impact caused by excavation of foundations on the mature trees. The proposals require the introduction of significant areas of hard standing for caravan pads and for car parking and leisure and these areas have the potential to impact on trees. Recommendations for design and construction methods contained within the application seek to ensure that harm to trees including the mature trees is minimised, however as the precise location of some of the mature trees have not been identified measures will need to be conditioned to ensure further details are provided in relation to the positioning, protection and retention of trees and construction methods.
75. Irrespective of these measures there will be a loss of trees and woodland resulting from these proposals. The proposals as submitted do not include compensation for this loss or justification that the woodland is surplus to requirement as required by the NPPF. This is an item that has been highlighted by Suffolk Wildlife Trust in their letter of 6 October 2014 and by many contributors/objectors.
76. It is a consideration to be weighed against the applicable gypsy and traveller policy and arguments of need. The woodland is known to have been planted in 1974 as a community woodland project, however the woodland appears to have been unmanaged for some time and the area is known to have a reputation for antisocial behaviour. The existing new sign at the site was part of a clean up undertaken recently to improve the sites amenity and a commemorative stone has been identified on the site. Other than the use of the PRoW which is observed to be well used there is little evidence that the community actively use this space excepting a cycle trail formed of artificially created mounds and dips between the tree lines.
77. The Forestry Commission consultation response observes that management of the woodland would lead to improvements in biodiversity and this has also been suggested by contributors/objectors. It has also been suggested that the woodland could be retained and managed as a

commercial proposition with the value of the trees and the biodiversity of the woodland increasing with time. Active management is required to achieve this and there is no evidence to suggest that this will actively occur in the future.

78. A public right of way (PRoW) follows the north east boundary of the woodland. The path connects Rougham Hill with Rushbrook Lane and onto Rushbrook and Sicklesmere beyond. There are hedges (described as defunct because they are not intact) on both sides of the path with mature trees. These features give the well worn path an attractive 'green lane' character and it is important to retain this attractive asset. The proposals are to remove the plantation oak trees in the central section of the site leaving the boundary trees which will minimise the harmful impact on the PRoW and the wider locality.
79. The proposal to retain all the mature trees and other vegetation adjacent to this path to ensure that the route's character is retained. This is an important consideration in the assessment of the application and in mitigating its impacts, therefore information on the position of all mature trees and their retention and protection should be covered by condition on any grant of consent.
80. Whilst the proposal to place a closed board fence between the PRoW and the footpath will screen the pitches from footpath users which will be beneficial, the presence of the fence could also be harmful to the character of the path if the correct details are not obtained and secured to be retained. The fence will provide site security and privacy and suitable conditions could be imposed, if consent were to be granted, to secure details of the fence.
81. Details have not yet been finalised regarding the SE Bury strategic site, however in relation to the adopted concept plan the proposed site falls within an area proposed for residential use with a strategic green edge. The first draft of the masterplan which is currently being developed shows the woodland area retained and integrated into green corridors which link to boundary green space and to the PRoW route. Retention of the mature trees adjacent to the PRoW (which forms part of the current proposals) is necessary to ensure continuity of the green corridors and to provide a setting/buffer for the gypsy traveller site within the wider strategic site.
82. The proposals are supported by an ecological study (Wild frontier Ecology 2014) and no impacts on designated nature conservation sites are predicted.
83. The ecological report identifies a number of mature trees on the site that could potentially be used by bats for roosting. The current proposals include the retention of these trees and this forms part of the mitigation measures to ensure no impact on bats. A further assessment of trees for bat potential could form the subject of a condition, submitted alongside details relating to the retention/removal of trees as all trees to be removed will need to be assessed to ensure there is no impact on bats.

84. The ecological report includes a section on mitigation proposals to ensure the impact of the proposal in biodiversity terms is minimised. These measures will need to be implemented in full and should be the subject of conditions along with a separate condition to control and mitigate the effects of lighting.
85. The development as proposed does not seek the total loss or clearance of this site. The trees of most significance and having the highest value in terms of amenity, ecology and landscape value are to be retained, limiting the felling to the densely planted and unmanaged area of the woodland within the site. Whilst it is acknowledged that, generally, policy seeks to minimise impacts on biodiversity and landscape features this is tempered by the fact that the amount of protection afforded must be proportionate and weighed against other policy and material considerations.
86. Evidence suggests that the PRoW is more heavily used and provides a higher value to the community than the woodland. This path is to be retained in a protected setting. The management of the plantation woodland has been neglected and this has produced a site which is less ecologically diverse, than the more mature planting around the boundaries, and as a result is less appealing. Consideration of the proposal must have regard to the fact that the site is identified as having moderate ecological value and the submission advocates the retention of the most important trees with the opportunity, through conditions, to successfully and proportionately mitigate any impacts arising from the development

Environmental Conditions (Flood Risk, Drainage and Contamination)

87. Policies for flood risk set out in the Framework aim to steer new development to areas with the lowest probability of flooding. The Framework policies also seek to ensure that new development does not increase the risk of flooding elsewhere.
88. The Framework states that to prevent unacceptable risks from pollution and land instability, planning decisions should ensure that new development is appropriate for its location. It also confirms that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.
89. The application site is not in an area at a risk of flooding (i.e. Environment Agency flood risk Zones 2 or 3) and it is therefore unlikely that the proposal would be at risk of flooding from any existing watercourse. The Environment Agency has made advisory comments as the proposal is not considered to be high risk.
90. The applicant proposed to connect to the mains sewer, however it has recently been confirmed by Anglian Water that there are no foul sewers within the site vicinity. As a result of this comment the applicant is looking into alternative solutions. The outcome of these investigations will be reported at the meeting.

91. The planning application is accompanied by a Phase I Contamination assessment and from this the Council's Environmental Health team has identified that the risk from contamination is low and no further work or conditions are required.

Design, Layout and Residential Amenity

92. The Framework states the Government attaches great importance to the design of the built environment and confirms good design is a key aspect of sustainable development and is 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.

93. Core Strategy policy CS2 seeks to secure high quality, sustainable development by (inter alia) making a positive contribution to local distinctiveness, character, townscape and the setting of settlements.

94. The approach to the development of the site has been informed by the need to retain mature trees as landscape buffers to the wider locality and designed to reflect the traditional traveller cultural traditions with utility blocks to provide space for the families to eat and relax separately from the mobile homes which are principally used as bedrooms.

95. The depth of the retained area of woodland which is 7-8 metres leaves a long and narrow site which can be divided into 5 pitches which vary in size, but each would be capable of accommodating a utility block, mobile home, two touring caravans and parking for three cars or transit type vehicles.

96. Whilst the development proposals would increase activity at the site, given its location adjacent to the lorry park and industrial/commercial units the potential disturbance to the nearest residential properties, in your officers judgement, would not lead to significantly adverse impacts upon the amenities of nearby dwellings. It could also be argued that given the poor levels of woodland management and antisocial behaviour this proposal will improve the character of the site and the way it functions.

97. Concern has been expressed by contributors/objectors that the location of the site next to the lorry park and close to the A14 would give a poor level of amenity for the proposed occupants. Mitigation measures have been suggested within the submission in order to reduce the impact of neighbouring uses such as an acoustic fence and supplementary planting. The consultation response from Environmental Health (Domestic and Pollution) indicates the site lies 165m from the A14 which is a high source of noise, however as the site is for travellers, who may not be resident at all times, a noise survey will not be required.

Other issues

98. Some concerns have been expressed that a grant of planning permission for this development would have a negative impact upon property values in the area. The perceived impact of new development upon third party property or land value is not a material planning issue.
99. It has been suggested in responses from contributors/objectors that in order to retain control over the site, if permission were granted, a condition should be imposed to ensure the consent is personal to the applicant and his family. Government advice in relation to conditions is contained within the NPPG. It suggests that this type of condition should be avoided and a more appropriate form of control would be to impose a condition to ensure the site could only be occupied by those people who satisfy the definition for planning purposes of a gypsy or traveller as set out in PPTS. This would ensure the site remains available to meet the identified need.
100. The matter of land ownership has been raised by some contributors/objectors, however this is not a material planning consideration that can be factored into the assessment of the proposal.
101. A public consultation exercise was undertaken by the applicant and agent prior to the submission of the application and the findings are recorded on the case file and the Council's website for information, but have not been used in the assessment of the application.

Conclusions:

102. It is considered that whilst this application could be considered as premature in advance of a masterplan being developed and adopted for the south east strategic growth area, the urgent need for a gypsy/traveller site presented by the applicant is a material consideration which in this case warrants a departure from the adopted development plan.
103. Determining the application would be unlikely to fetter the delivery of the masterplan as a whole, and therefore would not compromise the delivery of Policy BV7. It is recognised that the requirement to consider provision for gypsy and traveller need is not necessary until the time of development as per para 1.32 of the masterplan concept statement, but that does not preclude the early consideration of potential locations. Contingencies for provision could be put in place at this time as the draft master plan is in preparation and review of the Traveller Needs Assessment is currently being undertaken by Cambridgeshire County Council, the results of which will form an updated evidence base for the council.
104. In respect of the assessment of the site against national and local planning policy, it is considered that the location of the site would not cause unacceptable harm in relation to criteria a)-f) of Policy CS6 of the

Core Strategy.

105. On the basis of the above information, it is recommended that the planning application as submitted be approved.

Recommendation:

106. It is **RECOMMENDED** that planning permission be **granted** subject to conditions, including:

- 1) Standard time limit
- 2) In accordance with submitted plans
- 3) Details of all facing and roofing materials to be agreed for the utility/day blocks
- 4) Occupation limited to those who satisfy the planning definition of a Gypsy or Traveller as set out in PPTS.
- 5) Details of vehicular access to be provided
- 6) Means to prevent discharge of water onto highway to be agreed
- 7) Light source shall not be visible from any highway
- 8) Parking and manoeuvring areas to be provided
- 9) Gates to be set back a minimum of 10m and shall only open into the site.
- 10) Details of visibility splays to be provided
- 11) Clear visibility to be provided and thereafter permanently retained
- 12) Details of all external boundary treatment to be provided, agreed and maintained including acoustic fencing and the requirements to provide connectivity between woodland areas.
- 13) Details of the position, species and root protection area (RPA) of all the mature trees to be marked on a plan with details of protection measures for their retention.
- 14) Details of no-dig pads for mobile homes and caravans to be submitted.
- 15) Details for dayrooms/utility foundations within RPAs.
- 16) Details of no-dig construction for permeable hard standing required for car parking and leisure functions.
- 17) A further assessment of trees for bat potential to be submitted alongside details relating to the retention/removal of trees (all trees to be removed will need to be assessed) to ensure there is no impact on bats.
- 18) Implementation in full of the mitigation measures in the ecological report
- 19) Details of external lighting to be submitted (BS42020:2013).
- 20) Details of a management plan for the defunct hedgerows and mature trees retained adjacent to the PRow (Public Right of Way) to mitigate the loss of canopy cover (a condition or other obligation).

And any additional conditions required as a result of ongoing investigation into foul drainage solutions.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

<https://planning.westsuffolk.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

Alternatively, hard copies are also available to view at Planning, Planning and Regulatory Services, West Suffolk House, Western Way, Bury St Edmunds, Suffolk IP33 3YU

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