

PLANNING COMMITTEE – 12 March 2019

APPLICATION NO DC/17/3981/OUT

LOCATION

Land South of Chediston Street,
Halesworth,
Suffolk

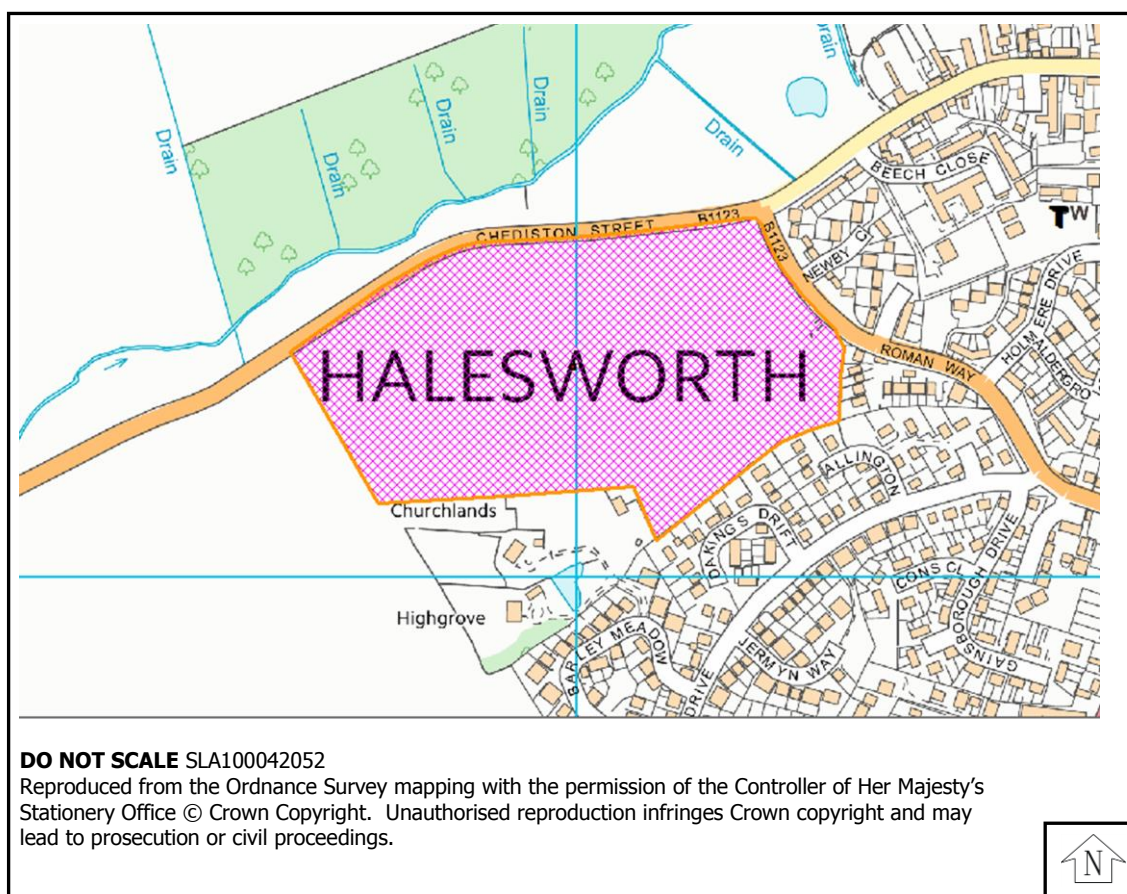
EXPIRY DATE 28 December 2017

APPLICATION TYPE Outline Application

APPLICANT Christchurch Land & Estates (Halesworth) Limited.

PARISH Halesworth

PROPOSAL Outline Application – (Some Matters Reserved) – Construction of up to 200 dwellings including car parking, open space provision with associated infrastructure and access.



1 SUMMARY

- 1.1 This application seeks outline planning permission for up to 200 dwellings including car parking, open space with associated infrastructure and access on land south of Chediston Street, Halesworth.

- 1.2 The application was considered by Planning Committee on 17 April 2018. The Planning Committee resolved to approve the application. The planning permission was never issued as shortly after the Planning Committee a European Court of Justice ruling in the case of People Over Wind and Sweetman v Coillte Teoranta was published. This ruling meant that mitigation of impacts on European protected habitats could not be considered at the screening stage and could only be considered through an Appropriate Assessment conducted in accordance with the Habitat Regulations. Without mitigation, the development proposal would likely have in-combination effects on European protected sites. When considering the application previously, it was considered that these effects could be mitigated and therefore an effect could be screened out. However, the implication of the court ruling means that an Appropriate Assessment is now required to determine this. An Appropriate Assessment has now been undertaken. The NPPF (February 2019) makes clear that the presumption in favour of sustainable development does not apply where the project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an Appropriate Assessment has concluded that the plan or project will not adversely affect the integrity of the habitat site. The presumption in favour of sustainable development was one of the principle reasons why the application was recommended for approval at the Planning Committee on 17 April 2018. As a result it is now necessary for the Committee to consider the application afresh.
- 1.3 The site lies outside the defined physical limits for Halesworth and is therefore contrary to the existing Development Plan. However the site is adjacent to the defined physical limits with residential development to the south and east. The site is also in close proximity to the town centre and the proposed highway and footway improvements will make it easily accessible for pedestrians and cyclists.
- 1.4 The site is allocated for housing under Policy WLP4.2 of the Final Draft Local Plan which was submitted for examination on the 22 June 2018. On 21 November 2018 the Planning Inspector published his post-hearing letter confirming that with modifications the plan is likely to be capable of being found sound and legally compliant. The modifications were consulted on between 3 December 2018 and 28 January 2019. The Council expects to be in receipt of the Inspector's Final Report prior to this Planning Committee. It is likely that the Local Plan will be put to before Full Council for adoption on the 20 March 2019. Given the above, the emerging Local Plan can be given considerable weight in the determination of this application.
- 1.5 The proposed development will also include measures to mitigate the impact of development on designated sites.
- 1.6 The application is recommended for approval. The application is referred to the Planning Committee as it is a major application.

2 SITE DESCRIPTION

- 2.1 The application site is located on the western edge of Halesworth and covers an area of approximately 9.04ha of agricultural land to the south of the B1123 Chediston Street. Chediston Street forms the northern boundary of the site.

- 2.2 The site comprises part of a larger arable agricultural field which extends beyond the western boundary of the site. A slope which falls from 27m AOD at the southern boundary down to 12m AOD at Chediston Street forms a key characteristic of the site.
- 2.3 The eastern boundary of the site follows Roman Way and includes a bank which reduces intervisibility between this road and the site itself. A private access track is located along this boundary which arcs up into the site before following the southern boundary, past a row of mature deciduous trees before joining the residential development at Barley Meadow.
- 2.4 The southern boundary is formed by the rear gardens of properties along Daking's Drift and Allington Road. Also notable at the southern boundary are the two large residential properties known as Churchlands and Highgrove.
- 2.5 The northern boundary is defined by Chediston Street, a verge consisting of scrub vegetation, occasional deciduous trees and a short section of Beech hedgerow.
- 2.6 The western boundary is undefined due to a lack of any physical features. The boundary runs through the lower part of a localised undulation in the landform.

3 PROPOSAL

- 3.1 This application seeks outline consent for up to 200 dwellings including car parking, open space provision with associated infrastructure and access.
- 3.2 The scheme proposes the following:
- Up to 200 homes, of which 70 (35%) would be affordable
 - A new roundabout at the junction of Chediston Street and Roman Way; and
 - Open space including formal play space, wildlife corridors, informal footpaths, screen planting, sustainable drainage systems, biodiversity improvements and landscape buffers.
- 3.3 All matters are reserved with the exception of the access which has been shown on the illustrative masterplan that accompanies the application.
- 3.4 The illustrative masterplan proposes up to 200 dwellings, five of which would be self-build plots. Of the remaining 195 units, 127 (65%) would be open market and 68 (35%) would be affordable.
- 3.5 The main vehicular access is from Chediston Street. Additional access for pedestrians is proposed at the eastern boundary of the site.
- 3.6 The indicative masterplan shows a layout that continues the built frontage along Chediston Street forming a continued relationship from the existing housing to the east of Roman Way. A secondary vehicular access point will be included along Chediston Street. The proposed buildings will be two storeys across the majority of the site, with a few 2.5 storey feature buildings within the site and single storey dwellings at visually sensitive locations such as the south eastern corner of the site.

- 3.7 Open space containing footpaths create a loop around the development providing links to the existing residential areas to the east. The western area of open space would retain a rural meadow-like character bonded by woodland. The central and eastern areas of public open space will be overlooked by proposed houses and would contain a play area. A smaller strip of open space along the southern boundary allows for an offset from the existing rear gardens along Dakins Drift and retains to mature trees at this boundary.
- 3.8 Following comments made by the Highway Authority revised details have been submitted which confirm the proposal will include an extension of the existing 30mph speed limit on Chediston Street and improvements to the pedestrian route along Chediston Street.
- 3.9 The application is supported by a number of documents including:
- Planning Statement
 - Design and Access Statement
 - Illustrative Masterplan
 - Movement and Access Plan
 - Built Form, Scale and Massing Plan
 - Green Infrastructure Plan
 - Landscape and Visual Impact Assessment
 - Transport Assessment
 - Framework Travel Plan
 - Flood Risk Assessment
 - Air Quality Assessment
 - Preliminary risk Assessment
 - Noise Screening Assessment
 - Factual Soakaway Test Report
 - Preliminary Ecological Appraisal
 - Great Crested Newt Report
 - Archaeological Desk Based Assessment
 - Five Year Housing Land Supply Report
 - Affordable Housing Scheme
 - Statement of Community Involvement
 - Section 106 Heads of Terms

4 CONSULTATIONS/COMMENTS

- 4.1 **Halesworth Town Council:-** On Monday night at an Extraordinary meeting of the Town Council, the Council made the following decision.

DC/17/3981/OUT - Outline Application (Some Matters Reserved). It was RESOLVED that the Council recommended refusal for the following reasons (which are further detailed in the minutes), Traffic and Access problems, insufficient Surface Water containment and increased Flood risk problems, Sewage and Utilities issues which also impacts on the flood risk, Environment and Archaeology, the lack of comprehensive surveys to determine what the site will be built on top of, cumulative impact on the infrastructure, particularly health and education services which are already overloaded, density design and appearance, taking on board the comments regarding 'outlook' and suitability of the housing mix.

In addition:

With reference to WDC's Planning Policy DM27, protection of landscape character, 'Development proposals should demonstrate that their location, scale, design and materials will protect and where possible, enhance the special qualities and local distinctiveness of the area'. It was considered that this development did not comply with this policy.

With reference to WDC's Planning Policy DM22 which restricts development in the countryside, it would appear that this application would contravene that policy.

And that the development should be considered under WDC's current Local Plan and not the new draft Local Plan. In which case this site had not been identified as a suitable location for 200 houses. It was noted that previously a small area of the site, known as site 163, was considered under Site Specific allocation for development of around 60 houses.

The draft minutes of the meeting are attached and incorporate the views of the Council and residents which supports the Council's decision to recommend refusal.

Draft Minutes:

The Council had noted there had been 19 neighbour responses against the development and that but that there had only been 5 Consultee responses; Highways, Fire and Rescue, Environmental Health, Crime and Archaeology. The application was then considered by categories in the following order:-

The Clerk recorded the names of residents that made comments but they are not named individually in the minutes. A short summary of residents and Cllr comments for each section are noted below.

1. Access, traffic & parking.

Serious concern was expressed that the Traffic Assessment supporting the Planning Application was based on erroneous assumptions. The Planning Statement has not taken into consideration that very few of the future residents will find employment in Halesworth and so at least 100 cars will be leaving the site during the morning peak exodus. The document states "Opportunities for non-car based travel to and from the site, by bus, train, bicycle and on foot have been considered. There are a number of services and facilities within 1 mile (1.6 km) of the site in Halesworth, including local shops, services primary and secondary schools, which are all within walking and cycling distance of the site. Research undertaken by CHIT indicates that 80% of the journeys are shorter than 1 Mile are likely to be undertaken on foot meaning that the majority of trips to local facilities are likely to be on foot." Contrary to this statement, no bus services serve Chediston Street, the train station is about one mile away and the nearest secondary school is about 8 miles away in Bungay. Halesworth is not "well served by public transport" as claimed in the Planning Statement and is in fact very poorly served. Instead of 80% of local journeys being by foot or bicycle, it is more likely that 80% will be by car. Additionally, most houses will require two cars, one for the wage earner and the other for shopping and taking the children to school, further increasing the pressure on the Roman Way – London Road junction.

An anticipated increase in traffic towards the site along Chediston Street caused considerable concern, The Council is already aware of speeding problems in Chediston

Street at the present time. Chediston Street is a narrow medieval street with cars parked on one side and is deemed to be unsuitable for the main pedestrian route into town, particularly for children going to school.

Concerns were expressed that drivers will find alternative routes via Dukes Drive to avoid the London Rd Junction creating further problems. All North bound traffic will have to use Saxon Way so any traffic incidents will cause serious delays as there is no other suitable alternative North bound route. There is no provision for cycle ways which is already a problem for cyclists travelling in Halesworth.

There are currently difficulties for pedestrians and mobility scooters crossing Roman Way and the increased traffic will only exacerbate the problem. Poor lines of sight, due to the slope of the hill, increases the danger for pedestrians and mobility scooters.

Concerns were also expressed over the lack of parking provision, both on site and for the increase in vehicles needing to park in the town. It was noted that the access road off the B1123 would only be for construction traffic and that would leave only one access to the site which was considered to be inadequate.

2. Housing mix (affordable, rented and mixed ownership), layout and density.

Residents and Cllrs expressed concerns that there was a disproportionate amount of 4 bed houses (25%) and this did not reflect the Town's need for more affordable housing. In particular the Council considered that shared ownership houses were the only realistic method for local residents to get on the property ladder and acquire their first homes. Local applicants should be given priority of others so that families are not split up due to price of houses. Affordable houses are often outside the reach of many young Halesworth families due to the low-income levels in relationship to the house values in the areas.

The Chair also noted that, although the site was 9.1 hectares, the development space was only 5.1 hectares which related to a high housing density of 39 dwellings per hectare. It was considered that a lower housing density of 30 per hectare or less would enable a more attractive development to be built and avoid cars being parked on roadways spoiling the appearance of the development. Residents expressed fears that the 4 bed houses would become holiday homes as is happening in neighbouring parishes. A significant increase in the number of intermediate houses would better meet the needs of local residents trying to get on the housing ladder.

3. Surface water and flood risk.

Many residents present at the meeting relayed accounts of frequent surface run-off flooding problems particularly down Roman Way and in Chediston Street but also other areas such as Dukes Drive. The Council were concerned that the permeability tests were too few and not realistic and that the proposed provisions to use SuDS would not be adequate to prevent run-off flooding following heavy rainfall. This is a serious problem in this area and must not be underestimated.

4. Sewerage and utilities.

The Chair noted that Anglian Water had confirmed that the sewage system was not adequate and a new sewer pipe (600mm) would need to be laid alongside the existing

sewer. Residents on Chediston Street were concerned that this could mean serious disruption for their own properties in order for the new sewer to be laid through and under their gardens.

5. Visual Impact:

The Council heard from several residents of neighbouring homes concerned that their views would, due to the steepness of the hill, be completely replaced by houses. Whilst the Council and the residents were informed and were aware that 'Loss of View' was not a non-material consideration, the overall effect of the new development would be considered as a loss of outlook for a large number of existing property owners. A resident noted and read extracts from **WDC's Planning Policy DM22 which restricts development in the countryside and it would appear that this application would contravene that policy**. It was also noted by the Chair that the development **should be considered under WDC's current Local Plan** and not the new draft Local Plan. In which case, this site had not been identified as suitable location for 200 houses. It was noted that previously a small area of the site, known as site 163, was considered under Site Specific allocation for development of around 60 houses.

6. Environment and archaeology.

It was noted that the site had previously been identified as a Red Archaeology site. It was also noted that parts of the hill had been built up with construction waste from the previous Hopkins Homes site and therefore the Council were sceptical that the archaeology survey had taken the excess soil into account when conducting their tests. Cllr Took raised the problem of the huge dump which had been used for many years, which overlapped the site. This dump had been used for burning foot and mouth carcasses and as a general landfill site. There is a serious risk that his part of the site might be contaminated and present an ecological risk. However, it was not clear that this had been taken into account by WDC Environmental Health and by the developers.

7. Cumulative impact.

The Council heard from two residents who articulately expressed the importance of the hill in terms of its natural beauty and prominence for the residents of Halesworth from various viewpoints. One resident referred to **WDC's Planning Policy DM27, protection of landscape character, 'Development proposals should demonstrate that their location, scale, design and materials will protect and where possible, enhance the special qualities and local distinctiveness of the area'**. It was considered that this development did not comply with this policy. Another resident summarised his view that the development had very little benefit to the community and did not offer the right properties for the younger demographic but at the same time it had several disadvantages; harm to the countryside, more traffic, higher flood risk and urban sprawl. The Council had concerns over the existing infrastructure which has been noted and recorded on many occasions. The Council's own comments to the agent, and copied to WDC, prior to the application had already noted many of the points raised in this meeting.

It was then RESOLVED that the Council recommended refusal for the following reasons (which are further detailed in the minutes), **Traffic and Access problems**, insufficient **Surface Water** containment and increased **Flood risk problems, Sewage and Utilities issues** which also impacts on the flood risk, **Environment and Archaeology**, the lack of

comprehensive surveys to determine what the site will be built on top of, **cumulative impact on the infrastructure**, particularly health and education services which are already overloaded, housing **density** and taking into consideration comments regarding 'outlook' and suitability of the housing mix.

4.2 **Neighbour consultation/representations** 32 objections have been received raising the following matters:

- Over development. 200 homes on this site is far too many and Halesworth's infrastructure (schools, GP surgeries) are already heavily over burdened.
- The site in question is on high ground so intrusion/overlooking of existing properties would be damaging. A much reduced proposal with single storey dwellings confined to the Chediston end of the site would be more appropriate
- Flood risk and surface water run off.
- My side boundary will be overlooked and overshadowed resulting in a total loss of privacy/loss of view & outlook/reduction to the value of my property/loss of light.
- Light & noise pollution as it is currently a very quiet area.
- Difficulty in getting out of Dukes Drive/Roman Way into London Rd.
- The development will tower above existing housing.
- Increased traffic noise and pollution.
- The plan shows no provision whatsoever for cycling. Not only should they be accommodated onsite but also, a new, safe route into Halesworth, preferably along Chediston Street, should be created.
- This application is not included in the current development plan and is therefore, at best, premature. No application of this scope should be considered until the current plan has run its course and a new plan put in place – otherwise the planning process becomes a mockery.
- There are currently a number of sites, approved for development, and part of the current plan which have not yet been built. These sites must be progressed first before any new large scale projects are approved.
- Chediston Street will be significantly affected. It is a narrow street with on street parking and narrow pavements, and in parts no pavement. The increase in traffic will be dangerous for pedestrians.
- A playground will attract noise and anti social behaviour at all hours.
- Wildlife in the area will be seriously impacted, as traffic ignores their rights of way.
- Planning permission should not be granted until there are better NHS dentists available, additional doctors and surgery space, a senior school has been built, additional nursery and junior places are needed, better transport links to Norwich, Bury St Edmonds and Liverpool Street, real employment possibilities, expansion of the existing supermarket or an additional supermarket and better leisure facilities.
- Please give consideration to building bungalows not houses.
- Chediston Street will become a rat run.
- The scale of the proposed development in a potentially sensitive site is unacceptable.
- There is no indication of how the local infrastructure will be enhanced or of new sustainable employment initiatives or improvements to public transport services.
- Dust and debris disruption whilst building work is in progress.
- Loss of quiet enjoyment of my property.
- There are numerous former industrial sites onto which new housing schemes should be placed.

- The site is farmland hay meadow and is rich in biodiversity and wildlife.
- Impact on landscape and landscape views. The area offers varied and unspoilt views to the north and to the west far along the valley.
- The proposal is incompatible with many established local and national policies.
- the proposed building site has been a landfill site for rubbish over a long period.
- Speeding traffic along Chediston street.
- The site is outside the boundary of the town and would thus add to the sprawl of the town into green field borders.
- The development would urbanise and spoil what is currently a rather beautiful river valley on the edge of the town and change the character of Halesworth with an inappropriate development on a difficult site.
- The site has archaeological interest and as such needs appropriate archaeological survey and investigation.
- Greenfield sites in market towns should be avoided for housing and where other “brownfield” sites are available. There are brownfield locations within the Halesworth town boundary that are more suitable for housing. These should be used first.
- There seems to be no justification for this site to be an exception to normal policies. There has been no demonstration that housing is needed on this specific site or that there is a particular need that has to be addressed.
- The development is not in the right location and is not at the right time; infrastructure to serve the development should either be in place or in place within an appropriate timescale.
- The proposal is contrary to the NPPF principles of sustainable development.
- Additional housing is needed both nationally and locally. In Halesworth growth is needed to ensure its future as a viable market town. Our support, however, is subject to consideration of surface water, drainage and sewage, medical and school facilities and the nature of the houses; this development should contain a suitable mix of housing to reflect the existing demography of Halesworth and an emphasis on affordable housing for younger working people.

4.3 **Suffolk County Council - Highways Authority:** Further to receiving Technical Note A13455-VAA (which satisfactorily responds to comments previously raised by the Highway Authority), the County Council as Highway Authority raises no objection subject to a number of conditions. The Highway Authority also request Section 106 contributions for an extension of the 30mph speed limit along Chediston Street and bus stop improvements on Dukes Drive. Also request contributions for an interim travel plan, travel pack, full travel plan including monitoring and a condition requiring details of details of electric vehicle charging points.

4.4 **Suffolk County Council Flood and Water Management:** Recommend approval of this application subject to conditions.

4.5 **Suffolk County Council Archaeology:** In addition to geophysical survey which has already been undertaken at this site, a trial trenched evaluation is required to ground truth the survey results and provide information regarding the nature, extent and significance of any surviving archaeological remains in order to inform mitigation strategies. Whilst it is advisable that the trial trenched archaeological evaluation is undertaken prior to the determination of this application as there is a risk that significant finds will be identified which require preservation in situ, and thus require revisions to the layout of the site

which would have both financial and time costs, if the developer is happy to recognise and accept this risk, we would not advise refusal of planning permission if further archaeological assessment is not undertaken prior to determination of this application.

Should the Local Planning Authority be minded to grant planning permission without a requirement for up front archaeological investigation, we would advise that in accordance with the *National Planning Policy Framework* (Paragraph 141), any permission granted should be the subject of planning conditions to record and advance understanding of the significance of any heritage assets before they are damaged or destroyed. We would advise that in accordance with the *National Planning Policy Framework* (Paragraph 141), any permission granted should be the subject of planning conditions to record and advance understanding of the significance of any heritage assets before they are damaged or destroyed.

- 4.6 **Suffolk County Council Strategic Development:** Suffolk County Council's expected infrastructure requirements associated with this proposal are a new early years provision, primary school extension, libraries and waste contributions. Apart from contributions towards a new early years setting, the requirements being sought in this case by Suffolk County Council are to be requested through CIL.
- 4.7 **Suffolk Fire and Rescue Service:** Recommends the installation of fire hydrants.
- 4.8 **WDC Head of Environmental Health:** No objection subject to contaminated land conditions and no objection in respect of matters relating to the likely noise and air quality impacts .

There are no objections to the proposed development although some mitigation measures may be required once the layout of the site is finalised and this will involve the properties placed in closest proximity to Chediston Street and Roman Way. Once the site design is finalised the developer should submit a noise mitigation scheme. In terms of air quality, the impacts on local air quality are likely to be insignificant and there are no locations in close proximity where there is poor air quality. In the short term both noise and air quality impacts during the construction phase have the potential to cause nuisance, so it is appropriate for the developer to submit an Construction Environmental Management Plan to ensure that suitable mitigation measures are in place.

- 4.9 **Natural England:** The Habitat Regulations Assessment for this application. Some of the conclusions of the report and the analysis of likely recreational activity are at odds with recent work carried out in Suffolk Coastal District, and also do not reflect the earlier advice on the Local Plan HRA.

However, the report still provides a commitment to provide green infrastructure and to make a proportionate contribution towards a Recreational Disturbance Avoidance and Mitigation (RAMS) Strategy in the District. With sufficient high quality green infrastructure in place, and proportionate contributions to a district wide RAMS, it would be possible to conclude no adverse effect on designated sites.

In this case, we would seek further detail around the design of green infrastructure to provide a variety of attractive routes of at least 2.6Km for dog walking, with connections to Rights of Way, and infrastructure such as interpretation, dog bins, and off lead areas. (for example see **Jenkinson, S., 2013**)

4.10 **Suffolk Wildlife Trust:** are of the view that the site is of some value for a range of species including the UK Priority species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)) grey partridge, linnets and brown hare which were all recorded on site during the ecological survey. It is unlikely that mitigation measures included as part of any development would be suitable for retaining these species on site and therefore development in this location would result in a net loss of habitat suitable for these species in this area. It is also possible that it therefore appears possible that these species may be present on site at least transitorily during the year. We also query whether the scrub and tall ruderal area on the eastern side of the site may provide suitable habitat for other reptile species, such as common lizard and slow worm? We recommend that further consideration is given to the requirement for mitigation measures for these species should consent be granted.

The proposal should also be subject to a Habitats Regulations Assessment (HRA) by the local planning authority, as the competent authority, prior to the determination of this application. We recommend that Natural England are consulted for further advice on this matter.

Based on the information provided it appears that the proposed development would result in adverse impacts on a number of species, including several UK Priority species. The proposal must therefore be considered against the requirements of Waveney DC Local Plan policies CS16 and DM29. Consent should not be granted for development which is contrary to these policies.

Should it be determined that development at this site is acceptable it must be ensured that significant ecological enhancements are secured. As this is an Outline planning application we recommend that, should permission be granted, an Ecological Mitigation and Enhancement Plan is secured by planning condition. This should include the mitigation and enhancement measures set out in the Preliminary Ecological Appraisal (Cotswold Wildlife Surveys, May 2016), along with any other enhancement measures which are appropriate for the site (such as the inclusion of integrated swift boxes in new buildings).

4.11 **NHS England:** There is one GP practice within a 2km radius of the proposed development. The practice does not have sufficient capacity for the additional growth resulting from this development and cumulative development growth in the area. Therefore a developer contribution, via CIL processes, towards the capital funding to increase capacity within the GP Catchment Area would be sought to mitigate the impact.

4.12 **Anglian Water:** Recommend conditions for a foul water strategy and a surface water management strategy.

4.13 **Suffolk Constabulary Designing Out Crime Officer:** recommend that an application for Secured by Design (SBD) approval is made for this development.

5 PUBLICITY

5.1 The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Major Application, Departure from Local Plan	13.10.2017	02.11.2017	Beccles and Bungay Journal
Major Application, Departure from Local Plan	13.10.2017	02.11.2017	Lowestoft Journal

6 SITE NOTICES

6.1 The following site notices have been displayed:

General Site Notice	Reason for site notice: Major Application, Departure from Local Plan posted 13.10.2017 Expiry date 02.11.2017
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7 PLANNING POLICY

7.1 National Planning Policy Framework (February 2019)

7.2 The Waveney Core Strategy was adopted in January 2009 and the following policies are considered relevant:

CS01 Spatial Strategy, **CS02** High Quality and Sustainable Design, **CS04** Infrastructure, **CS11** Housing and **CS16** Natural Environment.

7.3 The Waveney Development Management Policies were adopted in January 2011:

DM01 Physical Limits, **DM02** Design Principles, **DM18** Affordable Housing, **DM22** Housing Development in the Countryside, **DM27** Protection of Landscape Character and **DM29** Protection of Biodiversity and Geodiversity.

8 PLANNING CONSIDERATIONS

Development Plan Policies

8.1 The site is located outside of the physical limits of Halesworth which is identified as a Market Town in Policy CS01 of the Waveney Core Strategy. Policy CS01 states that 15-25% of the District's housing growth will be accommodated in the Market Towns with most of this accommodated on previously developed land within Beccles and Halesworth. As of April 2016, 29% of housing completions over the period 2001-2016 have been in the Market Towns (62% of these have been in either Beccles or Halesworth).

- 8.2 Looking forward, the latest Strategic Housing Land Availability Assessment predicts that based on current outstanding permissions, allocations and windfall, over the period 2001-2025 (the plan period), 24% of housing development would have occurred in the Market Towns (58% of which in either Beccles or Halesworth). The addition of an extra 200 homes in Halesworth may result in the range of percentages for the market towns being exceeded. It will further detract from the focus the Policy places on Lowestoft, which under current projections will not meet the 70-80% target.
- 8.3 The site in question is also a greenfield site. Policy CS01 states that more than 50% of housing development is expected to be delivered on brownfield sites. Based on past completions and projected future completions it is expected that the Council will meet this target. The addition of an extra 200 homes on greenfield land will mean the Council will just miss this target with delivery at 42%. Considering the above, it is considered that the development of the site is in conflict with the overall Spatial Strategy.
- 8.4 Policy CS11 of the Waveney Core Strategy provides further detail for the housing strategy for the District and sets out a sequential approach to housing developments. The site is a greenfield site outside of the physical limits and therefore is the least sequentially preferable type of site. The Council's latest Statement of a Five Year Supply of Housing Land indicates that the Council can demonstrate a five year supply of housing. However, this five year supply is dependant on greenfield allocations in the emerging Local Plan including the site in question. As such the proposal is therefore broadly in conformity with Policy CS11 of the Core Strategy as there are insufficient sequentially preferable sites for housing to meet needs.
- 8.5 Policies DM01 and DM022 support the housing strategy of the Core Strategy and provide extra detail on how to deal with planning applications for housing development.
- 8.6 Policy DM01 of the Waveney Development Management Policies state that development will be concentrated within physical limits and the supporting text to policy states that land outside of physical limits or allocated sites will be treated as being in the open countryside. The site clearly fits the description of open countryside. Policy DM22 of the Development Management Policies makes clear that housing development will not be permitted in the open countryside except in the following circumstances:
- Dwellings for agricultural or forestry workers where there is an essential need for the worker to live close to the workplace,
 - Affordable housing on exception sites,
 - Replacement dwellings for homes affected by coastal erosion
 - Infill development, or
 - Conversion of rural buildings
- 8.7 The proposed development fits with none of the above categories, therefore is contrary to Policy DM01 and DM22.
- 8.8 Overall it is considered that the proposal is in conflict with the existing Local Plan due to conflict with key policies CS01, DM01 and DM22.
- 8.9 The Council is in the process of preparing a new Local Plan. The new Local Plan was submitted for examination on the 22 June 2018. On 21 November 2018 the Planning

Inspector published his post-hearing letter confirming that with Main Modifications the plan is likely to be capable of being found sound and legally compliant. The modifications were consulted on between 3 December 2018 and 28 January 2019. The Council expects to be in receipt of the Inspector's Final Report prior to this Planning Committee. It is likely that the Local Plan will be put to before Full Council for adoption on the 20 March 2019.

- 8.10 The site subject to this application is allocated under Policy WLP4.2 for a residential development of 200 dwellings. The only modifications the Inspector considered necessary to make this policy sound were to add the word 'approximately' in front of the number of dwellings and a requirement for prior extraction of any mineral resource.
- 8.11 Paragraph 48 of the NPPF states that weight may be given to relevant policies in emerging plans according to the stage of preparation, the extent to which there are unresolved objections and the degree of consistency of the emerging policies with the National Planning Policy Framework.
- 8.12 Given the very advanced stage in the preparation of the Local Plan, with adoption likely to occur later this month, together with the fact that the Inspector has already published initial conclusions, Policy WLP4.2 of the emerging Local Plan therefore can be given considerable weight in the determination of this application.
- 8.13 The policy as modified has a requirement for evidence to be submitted which assesses the quantity and quality of sand and gravel resources within the site in order to determine whether it is practical to make use of resources on site, in accordance with the Suffolk Minerals and Waste Local Plan. This evidence can be secured by condition should the application be permitted.
- 8.14 The emerging Local Plan has a number of other new policies which are relevant to this application and have weight in its determination.
- 8.15 Policy WLP8.3 requires 5% of plots on developments over 100 dwellings to be made available for self-build or custom build unless demonstrated to be unfeasible. The self build plots can be secured in the S106 Agreement should the application be permitted.
- 8.16 Policy WLP8.28 on Sustainable Construction requires applications of ten or more homes to be accompanied by a sustainability statement which demonstrates how various energy efficiency and sustainable construction measures have been considered and where possible incorporated. The policy also requires all new residential development to achieve the optional technical standard in terms of water efficiency of 110 litres/person/day unless it can be demonstrated that it is not viable or feasible to do so. A sustainability statement has not been submitted with the outline application. However, a statement can be secured at the reserved matters stage, where it will be more relevant, through a planning condition should the application be permitted. Compliance with the water efficiency standard can also be secured through planning condition.
- 8.17 Policy WLP/8.31 requires 40% of dwellings to meet requirements of the M4(2) of Part M of the Building Regulations (adaptable homes). This requirement can be secured through planning condition should the application be permitted.

Landscape

- 8.18 The site is within tributary valley farmland landscape character area as defined by the Waveney Landscape Character Assessment. Policy DM27 states that development affecting tributary valley farmland landscape character areas will not be permitted unless it can be demonstrated there is an overriding national need for development and no alternative site can be found. It should be noted that this part of the policy was considered inconsistent with the NPPF through the appeal at Laurel Farm (APP/T3535/A/13/2199424 – DC/12/1332/FUL). The policy also sets out other tests with respect to impact on the landscape. Providing the proposals provide adequate landscape mitigation, the NPPF compliant parts of the policy should be met.
- 8.19 The application is accompanied by a Landscape and Visual Impact Assessment which has been considered by the Arboriculture and Landscape Manager. It is considered that in terms of landscape features, it is inevitable that a development proposal will result in change to the existing land use, in this case agricultural. That has to be a given, but in this instance the proposed development associates with the existing urban edge of Halesworth when viewed from the adjacent countryside. No significant changes to existing landforms are proposed and the indicated site layout shows retention of open space around the western margins of the site and within the site which allows opportunities for tree planting and wider landscape integration. The most notable effect is the predicted Major/Moderate effect on land use (and also landscape character). This acknowledges that there will a notable degree of change but not as significantly adverse as it could have been because of the opportunities for mitigation. Beyond the site boundaries the impacts on landscape character are relatively limited by landform and existing vegetation including woodland. These effects where they exist will moderate with time once mitigating planting establishes and becomes a presence in the landscape . These effects are no more notable than for any other similar development of this scale and their adverse nature needs to be balanced against the benefits that the scheme brings in wider planning terms. Effects on wider landscape character are considered to be no worse than Minor, although to secure this outcome it is considered necessary to secure a comprehensive planting scheme, appropriate to the prevailing landscape character and of a high specification for planting.
- 8.20 It is a somewhat similar picture in terms of visual effects in as much as the highest degree of effects is felt by receptors who are closest to the development site, including the closest existing residential properties, and for footpath users for up to 1km to the NW of the site. As described above, these effects will moderate over time as new planting establishes and grows on. In this respect the residents 19-27 Roman Way, 1-4 Newby Close and 67a Chediston Street are identified as receptors of greatest effects and these impacts will need to be specifically addressed in final detailed landscape design. This also applies to 16-22 Dakings Drift to a slightly lesser degree. Major effects will also be experienced for short distances for users of footpaths and cycle routes but again, mitigation planting will moderate effects over time.
- 8.21 In essence it is considered that this proposal does not present any significant effects other than what we would expect for a development of this type. Major adverse landscape and visual effects are localised and need to be offset against other planning related benefits in the overall balance. Where they do occur, a comprehensive planting proposal will moderate effects and contribute towards landscape integration with the surrounding countryside. A comprehensive planting proposal could be secured by condition. As such it is considered that this proposal is not in conflict with Policy DM27.

- 8.22 Policy WLP8.35 of the emerging Local Plan will supersede Policy DM27. Based on the analysis above, the proposal is considered also to be in accordance with the requirements of Policy WLP8.35. The principle of development for up to 200 homes in the emerging Local Plan for this site is established by Policy WLP4.2 as described above. The Policy requires a landscaping scheme which can be considered at the reserved matters stage and secured through condition.

Housing Land Supply and Presumption in Favour of Sustainable Development

- 8.23 In the Planning Statement and the accompanying Five Year Land Supply Report, the applicant argues that the Council does not have a robust five year supply of housing.
- 8.24 The Council's latest Statement of five year supply of housing land March 2018 indicates that the Council can demonstrate a five year supply against the housing requirement in the emerging Local Plan. However, this is only achieved through the inclusion of the new allocations in the emerging Local Plan, including the site in question. The contribution towards housing supply therefore can be given weight in the determination of this application.
- 8.25 The Planning Statement argues that in the absence of a five year supply of housing, the presumption in favour of sustainable development set out in what is now paragraph 11 of the NPPF is applied. However, the Council contends that it can now demonstrate a five year supply of housing and in any case paragraph 177 of the NPPF makes it clear that the presumption does not apply where a development requires an 'Appropriate Assessment' under the Habitat Regulations.

Sustainable Development

- 8.26 The NPPF states that there are three dimensions to sustainable development: economic, social and environmental. These roles should not be undertaken in isolation, because they are mutually dependent.
- 8.27 Paragraph 19 of the National Planning Policy Framework states that the Government is committed to ensuring that the planning system does everything it can to support economic growth. The development of the site will bring economic development to Halesworth during the build period and will help to support/extend local services and businesses. It will deliver short/medium term employment in construction.
- 8.28 In terms of access the site is located approximately 600m from the town centre and therefore has excellent access to services and facilities. The site has good access to employment premises in the town, the railway station and the primary school. With development to the south of the site and to the east, the site is considered to constitute a logical extension of the town.

Habitats Regulations Assessment (HRA)

- 8.29 The application site lies approximately 8.0 km from the Minsmere to Walberswick Heaths & Marshes SAC and 13 km from the Benacre to Easton Bavents Lagoons SAC/SPA. At this distance, Natural England were of the view that the proposal could have potential significant effects on Minsmere- Walberswick SAC, SPA, and Benacre to Easton Bavents

SAC, SPA. Natural England requested a Habitat Regulations Assessment which considers the potential for recreational disturbance impacts on these sites.

- 8.30 The Habitats Regulations require the impacts of development on European Sites to be assessed in combination with other plans and projects. The Final Draft Local Plan has been subject to a Habitats Regulations Assessment which recommends that Waveney joins the already established Suffolk HRA Recreational Disturbance Avoidance and Mitigation (RAMS) Strategy. This mitigation strategy will include financial contributions from new dwellings towards the implementation of the recreational mitigation measures.
- 8.31 In commenting on the planning application Natural England are of the view that with sufficient high quality green infrastructure in place, and proportionate contributions to a district wide RAMS, it is possible to conclude there would be no adverse effect on designated sites.
- 8.32 The submitted Habitat Regulations Assessment concludes that in no circumstances will any of the impacts arising from the proposed development have a significant effect on the integrity of the SPA, SACs or associated SSSIs. The report provides a commitment to provide green infrastructure and to make a financial contribution towards developing a district wide recreational disturbance mitigation scheme (RAMS). The financial contribution could be secured in a Section 106 Agreement.
- 8.33 Natural England have requested further detail around the design of green infrastructure to provide a variety of attractive routes of at least 2.6km for dog walking, with connections to rights of way and infrastructure such as interpretation, dog bins and off lead areas. Such details could be secured by condition (See also paragraphs 8.50-8.52).
- 8.34 An Ecological consultant, on behalf of the Council, has undertaken an Appropriate Assessment (AA) of the proposal which considers the potential impacts on European sites and whether such impacts could lead to adverse effects on European site integrity. The AA concludes that the proposal, in combination with all residential development within 13km of the protected sites, could lead to additional recreational pressure on the protected sites. However as each European site is several kilometres away from the site it is concluded that there are no recreation concerns over and above those that can be mitigated for by adherence to the Recreational Avoidance Mitigation Strategy. The Appropriate Assessment has been sent to Natural England seeking confirmation that they are satisfied with its conclusions.
- 8.35 Subject to Natural England confirming that they are satisfied with the conclusions of the Appropriate Assessment, the Council as the Competent Authority can conclude that subject to the provision of a full financial contribution towards the Recreational Avoidance Mitigation Strategy and the provision of on site green infrastructure, adverse effects on the Minsmere to Walberswick Heaths & Marshes SAC and Benacre to Easton Bavents Lagoons SAC/SPA would be avoided. A full contribution towards the RAMS could be secured by S106 legal agreement.

Residential Amenity

- 8.36 As this is an outline application with all matters apart from access reserved for future consideration there are no details of the proposed houses although the illustrative masterplan shows where dwellings might be located.

- 8.37 The Design and Access Statement states that the majority of the 200 units will be two storey height with some 2.5 storey dwellings in the centre of the site. Single storey dwellings are indicated in the south eastern part of the site, closest to the existing bungalows along Dakings Drift. Single storey properties in this part of the site should ensure that the amenities of existing dwellings are not adversely affected by overlooking or loss of privacy.
- 8.38 The illustrative masterplan also shows a wide area of landscaped land along the eastern boundary due to the sloping nature of this part of the site. This undeveloped part of the site will ensure a wide separation between the proposed dwellings and existing properties along Roman Way. As such it is considered that the amenities of existing residential properties close to the site are unlikely to be adversely affected by the proposed development.

Highway Considerations and Parking Provision

- 8.39 The primary site access is proposed at the junction of Chediston Street and Roman Way and will take the form of a new roundabout located at the north eastern corner of the site. An additional access point will be provided via Chediston Street, which will provide vehicular access to a small number of residential units.
- 8.40 A number of local residents have expressed concern that the traffic generated by the proposal will be detrimental to highway safety, particularly along Chediston Street. Following comments made by the Highway Authority revised details have been submitted which confirm that the proposal will include an extension of the existing 30mph speed limit on Chediston Street in a westerly direction to include the proposed secondary site access.
- 8.41 The revised details also propose to provide a continuous footway along the northern side of Chediston Street from the proposed site access roundabout to east of Beech Close, where it would connect with the existing footway to Halesworth Town Centre. This would provide an additional walking route into the town centre. The proposed footway would also extend along the northern edge of the site to connect with the secondary site access.
- 8.42 The proposed footway would also extend along the eastern boundary of the site to the south along Roman Way, where a 3m pedestrian / cycle link would also be provided. The pedestrian / cycle link, which is proposed at the southeastern corner of the site, would connect with the existing shared footway / cycle route on Roman Way.
- 8.43 The proposed pedestrian / cycle links and improvements to existing footways will improve the overall accessibility and sustainability of the site, while providing further alternatives to non-car based travel and connections to Halesworth Town Centre. The proposed footway on Chediston Street will also provide an alternative walking route to the centre of Halesworth to the existing route via Roman Way, Holmere Drive and Church Farm Lane.
- 8.44 Following the submission of these revised details the Highway Authority do not object to the proposal, subject to conditions. As such it is considered that the proposal deals satisfactorily with highway and pedestrian safety issues.

- 8.45 Car parking provision for the site will be in accordance with Suffolk County Council's parking standards. The illustrative masterplan can incorporate the correct amenity space for each dwelling including garden size and car parking. Each dwelling will have at least one parking space, with some of the detached dwellings having a single or shared garage as well as integral garages.

Flood Risk

- 8.46 A Flood Risk Assessment (FRA) accompanies the application. The Environment Agency's indicative floodplain map shows that the site does not lie within a designated fluvial flood plain, therefore the risk of flooding to the site from rivers is very unlikely. The risk of flooding from other sources, such as surface water and ground water is considered low.
- 8.47 The proposals will follow best practise regarding site drainage to ensure that any surface water runoff from the development is managed by attenuation and controlled discharge, to either the river via the surrounding surface water sewer network, or via infiltration directly into the ground, which will ensure flood risk is not increased elsewhere. A variety of Sustainable Drainage Systems will be utilised to control surface water flows from the site. All surface water drainage systems will take account of local ground conditions and ground levels.
- 8.48 Suffolk County Council Flood and Water Management have reviewed the soakaway test report and FRA and recommend approval of the application subject to conditions including the submission of a surface water drainage scheme. As such it can be concluded that the site can be satisfactorily drained.

Heritage Considerations

- 8.49 At its nearest point the boundary of the Halesworth Conservation Area is approximately 150m to the east of the site along Chediston Street. There are a number of listed buildings further to the east along Chediston Street. There is a listed building approximately 1.1 km to the west of the site at Hill Farm House that is surrounded by tall garden boundary vegetation. The setting of this building is currently comprised of rural and agricultural character. It is considered that in view of the distance to this listed building and those along Chediston Street that there will be adverse impact on the setting or significance of designated heritage assets arising from the proposed development.
- 8.50 An archaeological desk-based assessment has been submitted and in order to provide further information regarding the presence or otherwise of archaeological remains on the site, a geophysical survey has been carried out, the results of which will be discussed with the relevant parties to ensure the proposed development has minimal effect on any on site archaeology. As will be noted above the Suffolk County Council Archaeologist raises no objection to the proposal subject to the imposition of conditions to record and advance understanding of the significance of any heritage assets before they are damaged or destroyed.

Biodiversity and Geodiversity

- 8.51 Natural England note that the Habitat Regulations Assessment provides a commitment to provide green infrastructure and to make a proportionate contribution towards a Recreational Disturbance Avoidance and Mitigation (RAMS) Strategy in the District and

that with sufficient high quality green infrastructure in place, and proportionate contributions to a district wide RAMS, it would be possible to conclude no adverse effect on designated sites. Natural England have requested further detail around the design of green infrastructure.

- 8.52 In response to Natural England's comments the applicant states that a network of at least 500m of new access routes will be created on the site which will connect to the wider footpath network which lies 160 m to the east of the site. Here there are Public Rights of Way which run north and then west or east. This footpath network offers a variety of local walks of various lengths, from 1.0 km to 10.0 km or more, so will more than cater for the minimum 2.6 km recommended by Natural England.
- 8.53 Further details of the design of green infrastructure could be secured by condition. A proportionate contribution to a district wide RAMS could be secured by Section 106 Agreement.
- 8.54 Suffolk Wildlife Trust's comments are summarised in paragraphs 4.22-4.24 above. They are of the view that the proposal would result in a net loss of habitat suitable for a number of species including UK Priority species. In response the applicant has made the following comments:

“Although parts of the existing land provide potential nesting sites for Grey Partridge, these are extremely limited, and there is far more suitable, and extensive, habitat in the farmland to the west. Indeed, the fields here contain more wildflowers and thus more opportunities for foraging, whilst the hedgerows are less disturbed and safer for nesting. The proposed scheme will actually enhance the site for wildlife, as the western side will comprise a belt of tree and shrub planting with wildflower meadow creation. These features will be attractive to species such as Grey Partridge, as well as a wide variety of other birds and animals, including Linnet, reptiles and Brown Hare. The latter were found to be ranging widely around the area, so are not exclusive to the application site. And as with the partridge, the fields to the west contain a more diverse sward, and thus better foraging and breeding opportunities for Brown Hare”.

- 8.55 With the proposed on site open space and conditions to secure an Ecological Mitigation and Enhancement Plan and implementation of the Preliminary Ecological Appraisal and Great Crested Newt survey recommendations, there is an opportunity to enhance the value of the site for local wildlife, resulting in a net gain for biodiversity. It is therefore considered that the proposal complies with the requirements of policies CS16 , DM29 and WLP8.34.

Land Contamination and Mitigation

- 8.56 The submitted Preliminary Risk Assessment has identified a filled sand pit within the confines of the site. The report did not include an intrusive assessment so the nature of the material used to fill the pit is unknown. This material could, depending upon its nature, act as a source of contamination and ground gas and will need to be investigated further. The intrusive investigation, together with any remediation and validation which may subsequently be required could be secured by condition.

Environmental Impact Assessment (EIA)

- 8.57 A screening opinion was requested on 16 November 2017 (Ref. DC/17/4964/EIA). It was concluded that the proposed development of this site is not EIA development.

Community Infrastructure Levy (CIL)

- 8.58 The proposed development will be liable for CIL. The 2019 Indexed CIL rate per square metre is £87.57. The affordable housing element would however be liable for CIL relief. The Town Council would receive a proportion of any CIL receipts that could be spent on anything that deals with the demands that development places on their area, such as open space, school places, cycle / pedestrian routes, strategic transport infrastructure and community facilities.

Benefits

- 8.59 A significant benefit of the proposal is the provision of housing including the provision of 35% of the dwellings as affordable homes (compliant with Policy DM18).
- 8.60 The proposed development will also provide contributions towards a new pre-school facility, an extension of the 30mph speed limit on Chediston Street, bus stop improvements, a contribution towards habitat mitigation, on site open space and links to the wider footpath network.
- 8.61 In terms of access the site is located approximately 600m from Halesworth town centre which contains a range of shops, services and facilities. The site has good access to employment premises in the town, the railway station and the primary school. With development to the south of the site and to the east, the site is considered to be in a sustainable location.

The Planning Balance

- 8.62 To conclude on Development Plan issues, the proposed development is in conflict with Local Plan policies CS01, DM01 and DM22.
- 8.63 As noted above the site is allocated for 200 dwellings in the emerging Local Plan which can be given considerable weight. The proposal is considered to be in accordance with the emerging Local Plan.
- 8.64 The site is conveniently located for access into the town centre by foot or cycle.
- 8.65 With regards to highway issues the Highway Authority raise no objection to the development subject to the inclusion of conditions and a Section 106 agreement to satisfactorily mitigate the impacts of the development. The proposed highway conditions consider provision of access roads, details of road construction, provision of parking facilities, footpath improvements along Chediston Road and link to Barley Meadow and extension of the 30mph speed limit along Chediston Street.
- 8.66 A further issue is the impact on European designated sites. As will be noted above in paragraphs 8.34 and 8.35, the Council as the Competent Authority can conclude no

adverse impact on designated sites subject to the provision of green infrastructure and a full financial contribution towards the Recreational Avoidance Mitigation Strategy.

- 8.67 Suffolk County Council Archaeology point out the need for a trial trenched evaluation of the site. Whilst it is advisable that the trial trenching is undertaken prior to the determination of the application, these further investigations can be carried out as a condition of planning permission, if granted, given this is an outline application. Suitably worded conditions will deliver appropriate mitigation on this matter.
- 8.68 Other matters, including prior extraction of minerals, surface water disposal and land contamination can be dealt with by conditions, should planning permission be granted.
- 8.69 The NPPF states that there are three dimensions to sustainable development: economic, social and environmental. These roles should not be undertaken in isolation, because they are mutually dependent. As noted above the site is close to the town centre and is considered to be sustainably located. There have been no objections from stakeholders subject to suitably worded conditions or a section 106 Agreement. It is therefore considered that the proposal constitutes sustainable development in conformity with the NPPF.

9 CONCLUSION

- 9.1 This application is contrary to the existing development plan as the site lies outside the “physical limits” boundary for Halesworth. Notwithstanding this there are other material considerations to take into account in the determination of the application.
- 9.2 The site is allocated in the emerging Final Draft Local Plan for 200 dwellings and is therefore in conformity with the Local Plan. The emerging Local Plan can be given considerable weight.
- 9.3 The site is located close to Halesworth town centre and easily accessible by sustainable modes of transport. There have been no objections to the proposed development or impacts that cannot be satisfactorily mitigated by the imposition of conditions and requirements in a Section 106 Agreement.
- 9.4 Taking all the material planning considerations into account it is considered that the proposal, when assessed against the emerging Local Plan and the NPPF as a whole, represents sustainable development. The application is therefore recommended for approval subject to controlling conditions and a Section 106 Agreement.

10 RECOMMENDATION:

That the application be APPROVED subject to the completion of a section 106 agreement covering:

- Developer contributions
- Affordable housing
- Provision and future management of the open space
- RAMS Payments
- Highways: Speed limit extension, bus stop improvements, Travel Plan, Traffic Regulation Order

and subject to Natural England confirming that they are satisfied with the conclusions of the Appropriate Assessment and subject to the following conditions.

Alternatively, if the S106 is not completed within six months from the date of resolution then permission be refused for non completion of S106 Agreement.

1. a) Application for approval of any reserved matters must be made within three years of the date of this outline permission and then
b) The development hereby permitted must be begun within either three years from the date of this outline permission or within two years from the final approval of the reserved matters, whichever is the later date.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

2. Details relating to the layout, scale, appearance and landscaping of the site (the "reserved matters"), and measures to minimise water and energy consumption and to provide for recycling waste shall be submitted to and approved by the Local Planning Authority before any development is commenced.

Reason: To comply with Sections 91 and 92 of the 1990 Act.

3. Details relating to the "reserved matters" pursuant to this planning permission shall not materially depart from the design principles and design proposals set down in the Design and Access Statement.

Reason: To secure a properly planned development.

4. No part of the development shall be commenced until details of the proposed access roundabout indicatively shown on Drawing No. A091299-1-105 have been submitted to and approved in writing by the Local Planning Authority. The approved access roundabout shall be laid out and constructed in its entirety prior to occupation. Thereafter the access roundabout shall be retained in its approved form.

Reason: To ensure that the access roundabout is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

5. No part of the development shall be commenced until details of the proposed access onto B1123 Chediston Street indicatively shown on Drawing No. YOR.2819_10C have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to occupation. Thereafter the access shall be retained in its approved form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

6. No part of the development shall be commenced until details of the proposed footway improvements indicatively shown on Drawing No. A13455-T-001 have been submitted to

and approved in writing by the Local Planning Authority. The approved improvements shall be laid out and constructed in their entirety prior to occupation.

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

7. No part of the development shall be commenced until details of the proposed footpath/footway link to Barley Meadow has been submitted to and approved in writing by the Local Planning Authority. The approved link shall be laid out and constructed in its entirety prior to occupation.

Reason: To ensure that the link is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of sustainable travel.

8. Reason: To ensure that the link is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of sustainable travel. Before the development is commenced details of the areas to be provided for storage of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.

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

Reason: To ensure that roads/footways are constructed to an acceptable standard.

10. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.

Reason: To ensure that satisfactory access is provided for the safety of residents and the public.

11. The new estate road junction(s) with Chediston Street (B1123) inclusive of cleared land within the sight splays to this junction must be formed prior to any other works commencing or delivery of any other materials.

Reason: To ensure a safe access to the site is provided before other works and to facilitate off street parking for site workers in the interests of highway safety.

12. Before the development is commenced details of the areas to be provided for the [LOADING, UNLOADING,] manoeuvring and parking of vehicles including secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles, where on-street parking and manoeuvring would be detrimental to highway safety.

13. Before the B1123 Chediston Street access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 215 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension).

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.

14. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The statement shall provide details of:
- proposed hours of work
 - proposed piling methods
 - the parking of vehicles of site operatives and visitors
 - loading and unloading of plant and materials
 - storage of plant and materials used in constructing the development
 - the erection and maintenance of security hoarding and acoustic screens
 - wheel washing facilities
 - measures to control the emission of dust and dirt during construction
 - a scheme for the recycling/disposing of waste resulting from construction works
 - Hours of delivery of materials
 - Details of a banksman to control development
 - Details of any external lighting as may be required
- The approved Statement shall be adhered to throughout the construction period.

Reason: In the interests of amenity and to ensure a safe development.

15. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a site investigation consisting of the following components has been submitted to, and approved in writing by, the local planning authority:
- 1) A desk study and site reconnaissance, including:
 - * a detailed appraisal of the history of the site;
 - * an inspection and assessment of current site conditions;

- * an assessment of the potential types, quantities and locations of hazardous materials and contaminants considered to potentially exist on site;
- * a conceptual site model indicating sources, pathways and receptors; and
- * a preliminary assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

2) Where deemed necessary following the desk study and site reconnaissance an intrusive investigation(s), including:

- * the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- * explanation and justification for the analytical strategy;
- * a revised conceptual site model; and
- * a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including BS10175:2011+A1:2013 and CLR11.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

16. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:

- * details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
- * an explanation, including justification, for the selection of the proposed remediation methodology(ies);
- * proposed remediation objectives and remediation criteria; and
- * proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

The RMS must be prepared by a competent person and conform to current guidance and best practice, including CLR11.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

17. Prior to any occupation or use of the approved development the RMS approved under condition 16 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

18. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:
- * results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
 - * evidence that the RMS approved under condition 18 has been carried out competently, effectively and in its entirety; and
 - * evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

19. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works. Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried

out safely without unacceptable risks to workers, neighbours and other offsite receptors.

20. No development shall take place until a Construction Environmental Management Plan to mitigate both noise and air quality impacts during the construction phase has been submitted to, and approved in writing by, the local planning authority. The construction shall be carried out in accordance with the approved Plan.

Reason: In the interests of amenity.

21. 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 CS 17 of Waveney District Council Core Strategy Development Plan Document (2009) and the National Planning Policy Framework (2012).

22. 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 CS 17 of Waveney District Council Core Strategy Development Plan Document (2009) and the National Planning Policy Framework (2012).

23. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be in accordance with the approved FRA and include:
1. Dimensioned plans and drawings of the surface water drainage scheme;
 2. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
 3. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or $2l/s/ha$ for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
 4. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
 5. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
 6. Topographical plans depicting all exceedance flowpaths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
 7. Details of who will maintain each element of the surface water system for the life.

The scheme shall be fully implemented as approved.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development.

24. Concurrent with the first reserved matters application(s) details of the implementation, maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

25. No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

26. Before the development hereby permitted is occupied full details of electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with paragraph 3.4.2.

27. Prior to the commencement of development full details of the design of green infrastructure to provide a variety of routes of at least 2.6Km for dog walking, with connections to Rights of Way, and infrastructure such as interpretation, dog bins, and off lead areas, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In order to mitigate the impact of the development on designated sites.

28. The recommendations of the Preliminary Ecological Appraisal (Cotswold Wildlife Surveys, May 2017) and the great crested newt survey report (Cotswold Wildlife Surveys, May 2017) shall be implemented in full.

Reason: In the interests of the protection of wildlife and protected species.

29. Prior to the commencement of development an Ecological Mitigation and Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Plan.

Reason: In the interests of the protection of wildlife and protected species.

30. Prior to the commencement of development full details of fire hydrant provision within the site shall be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure the adequate provision of water for fire fighting.

31. With the exception of any site clearance works, site investigation works and tree protection works no development shall take place unless a Mineral Safeguarding Assessment and Minerals Management Plan for that phase has been submitted to and approved in writing by the local planning authority in consultation with the minerals planning authority.

The Mineral Safeguarding Assessment shall assess the potential for the onsite reuse of mineral resource arising from groundwork, drainage and foundation excavations in accordance with an agreed methodology. The Minerals Management Plan will identify for each phase of development the type and quantum of material to be reused on site, and the type and quantum of material to be taken off site and to where. The development shall then be carried out in accordance with the Mineral Management Plan unless otherwise agreed in writing by the local planning authority.

Reason: To assess the quantity and quality of sand and gravel resources in accordance with the Suffolk Minerals and Waste Local Plan.

32. Detailed plans of the Reserved Matters pursuant to condition 2 above shall show that 40% of the dwellings within the site will meet the requirements of part M4(20 of Part M

of the Building Regulations unless otherwise agreed in writing by the local planning authority. The development shall be carried out strictly in accordance with those approved details.

Reason: To ensure that adequate provision is made for adaptable and accessible homes in accordance with Policy WLP8.31.

33. Detailed particulars of the Reserved Matters pursuant to condition 2 above shall include a Sustainability Statement which demonstrates how all the dwellings within the site shall achieve the optional technical standard in terms of water efficiency of 110 litres/person/day unless otherwise agreed in writing by the local planning authority. The development shall be carried out strictly in accordance with those approved details.

Reason: To ensure new housing meets water efficiency measures in accordance with Policy WLP8.28.

BACKGROUND INFORMATION:

See application ref: DC/17/3981/OUT at
www.eastsuffolk.gov.uk/public-access

CONTACT

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