



*St Edmundsbury*  
BOROUGH COUNCIL

# DEV/SE/17/029

## Development Control Committee 6 July 2017

### Planning Application DC/17/0029/OUT – Little Moseleys, The Green, Fornham All Saints

<b>Date</b>	10.02.2017	<b>Expiry Date:</b>	07.04.2017 EOT
<b>Registered:</b>			agreed until 11.07.2017
<b>Case Officer:</b>	Britta Heidecke	<b>Recommendation:</b>	Approve with conditions
<b>Parish:</b>	Fornham All Saints	<b>Ward:</b>	Fornham
<b>Proposal:</b>	Outline Planning Application (All matters reserved) - 4no. dwellings		
<b>Site:</b>	Little Moseleys, The Green, , Fornham All Saints		
<b>Applicant:</b>	Mr C Browne		

#### **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:

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**Background:**

**This application is referred to the Development Control Committee because the proposal is a departure from the Development Plan.**

**Proposal:**

1. Outline planning permission is sought for four detached dwellings (following removal of an existing agricultural workshop) with associated parking and vehicular and pedestrian access with all matters reserved. Scale, layout, access details and landscaping and appearance are therefore reserved for future consideration.
2. The application has been amended since submission to include, within the red line, land which will allow a foot and cycle link into the village and details for this pedestrian access.

**Application Supporting Material:**

3. Information submitted with the application as follows:
  - APPLICATION FORM
  - INDICATIVE SITE PLAN
  - HERITAGE STATEMENT
  - SUPPORTING STATEMENT
  - LOCATION PLAN
  - EXISTING SITE PLAN
  - INDICATIVE SECTION

**Site Details:**

4. The site is situated adjacent to the existing dwelling of Little Moseleys (east) and to Moseleys Barn and garden wall (west), south of the residential development of Chestnut Close and north of Moseleys Farm Business Centre. The application site is within the Countryside and Fornham All Saints Conservation Area, abutting the settlement boundary of Fornham All Saints. The site comprises presently of a steel framed agricultural building and associated yard (to be demolished), surrounded on two sides by hardstanding, which was formerly associated with Moseleys Farm and includes Little Moseleys dwelling (to be retained), garage and garden.
5. Little Moseleys is a generous detached dwelling with detached garage. The dwelling and private garden are screened from the adjacent open countryside (east), the business park and dwellings by established conifer hedging and a number of trees.
6. To the south of the site lies Moseleys Farm Business Centre with a range of business units which essentially are all orientated towards the yard.
7. Access details are a reserved matter. However, the proposal would utilise the existing shared vehicular access to Hengrave Road to the west of the

site. A pedestrian and cycle path would be provided through the business park to the village centre.

### **Planning History:**

8. There are a number of householder type applications in relation to Little Moseley dwelling which are not relevant for the consideration of this application. There are also numerous application in relation to the Business Centre, the most recent and relevant application being the one below:
9. DC/17/0270/FUL (Storage Barn Moseleys Farm Business Park): Conversion of existing agricultural barn into offices (B1) and a coffee shop (A3): Granted (08.05.2017). *This utilises the same pedestrian and cycle access.*

### **Consultations:**

10. Highway Authority: No objection (subject to conditions) and providing the current visibility splays and the access are maintained in their current form.
11. Historic England: no comments received
12. Conservation Officer: No objection subject to details
13. SCC Archaeology: No objection subject to conditions
14. Planning Policy: Concludes that, *'it is for the case officer to balance the above planning issues. However, planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. From the information submitted, the proposal is judged to be contrary to policies CS2, CS7, CS13, DM2, DM5, DM15, DM17, DM22 and DM 27 of the St Edmundsbury Local Plan. On the basis of the above, it is considered from a planning policy perspective this application as submitted should be refused.*

*If it can be demonstrated that the proposal will not have an adverse effect on the setting of the adjacent listed buildings and the character and appearance of the conservation area and also a suitable cycle / pedestrian link secured to the village, the adverse impacts of the proposal would be reduced.'* (24 Mar 2017)

#### Updated comments following amendments and submission of indicative section (20 June 2017):

*'The amended drawings and comments of the Conservation Officer confirming that the scheme will not have a detrimental impact on the setting of the listed buildings and character or appearance of the conservation area satisfactorily address a number of the concerns raised in earlier comments.*

*Given the proposals location adjacent to the settlement boundary, surrounded on three sides by residential development and with business units on the fourth the proposal would not lead to isolated homes in the countryside and / or have a visual impact on the wider landscape. In terms of policy CS13 the proposal will not be detrimental to the character, appearance, historic qualities and biodiversity of the countryside. The proposal does not strictly conform to criteria a and b of policy DM27, however development in this location would not promote isolated homes in the countryside, undermine a visually important gap that contributes to the character and distinctiveness of the rural scene, have an adverse impact on the environment or highway safety.*

*It is for the case officer to judge if the proposal is sustainable and if the minimal harm to the countryside in this location outweighs the benefits of development.'*

15. Public Health And Housing: no objection

16. Environmental Health: no objection subject to conditions

### **Representations:**

17. Parish Council: object to the principle of the proposed development.  
(24.03.2017)

*'The site is located outside of the settlement boundary for Fornham All Saints. As the proposal is therefore situated in the rural countryside, the applicant has failed to provide a reason as to whether there are special circumstances to justify an exemption from the policy which states that new housing in the countryside should be restricted to avoid harm to the character and appearance of the countryside. Of equal concern is the location of the site entrance which is at the point where the national speed limit commences and outside of the 30mph zone. Currently there is poor visibility and the Parish Council fails to see how access and visibility might be improved given the contour of the road. It was also felt that the location of the dwellings would make it difficult for maintenance of neighbouring properties.*

*The application is therefore contrary to policies DM1, DM2, DM5 and DM27 of the Development Management Policies and local and national rural housing policies.'*

Retain their objection following amendments to secure a sustainable and safe pedestrian and cycle access (20.04.2017):

*'Whilst the amendment alleviates the pedestrian issue, and provides, if secured in perpetuity, a pedestrian and access route to existing amenities and services in the village, the Parish Council still holds that there are fundamental safety issues relating to the site entrance and poor visibility at this point in the village.*

*The Parish Council also holds that as an infill village with a designated housing settlement boundary, this application being outside of that*

*boundary fails to satisfy the provisions of Rural Visions 2031 Policies CS13, DM5 and DM27.'*

18. Four neighbour representations have been received. These can be read in full as part of the electronic file. The comments can be summarised as follows:

- Concerns for loss of privacy and overlooking (*note this is an outline and detailed layout, scale, design and appearance are to be considered under reserved matters applications*)
- There is insufficient information / plans (*note this is an outline and detailed layout, scale, design and appearance are to be considered under reserved matters applications*)
- Loss of value of property (*Note: this is not a material planning consideration*)
- Concerns regarding the access onto Hengrave Road (*see 'officer comment' section below*)
- New trees should be carefully chosen in the interest of neighbour amenity (*Note: this will be considered at a later stage under a reserved matters application*)
- Limited resources in the village / new development will adversely affect the character of the village and conservation area. (*see 'officer comment' section below*)

**Policy:** The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy December 2010 have been taken into account in the consideration of this application:

19. Joint Development Management Policies Document:

- 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 DM15 Listed Buildings
- Policy DM17 Conservation Areas
- Policy DM20 Archaeology
- Policy DM27 Housing in the Countryside
- Policy DM46 Parking Standards

## 20. St Edmundsbury Core Strategy December 2010

- Core Strategy Policy CS2 - Sustainable development
- Core Strategy Policy CS3 - Design and Local Distinctiveness
- Core Strategy Policy CS4 - Settlement Hierarchy and Identity
- Core Strategy Policy CS7 - Sustainable Transport
- Core Strategy Policy CS13 - Rural Areas

### **Other Planning Policy:**

- Vision Policy RV1 - Presumption in favour of Sustainable Development
- Vision Policy RV3 - Housing settlement boundaries

## 21. National Planning Policy Framework (2012)

### **Officer Comment:**

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

- Principle of Development
- Impact upon the character and appearance of the countryside
- Impact upon the conservation area and setting of listed buildings
- Highways considerations
- Impact on residential amenity
- Contamination
- Biodiversity
- Other Matters
- Other Material Considerations and Overall Balance

### Principle of development

23. The application is for outline planning permission, thus it is the principle which is for consideration. The detail would be considered at a later stage.

24. The Supporting Statement at para 3.1 and 3.2 state that *'The site originally formed part of the Moseleys Farm complex providing both a substantial dwelling and workshop facility associated to the operations of the farm business. Over recent years, the development of the business has seen the day to day agricultural operations relocate to areas more central to the farm land holding. This in turn has seen a phased development of the former yard into a successful rural business centre.'*

*The site of Little Moseleys is largely self-contained and separated from what is now the business centre. The relocation of the daily operations mean that the workshop building is largely surplus to requirement effectively creating an under-used 'brownfield' half to the site...'*

25. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.
26. Policy CS4 identifies the settlement hierarchy and designates Fornham All Saints as an Infill Village. These are villages that only have a limited range of services. In these villages, only infill development comprising single dwellings or small groups of five homes or less within the designated housing settlement boundary would be permitted. This would be dependent on other environmental and infrastructure constraints.
27. RV3 confirms housing settlement boundaries for the Infill Villages listed in Appendix 2 (including Fornham All Saints). The policy states "Planning permission for new residential development, residential conversion schemes, residential redevelopment and replacement of an existing dwelling with a new dwelling will be permitted within housing settlement boundaries where it is not contrary to other policies in the plan."
28. The application site lies outside of, but directly abutting to the south and west, the settlement boundary of Fornham All Saints. Development is therefore contrary to Policies CS4 and RV3 and this weighs against the proposal. The application site is within the conservation area and shares a vehicular access onto Hengrave Road to the west. The application has been amended to include a sustainable and safe pedestrian and cycle access into the village.
29. The NPPF is a 'material consideration' in the determination of the application. The presumption in favour of sustainable development as set out at Paragraph 14 of the NPPF only applies if the Council is not able to demonstrate a 5 year supply of deliverable housing sites or relevant policies are absent or silent or otherwise out of date. It is considered that St. Edmundsbury has a sufficient supply of housing sites, including a 5% buffer and, on this basis, the presumption in favour of sustainable development does not apply and the proposal should be considered in accordance with the Development Plan unless material considerations indicate otherwise.
30. Paragraph 12 of the NPPF reaffirms the primacy of the Development Plan and states that the Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up to date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
31. Policy DM5 (Development within the Countryside) states that areas designated as countryside will be protected from unsustainable development. The policy goes on to state that 'a new or extended building will be permitted, in accordance with other policies within this plan, where it is for a small scale residential development of a small undeveloped plot, in accordance with Policy DM27'.

32. Policy DM27 (Housing in the Countryside) states that proposals for new dwellings will be permitted in the Countryside subject to satisfying the following criteria;
- (i) the development is within a closely 'knit' cluster of 10 or more existing dwellings adjacent to or fronting an existing highway and
  - (ii) the scale of the development consists of infilling a small undeveloped plot by one dwelling or a pair of semi-detached dwellings commensurate with the scale and character of existing dwellings within an otherwise continuous built up frontage.
33. The application proposal does not accord with this policy as it is for more than 2 dwellings, does not front a highway and is not a small infill plot. It does also not meet the criteria as set out in policy DM5 and is therefore contrary to the Development Plan. The proposals are therefore contrary to the Development Plan policies of settlement restraint and this is a factor which weighs against the proposal.
34. To conclude therefore, the proposal is contrary to the Development Plan and this must be taken as weighing heavily against the proposal. However, whilst the Development Plan is the starting point other material considerations must also be considered.

#### Impact upon the character and appearance of the countryside

35. The dwelling Little Moseley would be retained and would together with the residential development to the north and west and the business units in the south enclose the proposed new dwellings. As such the proposal would not encroach into the open countryside, notwithstanding its technical position within such. The replacement of the existing work shop by a carefully designed residential development of a lower scale is not considered to be harmful to the intrinsic character of the locality given that the site is largely enclaved with existing development on three sides.

#### Impact upon the conservation area and setting of listed buildings

36. The application site is within the conservation area and adjacent to two listed buildings. It contains a large agricultural workshop. The Council's conservation officer noted that '*Glimpses of the existing modern workshop building can be viewed from The Green, however it is not a building of any architectural interest which needs to be retained, its demolition therefore is supported...*'
37. The indicative cross section details demonstrate a reduction in ridge heights and overall scale to that of the existing workshop. The conservation officer therefore considers that the proposal will have no adverse impacts upon the setting of the listed buildings or upon the Conservation Area as a result of the removal of the buildings and their replacement.
38. In fact, subject to details of the design and materials, the proposal has the significant potential to enhance the character and appearance of this part of the conservation area. This would accord with the aims of policies



DM17, CS4 and CS13 and is considered to weigh notably in favour of the proposal.

#### Highways considerations

39. The concerns raised by the PC and neighbours in regards to the access onto Hengrave Road are noted. However, paragraph 32 of the Framework states (inter alia) that development should not be prevented or refused on transport grounds, unless the residual cumulative impacts of development are severe. It is assumed the previous agricultural use would have had large vehicles using the access. Whilst the development will increase the number of vehicles using this access, the access is an existing approved access. It is wide enough and open so that two large vehicles can pass easily. The proposed 4 dwellings (in addition to the extra units and café recently approved) cannot be said to have a severe impact on the highway. SCC Highways have raised no objection to the proposal. In negotiated with SCC Highways a save pedestrian and cyclist access to the development has been secured.

#### Impact on residential amenity

40. The protection of residential amenity is a key component of good design. The Framework states (as part of its design policies) that good planning should contribute positively to making places better for people. The Framework also states that planning decisions should aim inter alia to avoid noise from giving rise to significant adverse effects on health and quality of life as a result of new development.
41. Policy DM2 of the Joint Development Management Policies Document seeks to safeguard inter alia residential amenity from potentially adverse effects of new development.
42. Concerns were raised by neighbours in regards to the potential impact upon residential amenity by reason of overlooking and loss of privacy.
43. It is an expectation that a full assessment of the potential impacts of the scheme on residential amenity would be carried out at the detailed planning stage when parameters such as building scale and layout are formalised. Officers consider that sufficient safeguards exist within the Development Plan and the NPPF to protect the interest of occupiers of existing residential properties.
44. The indicative layout shows that 4 dwellings and associated parking *can* be sited with sufficient spacing from the site boundaries (10m at the nearest point) to ensure an acceptable impact upon amenity. The site is surrounded generally by existing landscaping and additional boundary treatments and supplemental landscaping could be secured at reserved matters stage should this be considered necessary.
45. On the basis of the above evaluation, officers are satisfied that the residential amenity of the occupants of existing properties would not be compromised by what is proposed.

## Contamination

46. The application has been submitted in support of a Phase 1 Geo-Environmental Desk Study. Whilst the report identifies a number of potential contamination linkages, which require further investigation the Council's Environmental team is satisfied that suitable investigation and if required mitigation can be secured through standard land contamination conditions. The proposal is therefore acceptable in this respect.

## Biodiversity

47. The Act places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. The proposal involves the demolition of an agricultural workshop. Natural England's (NE) standing advice states that bats are less likely to be using a building if it was built after the 1970s with few gaps and is pre-fabricated with steel and sheet materials. Based on this advice the proposal is not likely to have any impact on bats or other protected species.

48. Policy DM12 requires all new development to include enhancement for biodiversity commensurate with the scale of the development. Given the site is part residential curtilage and part hardstanding and agricultural workshop the current biodiversity value is limited. The applicant has agreed that this could be enhanced through the provision of bat and bird boxes, by the retention and provision of appropriate landscaping and boundary treatments, i.e. hedges and hedgehog gates within any fencing etc. Details of such enhancements can be secured by condition.

## **Other Matters**

49. There are a number of trees within the residential curtilage of Little Moseley dwelling. The western part of the site, where the 4 new dwellings would be sited do not contain any significant trees or hedges. The proposal is therefore not reasonably be considered to have an adverse impact on trees.

50. 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. The application site is within flood zone 1, low risk. In terms of flood risk the proposal is sequentially acceptable and accords with local and national policies.

51. Development Management Policy DM6 states that proposals for all new development are required to demonstrate that on site drainage will be managed so as not to cause or exacerbate flooding elsewhere. Given there is no watercourse within the vicinity surface water drainage is not reasonably be considered to be an issue and appropriate measures such as soakaways or SuDS will be covered by building regulations.

52. Archaeology can be covered satisfactorily by a condition and the proposal will not lead to the loss of the best and most versatile agricultural land, noting the present uses and development on site.
53. DM7 states (inter alia) proposals for new residential development will be required to demonstrate that appropriate water efficiency measures will be employed. No specific reference has been made in regards to water consumption. Therefore a condition will be included to ensure that either water consumption is no more than 110 litres per day (including external water use), or no water fittings exceeds the values set out in table 1 of policy DM7.

#### Other Material Considerations and Overall Balance

54. Further material consideration include the site specific matters. Policy CS13 Rural Areas states (inter alia) that development outside the settlements defined in Policy CS4 will be strictly controlled, with a priority on protecting and enhancing the character, appearance, historic qualities and biodiversity of the countryside while promoting sustainable diversification of the rural economy.
55. The site is directly adjacent to the settlement boundary, thus in a relatively locationally sustainable location. Whilst the vehicular access would be indirect and not suitable for safe pedestrian access to the village, the application site has been amended to include a 1.8m wide dedicated pedestrian and cyclist access through the business park to the centre of the village. This would be demarked and made safe through the use of bollards, providing direct and safe access to existing amenities, services and public transport links to Bury St. Edmunds, Mildenhall and beyond.
56. The application site is surrounded on three sides by residential development and has business units on the fourth. The proposal, whilst outside the defined settlement boundary, would not intrude into the open countryside and have no adverse visual impact on the wider countryside nor would it lead to isolated homes in the countryside.
57. These points all serve to very significantly limit the weight that can be attached against this scheme as a result of its failure to meet the provisions of the Development Plan. It is also the case that the provision of four dwellings in an otherwise generally suitable area from a locational perspective relative to services and employment opportunity etc. must also be given some weight in support of the proposal. However, an absence of harm is not in itself sufficient however to outweigh the harm in principle arising from the failure to accord with the provisions of the Development Plan.
58. One of the core principles of the NPPF is to 'encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value'. The applicant is claiming weight should be offered in support in this regard. However, the site contains a dwelling and curtilage, plus land and buildings formerly in use for agricultural purposes. The glossary to the NPPF makes it clear

that garden land in 'built up areas', which this is considered to be, plus former agricultural land, is excluded from this definition. No weight can be offered in support in this regard therefore.

59. Overall however, and noting the need to make effective as possible use of land, Officers view is that the principle can be supported at this outline stage. The harm arising as a result of the policy conflict is significantly limited by reason of the discrete location and lack of visual harm as set out above. Weight can also be attached in support of the proposal on the basis of the benefit arising from the provision of four dwellings.

60. On this basis, and in particular noting the material benefit that will arise to the Conservation Area as a result of the removal of the existing buildings plus the provision of suitably designed replacements, this is considered to be a material consideration of notable weight, such that Officers' view is that the principle for this particular proposal can be supported notwithstanding the ostensible conflict with both the Development Plan and the general policies of restraint in countryside locations.

### **Conclusion:**

61. In conclusion, the proposal does not comply with the relevant development plan policies of settlement restraint. However, the weight to be attached to this policy conflict is significantly limited. Furthermore in this particular case, the site specific consideration as set out above including the clear heritage benefit arising is considered sufficient to justify a departure from the Development Plan in support of the application.

### **Recommendation:**

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

1. Reserved Matters:

Details of the [access, appearance, landscaping, layout, and scale], (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

2. Time limit Outline

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

i. The expiration of three years from the date of this permission;

or

ii. The expiration of two years from the final approval of the reserved matters; or,

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

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

3. Pedestrian access

The use shall not commence until the area within the site shown on drawing number 16 1508 02 Rev C for the purposes of providing safe pedestrian access through the site has been provided and shall be retained and used for no other purposes.

Reason: To ensure that a safe pedestrian route through the site is provided and maintained in order to ensure the pedestrians and vehicles are separated in the interest of the safety of all users of the development.

4. Contamination – Preliminary Risk Assessment

No development approved by this planning permission shall commence until the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

i) A site investigation scheme (based on the approved Preliminary Risk Assessment (PRA) within the approved Desk Study), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

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

iii) Based on the risk assessment in ii), an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121, Environment Agency Groundwater Protection: Principles and Practice (GP3), Policy CS2 (Sustainable Development) of the Core Strategy and Policy DM14 of the Joint Development Management Policy. This condition requires matters to be agreed prior to commencement since it relates to consideration of below ground matters that require resolution prior to further development taking place, to ensure any contaminated material is satisfactorily dealt with.

5. Contamination verification report

No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in iii) is submitted and approved, in writing, by the Local Planning Authority. The long term monitoring and maintenance plan in iii) shall be updated and be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121, Environment Agency Groundwater Protection: Principles and Practice (GP3), Policy CS2 (Sustainable Development) of the Core Strategy and Policy DM14 of the Joint Development Management Policy. This condition requires matters to be agreed prior to commencement since it relates to consideration of below ground matters that require resolution prior to further development taking place, to ensure any contaminated material is satisfactorily dealt with.

6. Unidentified contamination

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

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121, Environment Agency Groundwater Protection: Principles and Practice (GP3), Policy CS2 (Sustainable Development) of the Core Strategy and Policy DM14 of the Joint Development Management Policy. This condition requires matters to be agreed prior to commencement since it relates to consideration of below ground matters that require resolution prior to further development taking place, to ensure any contaminated material is satisfactorily dealt with.

7. Archaeology Written Scheme of Investigation

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 (2012).on shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

8. Archaeology post investigation assessment

No building shall be occupied until the site investigation and post investigation assessment 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 approved under Condition 1 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 (2012).

9. Biodiversity enhancement

Before occupation details of biodiversity enhancement measures to include where relevant bird boxes, bat bricks or boxes and hedgehog gates 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. There shall be no occupation unless and until details of the biodiversity enhancement measures to be installed have been agreed in writing by the Local Planning Authority.

Reason: To secure biodiversity enhancements commensurate with the scale of the development, in accordance with the provisions of Policy DM12 of the Joint Development Management Policies.

10. Water efficiency

No individual dwelling hereby approved shall be occupied until the optional requirement for water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with for that dwelling.

Reason: To secure sustainable development in accordance with Policy DM7.

**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/applicationDetails.do?activeTab=documents&keyVal=OJD9E9PDLV100>