
Appeal Decision

Hearing held on 6 June 2017

Site visit made on 6 June 2017

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 14 June 2017

Appeal Ref: APP/J3530/W/16/3165412

Woodbridge Road, Bredfield, Suffolk IP13 1JA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr David Wood & Associates against the decision of Suffolk Coastal District Council.
 - The application Ref DC/16/3624/OUT, dated 24 August 2016, was refused by notice dated 27 October 2016.
 - The development proposed is described as 'outline planning application with all matters reserved for 10 market houses plus access'.
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Decision

1. The appeal is allowed and planning permission is granted for 10 market houses plus access at Woodbridge Road, Bredfield, Suffolk IP13 1JA, in accordance with the terms of the application, Ref: DC/16/3624/OUT, dated 24 August 2016, subject to the conditions in the attached schedule.

Preliminary Matters

2. At the hearing it was agreed by all of the parties that the post code of the appeal site is IP13 1JA and not IP12 1JA. It was also agreed that the application has been submitted in outline with all matters of detail reserved for future consideration, including the access, and therefore the drawings submitted were indicative. I have considered the appeal on this basis.
3. Since the Council issued its decision it has adopted the Site Allocations and Area Specific Policies Development Plan Document 2017 (DPD). The implications of the document's adoption were discussed at the hearing. The Council submitted an extract from the Ipswich and Waveney Housing Market Areas Strategic Housing Market Assessment (SHMA) as late evidence during the hearing. I accepted this as it is relevant to my considerations and has only recently been published.
4. I confirmed at the outset of the hearing that I have recently determined an appeal at another site at the village (APP/J3530/W/16/3165669). That appeal was also for housing and is a material consideration. Nevertheless, the current appeal has been considered on the evidence presented. No aspect was prejudged and no evidence was imported from the previous appeal. At my request, the appellant submitted a housing supply scenario with a 5% buffer after the hearing. The Council were afforded an opportunity to review this and provided revised figures.

Main Issues

5. The main issues in this appeal are:

- Whether the Council are able to demonstrate a five year housing land supply;
- Whether the appeal site would be a suitable location for housing having regard to relevant local policies;
- The effect of the appeal scheme on the character and appearance of the countryside; and
- The effect of the appeal scheme on biodiversity.

Reasons

Whether the Council are able to demonstrate a five year housing land supply

6. Policy SP2 of the CSDMP¹ makes provision for at least 7,900 new homes in the district in the period 2010 to 2027 and this should be the starting point for calculating the district's current housing requirements. Nevertheless, the 7,900 figure is qualified by the term 'at least', which suggests a greater number may be required. When asked, the Council were unable to clarify with confidence where the 7,900 figure derived from, but believed it was based on the unmet requirements of the now defunct East of England Plan. It was nevertheless agreed by the Council and the appellants that the 7,900 figure was not based on the full objectively assessed housing need for the area (OAN), which at the time of the examination of the CSDMP was taken to be 11,000 homes².
7. Although the 7,900 figure in Policy SP2 of the CSDMP did not represent the areas OAN at the time of the document's examination, the examining Inspector made a pragmatic decision to find it sound subject to there being an early review. An early review was considered necessary because the figure of 7,900 was artificially low at the time of the adoption of the CSDMP and would likely become progressively out of date. The review has commenced but is incomplete. Significantly, the deadline for the publication of an issues and options report, by 2015 at the latest, has elapsed by some way. Therefore, a five year housing land supply predicated on a housing requirement of 7,900 homes would be unreliable because it was not a figure representing the area's OAN and the early review required to remedy this is behind schedule.
8. Importantly, Paragraph 47 of the National Planning Policy Framework (the Framework) states that to boost significantly the supply of housing, local planning authorities should ensure their Local Plans meet the full objectively assessed needs for market and affordable housing in their areas. Consequently, for the purposes of this appeal, the housing requirement should be derived from the area's OAN and not solely from the figure in Policy SP2 of the CSDMP.
9. At the hearing the Council referred to an extract of the new SHMA, which was published in May 2017 and is based on more recent census data. This suggests that the OAN is 10,111 homes over a period up to 2036. This is a longer period than the housing requirement set out in Policy SP2 of the CSDMP, which is to 2027. The annual delivery rate advanced in the new SHMA would therefore be very similar to the annual delivery rate flowing from the 7,900 figure in the

¹ Suffolk Coastal District Local Plan Core Strategy and Development Management Policies 2013

² See Paragraph 3.27 of the CSDMP. The 11,000 figure was taken from forecast modelling carry out in 2010

CSDMP, which is around 465 dwellings per annum (dpa). Both the Council and appellant agreed that this would represent a fall in the overall OAN from 2010.

10. The appellant is sceptical of the OAN figure advanced in the new SHMA, especially the proposition that the OAN going forward would be notably lower than the OAN of 11,000 homes confirmed in the CSDMP. For this reason it is likely the 2017 SHMA will be the subject of detailed scrutiny. Moreover, the Council were unable to explain at the hearing what factors had resulted in the apparent fall in the OAN. The SHMA has not been tested at examination and therefore it cannot be afforded full weight. Importantly, the Council were unable to clarify at the hearing whether the 10,111 figure included a proportion of the strategic cross boundary growth from Ipswich, which may be necessary through the duty to cooperate. As such, the recent SHMA is of limited weight and thus I revert back to the 11,000 OAN figure confirmed in the CSDMP.
11. In reaching the view above, it is important to note that the recently adopted DPD was found sound based on a housing requirement of 7,900 homes. However, the DPD is a lower tier plan the purpose of which is to implement the housing target of the CSDMP. The document was found sound on this basis as it provided for 8,670 units. Nevertheless, this does not alter the fact that the OAN is identified in the CSDMP as 11,000 homes and that the Framework states that the housing requirements of an area should be based upon this.
12. Tables 1 and 2 of the appellants' statement set out housing completions between 2010 and 2015. The Council did not provide its own figures but confirmed those supplied by the appellants were accurate having been based on the annual monitoring reports (AMR). Completions over this period have been below the annual target in Policy SP2 of the CSDMP (of 465dpa) in all of the five years. The under delivery against the OAN figure (648dpa) is more acute. The Council suggested that the housing completions have picked up since the recession with the figures for 2015-16 demonstrating a positive performance against the CSDMP target (564 dwellings against a target of 465dpa). The Council also suggested that completions for 2016/17 were 541 homes and that there are unimplemented planning permissions in place for 2,439 homes.
13. The Council were unable to provide me with the AMRs confirming the purported figures for either 2015/16 or 2016/17. I was advised that there were no published figures for these years and therefore they are unsubstantiated. It was therefore agreed at the hearing that I should work with the figures from 2010 to 2015. Whilst this is a small sample that is not up to date and could have been skewed by factors such as the recession, they are the substantiated and published figures before me. Notwithstanding this, the completion figures verbally given by the Council at the hearing for 2015/16 and 2016/17 are, in any event, significantly below the OAN target of 648dpa. I acknowledge that the recent increase in completions suggested by the Council could have reduced the overall extent of the under provision, but there has been a consistent under provision nonetheless.
14. In light of the above it is evident that there has been persistent under-delivery even though there is likely to have been a recent up lift in completions. As a consequence, a 20% buffer should be applied as required by the Framework. It was agreed by the Council and appellants that the under delivery should be made up in the next five years (the Sedgefield method). This has resulted in an adjusted annual requirement that is in the region of 1,210dpa over the next five

- years³. From the evidence before me I conclude this is likely to be the area's housing requirement.
15. There was broad agreement that the level of housing supply over the next five years would be in the region of 3,757 homes. Notwithstanding this, there was some debate between the Council and appellant as to whether 350 homes from the Adastral Park development could be included in the housing supply figure. This is because the planning application timetable has slipped and there is a history of legal challenges and local objections to the proposal. Therefore, the houses may not come forward in the next five years. However, this only becomes a significant matter if I accept the Council's figures for the area's housing requirement and apply a 20% buffer to this. I do not accept the Council's figures for the reasons set out in the preceding paragraphs and thus, for simplicity's sake, I have used the 3,757 housing supply figure given by the Council.
 16. As a result of the above, the annual housing requirement over the next five years is around 1,210 homes (around 6050 over five years) and the supply is likely to be 3,757 homes over five years. As such, the Council are only able to demonstrate a five year housing land supply that is in the region of 3-3.5 years when a 20% buffer is applied. I have applied a range given the uncertainty over recent completions.
 17. In their evidence submitted after the hearing the appellants suggested that even if I had applied a 5% buffer then the supply would still be low, at 3.5 years. The Council considers it could be 4 years if the OAN of 11,000 homes is used as the basis of the area's housing requirement but additional completions are taken into account. The Council gave an unsubstantiated figure of 2,016 completions in its post hearing calculations. This presumably factors in completions from 2015-17. However, and as already stated, in the absence of AMRs for these years it was agreed at the hearing that I should work with the completion figures from 2010-2015.
 18. My findings are broadly consistent with a recent appeal decision⁴, where the Inspector considered the Council's five year housing land supply and concluded it could only currently demonstrate a housing supply that is in the region of 3 years. This decision was issued on the 12 April 2017 and is thus very recent and followed a rigours testing of the evidence through an Inquiry. A revised OAN has been published in the new SHMA since this decision was taken but I have already concluded I cannot afford this more than limited weight for the reasons already given. As such, the findings of the previous Inspector add weight to my own conclusions.
 19. I therefore conclude that the Council are currently unable to demonstrate a five year housing land supply. As a consequence, Paragraph 49 of the Framework states that relevant policies for the supply of housing should not be considered up to date. It was agreed at the hearing that Policies SP2 and SP19 of the CSDMP are policies relating to the supply of housing and should be considered out of date in the absence of a five year housing supply. Paragraph 14 of the Framework is therefore engaged.

³ See Table 3 of the appellant's statement setting out the annual housing requirement based on OAN plus the backlog plus a 20% buffer. However, this does not taken into recent completions so the figure of 1210 may be a little high given the Council's verbal evidence.

⁴ APP/J3530/W/16/3165730

Whether the appeal site would be a suitable location for housing having regard to relevant local policies

20. The appeal site encompasses a parcel of land located outside the defined physical limits of Bredfield. It is therefore located in the countryside. To protect the countryside, Policy SP29 of the CSDMP limits new development outside the physical limits of defined settlements to that which needs to be located there and where it would accord with other relevant policies of the CSDMP.
21. With this in mind the appellant referred to the DPD, which has allocated at least 10 houses for Bredfield without identifying a site. The DPD intends for the neighbourhood plan to identify a mechanism for delivering the housing allocation. This process has commenced with the neighbourhood planning group having undertaken an assessment of possible sites⁵ with all of the potential sites being outside the settlement boundary. The appeal site is one of two preferred sites. A planning application for housing at the other site was refused by the Council and the subsequent appeal dismissed⁶. This information was not before the Inspector considering appeal APP/J3530/W/16/3160953.
22. The analysis undertaken by the neighbourhood planning group would suggest that it will be necessary for the housing allocation in the DPD to be delivered on land outside the settlement boundary. This was a point supported at the hearing by Mr Hepper of the Parish Council, who also suggested that by permitting the appeal scheme the problem of where to place the allocation would be resolved. However, I cannot conclude at this stage that it is necessary to approve 10 homes at the appeal site as the neighbourhood plan is at an early stage. In this respect, other options may be pursued by the local community including multiple allocations or a review of the settlement boundary, which would allow further infilling. As such, the allocation could be met in other ways.
23. Furthermore, it has not been demonstrated that the appeal scheme is both necessary and in accordance with other policies in the CSDMP, this is a dual requirement of Policy SP29. Due to the size of the appeal scheme, it would not meet the definition of infilling contained in Policy DM4 of the CSDMP. Likewise, the proposal would not be the type of development outlined in Policy DM3 of the CSDMP as needing a countryside location. Thus, the proposal would not glean support from either Policy.
24. The appellants suggest that Policy SP27 of the CSDMP would support the appeal scheme. This is because it outlines the strategy for Key and Local Service Centres as enabling organic development to occur in respect of settlements where opportunities within defined physical limits are severely limited. However, the organic growth referred to is to be included within physical limit boundaries when they are drawn or within clusters identified in Policy DM4 of the CSDMP. The appeal scheme would not be subject to either scenario.
25. In conclusion, I am not satisfied it is necessary at this time to develop the appeal site and other policies in the CSDMP would not support the development. As such, the proposal would be at odds with Policy SP29 of the CSDMP as it would be housing in the countryside that does not need to be there. The proposal is thus contrary to the planned strategy for housing outlined in the CSDMP and the DPD when read as a whole, including Policies DM3 and DM4.

⁵ See Bredfield Village Neighbourhood Plan Site Appraisal Document

⁶ APP/J3530/W/16/3165669

26. However, in reaching this view, the suggestion from the Parish Council - that it is likely that the appeal site will be allocated in the neighbourhood plan - is a notable material consideration. It is not however determinative at this stage as other options may be explored and ultimately included in the plan. I therefore conclude that the proposal would not be a suitable site for housing when having regard to the relevant local policies referred to above.
27. Before moving on it is important that I consider the Council's point that an approval of the appeal scheme would be premature in advance of the neighbourhood plan. The Planning Practice Guide sets out guidance on the circumstances where it might be justifiable to refuse planning permission on the grounds of prematurity⁷. The development proposed would be substantial in the context of the emerging neighbourhood plan as it would amount to the entire allocation for the neighbourhood planning area. As such, one of the two tests for establishing prematurity has been met. However, the neighbourhood plan is not at an advanced stage. As such, an argument of prematurity is not justifiable in this instance. Nevertheless, this does not alter my finding that the proposal is currently unnecessary in the context of Policy SP29 of the CSDMP.

The effect of the appeal scheme on the character and appearance of the countryside

28. The appeal site is currently an open and undeveloped parcel of land save for a small store in the north western corner. There is a thick hedge along the western boundary of the appeal site with Woodbridge Road. The appeal site is otherwise a grass meadow with mown paths throughout. There are other meadows to the north, east and west of the appeal site including the Jubilee Meadow and Orchard. In this respect the appeal site is part of a network of meadows that present a rural character and pleasing setting to the village.
29. Whilst matters of detail are reserved for future consideration, the indicative drawings demonstrate that the appeal scheme would involve the erection of ten houses in a linear arrangement with the hedge along Woodbridge Road breached by a hardened access. It is likely that a significant section of the frontage hedge would need to be removed if the visibility splays recommended by the Local Highway Authority are to be achieved. This, along with the physical presence of the dwellings and the associated domestic paraphernalia, would urbanise the appeal site and seriously detract from its rural character.
30. However, the development of the appeal site would have the appearance of a natural extension of the built form currently located to the south and west of the appeal site. It would replicate the predominately linear form of the surrounding development and village and the hedge along the northern boundary is a natural point at which to discontinue development. Due to the frontage nature and shallow depth of the appeal site much of the meadow would be retained and the appellants suggested a new hedge could be planted between the appeal site and the meadow. Additionally, the indicative drawings demonstrated that modest properties exhibiting a vernacular design could be accommodated. Furthermore, as it is likely that some housing in the countryside will be necessary to meet the village's allocation some inherent harm to the countryside would be inevitable. These points taken together limit the overall harm to the character and appearance of the area.

⁷ Paragraph: 014 Reference ID: 21b-014-20140306

31. The Council are particularly concerned by the loss of part of the frontage hedge, which it considers to be an important landscape feature. The arboricultural plan submitted by the appellants identifies the hedge as being planted around fifty years ago following highway improvements. I have no reason to doubt this. As such, it is not particularly old and there is no substantive evidence before me to suggest the hedge has any historic or archaeological significance in terms of its position.
32. The appellants have suggested that the hedge could be replanted behind the visibility splays. A new hedge would take time to mature and therefore some short term harm would occur. Nevertheless, the appellant indicated a willingness to plant a reasonably mature replacement hedge. In light of this, and given the lack of evidence that the hedge is in a historic position, its removal and replanting could be secured at the reserved matters stage and therefore the short term harm to the character and appearance of the area from its removal would be an adverse impact of limited weight.
33. I therefore conclude that the proposal would result in some moderate harm to the character and appearance of the area including a limited impact from removing the frontage hedge. As a consequence, there is a conflict with Policy DM21 of the CSDMP, which seeks to secure developments that relate well to their surroundings.

The effect on biodiversity

34. The Council are concerned that the removal of the hedge could also harm biodiversity. However, the Council did not request any surveys of the hedge or the site, there is no evidence that the Council's assessment benefited from the input of an ecologist and nor did it refer me to any relevant guidance that it followed. The Council also failed to explain what protected species are likely to be affected by the appeal scheme. A vague reference to 'biodiversity' is imprecise. As such, it is unclear upon what evidence the Council based its conclusion that there would be harm to biodiversity from removing the hedge.
35. At the hearing the Council suggested that the hedge would be of biodiversity value because wildlife is often found in such landscape features. However, without a survey the extent of its value to biodiversity is unknown. Mr Wiggins suggested that the appeal site is important to wildlife as barn owls and newts have been present nearby and have used the site for foraging. It was also suggested that the meadow is unimproved grassland. This raises the question that important flora may be present. Nevertheless, although reference was made at the hearing to a previous survey undertaken by an ecologist, substantive evidence was not presented to support these contentions.
36. The site includes a dense hedge adjacent to a grass meadow and ditch and it is in close proximity to ponds. It is conceivable that protected species would be present but it is unclear whether this is likely. The Planning Practice Guide (PPG) states⁸ that *Local planning authorities should only require ecological surveys where clearly justified, for example if they consider there is a reasonable likelihood of a protected species being present and affected by development*. From the evidence before me I cannot conclude with any confidence that there is a reasonable likelihood of protected species being present and affected by the proposed development.

⁸ Paragraph: 016 Reference ID: 8-016-20140612

37. Normally, when there is a likelihood protected species may be present it is necessary to identify their presence or otherwise before granting planning permission so that any impacts and potential mitigation can be identified and fully understood. The absence of an assessment can therefore be a significant omission. However, in this instance there is little substantive evidence before me to suggest protected species are likely to be present. Notwithstanding this, the appellant is proposing mitigation in the form of extensive replacement hedgerow planting along Woodbridge Road and between the appeal site and the remainder of the meadow. This can be secured at the reserved matters stage. As such, there could be a net increase in hedgerow habitat as a result of the development, a point agreed in the Statement of Common Ground, and much of the meadow would be left undistributed.
38. The appellants also suggested at the hearing that they would be content to submit further details through a planning condition. As it is conceivable but not necessarily likely that protected species may be present within the appeal site it is appropriate to secure the submission of biodiversity surveys and mitigation through a planning condition rather than prior to determination.
39. I therefore conclude that in the absence of a protected species survey there is the potential for some harm to biodiversity. However, the harm would be limited as the likelihood of protected species being present has not been demonstrated by the Council or interested parties and the appellant is proposing mitigation in the form of additional hedge planting and surveys. As a consequence, there is only a limited conflict with Policy DM27, which seeks to protect biodiversity.

Other Matters

40. Concerns have been expressed that the proposal would prejudice highway safety but substantive evidence has not been presented to support this contention. Moreover, the Local Highway Authority has not objected to the proposal because the indicative layout demonstrates it can accommodate sufficient off road parking and the access can be provided with adequate visibility splays. The details can be secured through the submission of the reserved matters. As such, the proposal would not result in inherent harm to highway safety.
41. Suffolk County Council has raised concerns that the application was submitted with insufficient information regarding a surface water drainage strategy. Nevertheless, the District Council confirmed that sufficient information could be secured through a planning condition and at the reserved matters stage.
42. Substantive evidence has not been provided to support the contention that the proposal would result in noise and disturbance over and above what would be expected from residential properties and the noise impacts from construction are likely to be short lived. It is unlikely the specific circumstances of this appeal and the appeal site will arise elsewhere and thus no generalised precedent would be set by this decision. Thus, these matters have not altered my conclusion on the appeal or the main issues.

Planning Balance

43. An application should be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the lack of a

five year housing land supply is a significant material consideration that renders the housing policies of the development plan as out of date. This engages Paragraph 14 of the Framework which in this instance directs that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

44. As new dwellings outside the settlement boundary of Bradfield the proposal would be contrary to Policies SP29, DM3 and DM4 of the CSDMP. Nevertheless, the Council can only demonstrate a housing supply of around 3 to 3.5 years. The Council are working to remedy this but the shortfall has been persistent and I cannot be confident that it will be addressed soon. Due to the inadequate housing supply I afford the conflict with the aforementioned policies only moderate weight as an adverse impact of the appeal scheme.
45. There would be some harm to the character and appearance of the area from the urbanisation of the site but this can be tempered by a sensitive design. Moreover, the development of the site would appear as a natural extension of the built form of the village. As such, the harm to the character and appearance of the area is a matter of moderate weight against the proposal. The absence of a protected species survey is a failing of the appeal scheme but there is little evidence before me to suggest the presence of protected species would be likely and therefore a planning condition requiring surveys, and a plan of mitigation, would go a long way to offset any potential impacts. Consequently, the absence of a survey is a matter of limited weight against the appeal scheme in this instance. Altogether, the adverse impacts of the proposal are matters of moderate weight against the appeal scheme.
46. A benefit of the appeal scheme is that it would deliver 10 homes. This is a modest contribution that would assist the Council in addressing the significant shortfall in its housing land supply. It would also address the allocation for Bredfield on a site initially identified by the neighbourhood plan group, following a public consultation, as one of the preferred potential sites around the village.
47. The proposal would support construction jobs and the Council have not alleged that the site is isolated relative to facilities, with some being reasonably nearby, such as the village shop. The appeal scheme could therefore assist the vitality of the rural community through the spending power of future occupants. However, the benefits to the construction industry would be time limited and it is unclear whether local facilities are struggling and would thus benefit significantly from increased patronage. Thus, these benefits are of moderate weight.
48. The proposal has the potential to provide a housing mix with smaller homes but there is no mechanism before me to secure this and as the proposal has been submitted in outline, the final scheme could include a different housing mix to that presented on the indicative drawings. However, Policy SP3 of the CSDMP⁹ would require a housing mix and thus it is likely the proposal would assist local housing choice. Taken together, the benefits of the proposal are matters of moderate weight in favour of it.

⁹ Supported by Table 3.6 of the same document, which sets out an indicative mix

49. Any CIL¹⁰ contribution would be to off-set the impacts of the proposal on local infrastructure so this is not a benefit of the appeal scheme. Instead it would be a neutral consideration.
50. The adverse impacts of the appeal scheme are matters of moderate weight as are the benefits. Consequently, the adverse impacts of the appeal scheme would not significantly and demonstrably outweigh its benefits. As such, the proposal would be sustainable development for which the Framework carries a presumption in favour.

Conditions and Conclusion

51. The appeal scheme would be contrary to aspects of the development plan. However, and in this instance, there are material considerations, principally the appeal scheme being sustainable development within the context of Paragraph 14 of the Framework, which indicate planning permission should be forthcoming. Consequently the appeal should succeed.
52. In allowing the appeal it is necessary to impose planning conditions. In determining this I have had regard to the advice in the PPG and the Council's list of suggested conditions presented and discussed at the hearing. In the interests of safeguarding the character and appearance of the area and highway safety it is necessary to secure the submission of reserved matters. Furthermore, in the interests of environmental sustainability it is necessary to secure measures to minimise water and energy consumption and to provide for the recycling of waste. In the interests of protecting sensitive end users it is necessary to attach conditions relating to land contamination.
53. Surface water from the appeal site currently runs into drainage ditches. The provision of hard surfaces is likely to increase the rate of flow into the ditches. Thus, to prevent the flooding of properties and land nearby from surface water runoff, it is necessary to secure a scheme of surface water drainage. I have adopted the wording suggested by the Council (as opposed to Suffolk County Council's) with some amendments. In the interests of potentially unknown archaeology it is necessary to secure a scheme of investigation and the proper recording of any findings.
54. As access and layout are reserved matters it is unnecessary to attach conditions relating to 'access' save for those relating to phasing, which are necessary in the interests of highway safety and the living conditions of future occupants. In the interests of enhancing biodiversity it is necessary to secure the submission of surveys and any subsequent mitigation.
55. In conclusion, for the reasons given above, and having regard to all other matters raised, I conclude the appeal should be allowed.

Graham Chamberlain
INSPECTOR

¹⁰ Community Infrastructure Levy

APPEARANCES

FOR THE APPELLANT

Mrs Kathleen Woods	on behalf of David Woods and Associates
Denise Causier	on behalf of David Woods and Associates
Ben Redsell	Planning Direct

FOR THE LOCAL PLANNING AUTHORITY

Philip Perkin	Principal Planning Officer
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INTERESTED PARTIES

David Hepper	Bredfield Parish Council
Neil McManus	Suffolk County Council
Martin Price	East Coast Planning Services
Paul Wogens	Local Resident

DOCUMENTS

1. Plan of sites being considered by the Neighbourhood Planning Group
2. Extract from the 2017 SHLA

Schedule of Conditions

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.
2. Details relating to the access, 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.
3. 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 reserved matters.
4. The new estate road junction with Woodbridge Road 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.
5. No development shall take place within the appeal 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.
6. 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 5 and the provision made for analysis, publication and dissemination of results and archive deposition.
7. Concurrently with the submission of the reserved matters, a surface water management strategy shall be submitted to the Local Planning Authority. No drainage works or hard standings shall commence until the surface water management strategy has been approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

8. A Phase I Site Investigation Report that fully characterise contamination (including ground gas) at the site (whether or not it originates from the site) must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development (including any construction, demolition, site clearance, removal of underground tanks and relic structures). The activities and report(s) characterising contamination at the site must be conducted in accordance with prevailing guidance and good practice (including BS10175:2014 and CLR:11) and must include, but are not limited to:

A Desk study

The desk study, including a site reconnaissance, must include at least:

- a detailed appraisal of the site's history;
- an inspection and assessment of the current condition of the site;
- an assessment of the potential types, quantities and locations of hazardous materials and contaminants considered to potentially exist on site;
- a conceptual site model; and
- a preliminary assessment of the risks from contamination at the site to the relevant receptors defined within the prevailing edition of the Environmental Protection Act 1990:Part 2A Contaminated Land Statutory Guidance including human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

Where the desk study reveals the potential for site contamination an intrusive site investigation Phase II Report should be commissioned. This investigation must include at least:

- details of the locations and types of sampling points and justification for the sampling strategy;
- sampling point logs including subjective descriptions of the ground encountered;
- explanation and justification for the selection of analytes;
- results from the laboratory analysis of soil and water samples;
- a revised conceptual site model; and
- an updated assessment of the risks from contamination at the site to the relevant receptors defined within the prevailing edition of the Environmental Protection Act 1990:Part 2A Contaminated Land Statutory Guidance including human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

The intrusive investigation of a potentially contaminated site is an iterative process which may need to be repeated several times before the site can be considered to have been fully investigated and characterised. This condition will not be discharged until the Local Planning Authority is satisfied that contamination at the development site has been fully characterised.

9. Where the intrusive site investigation reveals site contamination and is likely to cause harm to site workers or future site occupiers: A Remediation Plan shall be submitted in writing to the Local Planning Authority for approval.
- The plan shall specify what works are to be undertaken to safely remove any contamination and replace it with inert fill or alternatively, a plan of how contaminated land is to be safely encapsulated or otherwise remediated;

- Once the Local Planning Authority has assessed the remediation plan and approved its content, approved works and remediation measures shall be implemented in accordance with the method statement.
10. In the event that any contamination is found at any time when carrying out the development that was not previously identified, it must be reported to the Local Planning Authority. An investigation and risk assessment shall be undertaken in accordance with the above requirements and where remediation is necessary, a further remediation scheme shall be prepared and agreed in writing with the Local Planning Authority.

The Local Planning Authority shall be notified in writing at least seven days prior to any removal or encapsulation of any contaminants.

Following any remediation works but before the properties are occupied the Local Planning Authority shall require written validation that –

- All contaminated material removed from the site is removed by an appropriate licensed contractor to a facility approved by the Environment Agency
 - All imported material is suitable for its intended use and certified to CLEA standard.
 - Remediation measures have been undertaken to render the site suitable for the residential use specified.
11. The development shall not commence until a scoping survey(s) of protected species has been submitted to and approved in writing by the Local Planning Authority. The survey(s) shall be undertaken by a suitably qualified ecologist and shall set out any necessary mitigation measures to protect or enhance biodiversity. The development shall be undertaken and there after occupied and maintained in accordance with the approved mitigation measures.