



Mr Steven Bainbridge  
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10 Northgate Street  
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IP33 1HQ

## Refusal of Planning Permission

### Town and Country Planning Act 1990

### The Town and Country Planning (Development Management Procedure) (England) Order 2015

**Our reference** DC/19/1499/FUL  
**Date valid** 9 April 2019  
**Site** Land North Of Gardenia Close And, Garden Square, Rendlesham  
**Parish** Rendlesham  
**Proposal** A phased development of 75 dwellings, car parking, public open space, hard and soft landscaping and associated infrastructure and access.

East Suffolk Council as local planning authority hereby **refuse** to permit the development proposed in your application and plan(s) attached thereto.

The reason for the decision to refuse permission is:

1. The proposal site is identified within Policy SSP12 (Land west of Garden Square, Rendlesham) of the East Suffolk - Suffolk Coastal District Local Plan - Site Allocations and Area Specific Policies, as being suitable for approximately 50 dwellings provided it conforms with the other elements of the policy and the wider Development Plan.

The proposal is not considered to conform to elements of Policy SSP12, Policies DM21, DM23 of the East Suffolk - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (adopted July 2013) and the NPPF, in regards of the layout and form of the site, and the impact on the amenity of the neighbouring properties. Therefore there is principle objection to the application as the level of dwellings that are being required cannot currently be accommodated on the site in the form proposed.

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2. Policy SP3 (New Homes) requires a mix of dwelling sizes and tenure. Policy DM2 (Affordable Housing on Residential Sites) requires the proportion of affordable properties that need to be provided within residential developments as 33%.

The proposal does indicate that 33% of the proposed scheme would be affordable dwellings. However, there is no information within the application as to which units are proposed as affordable units, and therefore it has not been demonstrated that the scheme would provide an appropriate mix of size, tenure and distribution across the site. As such, there is no information and justification provided that this scheme will provide an appropriate level and tenure of affordable dwellings and that the very bespoke design approach is likely to be attractive as housing to Registered Providers if secured by s106. Therefore these scheme fails to conform to Policy DM2 of the East Suffolk - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (adopted July 2013) and the NPPF which require an appropriate level of affordable dwellings to be provided within a housing development.

Therefore the proposal does not meet the requirements of Policy SP3 and DM2 of the East Suffolk - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (adopted July 2013)and the NPPF.

3. The development is not in accordance with paragraph 127 and 129 of the NPPF, Policy DM21 of the East Suffolk - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (adopted July 2013) and national design guidance in the form of Building for Life 12 (2015) which require a development to create a socially inclusive development through a well designed and safe built environment. Policy DM21 and Policy DM22 of the Core Strategy also require that any development creates a safe space that is well related to the scale and character of their surroundings, gives attention to the form, scale and landscape of the spaces between buildings and the boundary treatment of individual sites and reduce the amount of car use within a site. The development includes a number of elements of poor design, in that it fails to create well laid out streets and its layout would create features, barriers and exposed spaces and boundaries which would not form a safe and socially interactive development.
4. To the north east of the site is an Anglian Water Treatment Works, therefore there is a Cordon Sanitaire covering part of the north east of the site. The application provides insufficient assessment information regarding the potential impacts of odour from the sewage plant and the effect that may have on the proposed layout and open spaces. The submitted information does not correspond with the latest layout proposal. It is therefore not possible to determine that there will be no effects on residents which would adversely affect their amenity and the effectiveness of the current extent of cordon sanitaire around the sewage treatment plant. On that basis, in the absence of adequate assessment of effects the proposal may result in adverse impacts on residential amenity contrary to policies DM21and DM23 of the East Suffolk Council - Suffolk Coastal District - Core Strategy and Policy SSP12 of the East Suffolk Council - Suffolk Coastal District - Site Allocations and Area Specific Policies, and the NPPF.

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5. Due to the proposed layout of the development, there would be a number of significant adverse impacts upon residential amenity,

The limited depths of private amenity spaces, and associated boundary treatments would result in insufficient useable amenity areas, and limited outlooks from habitable rooms within the proposed dwellings.

The locations of windows on the proposed dwellings, in association with the proposed layout, would result in direct views, and thus loss of privacy between the proposed dwellings and their gardens. The layout and window arrangement, would also result in overlooking of existing adjacent dwellings and their private amenity areas.

Plot 15 is also proposed to be entirely visible from public vantage points, and therefore would not benefit from any private amenity space.

The scheme would therefore result in unacceptable adverse impacts upon residential amenity of both existing and future residents, contrary to the NPPF, East Suffolk - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (adopted July 2013) Policy DM23.

6. This application is for more than 50 dwellings and is inside of the 13km Impact Risk Zone of Designated Sites. The current submitted Habitats Regulations Assessment of on site and off site mitigation measures is not adequate for the level of development that is being proposed.

The level of development proposed, without adequate on site space to address recreational pressures on European Sites, the proposal would lead to likely significant effects on European Sites and therefore does not pass an Appropriate Assessment. Therefore, the Local Planning Authority cannot conclude 'no likely significant effects' from the development proposal on the designated site(s).

The proposal is therefore contrary to the NPPF, and Policies SP14 and DM27(i) (Biodiversity and Geodiversity) of the East Suffolk District - Suffolk Coastal District Local Plan Core Strategy & Development Management Policies Development Plan Document (2013), which seek to protect designated sites in accordance with The Conservation of Habitats and Species Regulations (2017).

7. Policy SSP12 (Land west of Garden Square, Rendlesham) of the East Suffolk - Suffolk Coastal District Local Plan - Site Allocations and Area Specific Policies requires the development to accommodate existing sewers on the site. No evidence has been provided to demonstrate how or where the sewers will be relocated in order to achieve the proposed layout, particularly the 9 plots which sit on top of the east-west sewer. In the absence of this detail the deliverability of the proposed development is not clear and the proposal fails to meet the requirement of Policy SSP12.

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8. The proposal fails to make adequate provision/contributions (and/or agreement to provide) for facilities/services for the occupants of the dwellings. The applicant has not entered into the necessary legal agreement, which is required to ensure the following necessary mitigation and policy requirement are secured:
  - o The provision of a third of the dwellings as affordable housing (Policy SP3 of the Core Strategy)
  - o The provision and management of open space
  - o On site provision of appropriate recreation space and financial contribution towards the Recreational Avoidance Mitigation Strategy.
  - o Delivery and management of open space and communal areas

## Notes

1. In the determination of this application the Local Planning Authority has considered the following documents submitted within the application:

Received 9th April 2019

House Drawings  
EAST/E/1 Rev 05,  
EAST/P/1 Rev 04,  
WB/E/1 Rev 04,  
WB/P/1 Rev 04,  
F/E/1 Rev 4,  
F/P/1 Rev4,  
G/E/1 Rev 03,  
G/P/1 Rev 03,  
Bram/E/1,  
Bram/FP/1,  
Bram/RP/1,  
Deb/FP/1 Rev A,  
Deb/FP/1 Rev A,  
Deb/FP/1 Rev A,  
WILB/Elev/1 rev 04,  
WILB/FP/1 rev 04,  
SUB/E/1 Rev 05,  
SUB/FP/1 Rev 05,  
SUB/RP/1 Rev 05,  
HT/E/1,  
B/E/1a Rev 05,  
B/FP/1a Rev 05,  
B/E/1b Rev 05,  
B/FP/1b Rev 05,  
M/EXT/1 Rev 02  
M/EXT/2 Rev 02

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SG/PE/1 Rev A,  
DG/P,E/1 Rev A

Drainage Drawings  
Targeted Drainage Survey

Topographical Survey  
20323se-01  
20323se-02  
20323se-03  
20323se-04

Site Layout  
84/SP/Pv REVJ  
E18836-001  
E18836-002  
2018/0645 - SLP1  
2018/0645/SCP1

Documents  
Design and Access Statement  
Archaeological Evaluation Report (SACIC Report No. 2018\_084)  
Geophysical Survey Report (SACIC Report No. 2017/097)  
Preliminary Ecological Appraisal March 2018  
Habitats Regulations Assessment (March 2019)  
Air Quality Assessment (February 2018)  
LSDP 1159-01  
Transport Statement 16/R/04  
Odour Assessment 4.0  
Flood Risk Assessment AMA647 Rev 0  
Addendum to Flood Risk Assessment (Ref: AMA647, May 2018)  
Phase 1 (Desk Study) Ground Contamination Report 3244  
Economic Viability Analysis

2. The local planning authority has identified matters of concern with the proposal and the report clearly sets out why the development fails to comply with the adopted development plan. The report also explains why the proposal is contrary to the objectives of the National Planning Policy Framework and local plan to deliver sustainable development.

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Yours sincerely,

**Date:** 8 July 2019

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## Town and Country Planning Act 1990

### Notification to be sent to an applicant when a local planning authority refuse planning permission or grant it subject to conditions

#### Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.  
Planning applications: Sections 78 and 79 Town & Country Planning Act 1990  
  
Listed Building applications: Section 20, 21 and 22 Planning (Listed Buildings and Conservation Areas) Act 1990.  
  
Advertisement applications: Section 220 and 221, Town and Country Planning Act 1990  
Regulation 15 Town & Country Planning (Control of Advertisements) Regulations 1989.
- If an enforcement notice has been/is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- As this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

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- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice

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