



## Planning Committee North

Members are invited to a **Meeting of the Planning Committee North** to be held in the Conference Room, Riverside, Lowestoft, on **Tuesday, 9 April 2024 at 2.00pm.**

This meeting will be broadcast to the public via the East Suffolk YouTube Channel at <https://youtube.com/live/f1NgZ0O7VqE?feature=share>

### Members:

Councillor Sarah Plummer (Chair), Councillor Julia Ewart (Vice-Chair), Councillor Paul Ashdown, Councillor Paul Ashton, Councillor Andree Gee, Councillor Toby Hammond, Councillor Graham Parker, Councillor Malcolm Pitchers, Councillor Geoff Wakeling.

An Agenda is set out below.

### Part One – Open to the Public

### Pages

- |          |  |                |
|----------|--|----------------|
| <b>1</b> | <b>Apologies for Absence and Substitutions</b>   |                |
| <b>2</b> | <b>Declarations of Interest</b><br>Members and Officers are invited to make any declarations of interests, and the nature of that interest, that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered. |                |
| <b>3</b> | <b>Declarations of Lobbying and Responses to Lobbying</b><br>To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.  |                |
| <b>4</b> | <b>Minutes</b><br>To confirm as a correct record the minutes of the meeting held on 12 March 2024.   | <b>1 - 20</b>  |
| <b>5</b> | <b>East Suffolk Enforcement Action - Case Update ES/1919</b><br>Report of the Head of Planning and Coastal Management.   | <b>21 - 37</b> |
| <b>6</b> | <b>DC/24/0178/FUL - 12 Aldringham Park, Aldringham Cum Thorpe, Leiston, IP16 4QZ ES/1916</b><br>Report of the Head of Planning and Coastal Management.   | <b>38 - 46</b> |
| <b>7</b> | <b>DC/23/4513/FUL - 23 Park Lane, Southwold, IP18 6HL ES/1917</b><br>Report of the Head of Planning and Coastal Management.  | <b>47 - 56</b> |

## Part One – Open to the Public

Pages

- 8 DC/24/0163/LBC - 23 Park Lane, Southwold, IP18 6HL ES/1918  
Report of the Head of Planning and Coastal Management.

57 - 63

## Part Two – Exempt/Confidential

Pages

Close



Chris Bally, Chief Executive

**If you require this document in large print, audio or Braille or in a different language, please contact the Democratic Services Team on 01502 523521 or email:**

**[democraticservices@eastsoffolk.gov.uk](mailto:democraticservices@eastsoffolk.gov.uk)**

### Speaking at Planning Committee Meetings

Interested parties who wish to speak will be able to register to do so, using an online form. Registration may take place on the day that the reports for the scheduled meeting are published on the Council's website, until 5.00pm on the day prior to the scheduled meeting.

To register to speak at a Planning Committee, please visit <https://www.eastsuffolk.gov.uk/speaking-at-planning-committee> to complete the online registration form. Please contact the Customer Services Team on 03330 162 000 if you have any queries regarding the completion of the form.

Interested parties permitted to speak on an application are a representative of Town / Parish Council or Parish Meeting, the applicant or representative, an objector, and the relevant ward Members. Interested parties will be given a maximum of three minutes to speak and the intention is that only one person would speak from each of the above parties.

If you are registered to speak, can we please ask that you arrive at the meeting **prior to its start time (as detailed on the agenda)** and make yourself known to the Committee Clerk, as the agenda may be re-ordered by the Chairman to bring forward items with public speaking and the item you have registered to speak on could be heard by the Committee earlier than planned.

Please note that any illustrative material you wish to have displayed at the meeting, or any further supporting information you wish to have circulated to the Committee, must be submitted to the Planning team **at least 24 hours** before the meeting.

For more information, please refer to the Code of Good Practice for Planning and Rights of Way, which is contained in the East Suffolk Council Constitution (<http://www.eastsuffolk.gov.uk/assets/Your-Council/East-Suffolk-Council-Constitution.pdf>).

## **Filming, Videoing, Photography and Audio Recording at Council Meetings**

The Council, members of the public and press may record / film / photograph or broadcast this meeting when the public and press are not lawfully excluded.

The Council cannot guarantee public seating areas will not be filmed or recorded. By entering the Conference Room and sitting in the public seating area, those present will be deemed to have consented to the possible use of filmed images and sound recordings. If you do not wish to be recorded, please speak to a member of the Democratic Services team at the earliest opportunity.



### **The national Charter and Charter Plus Awards for Elected Member Development**

East Suffolk Council is committed to achieving excellence in elected member development

[www.local.gov.uk/Community-Leadership](http://www.local.gov.uk/Community-Leadership)

**Unconfirmed**



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, on **Tuesday, 12 March 2024 at 2:00 PM**

**Members of the Committee present:**

Councillor Paul Ashdown, Councillor Paul Ashton, Councillor Julia Ewart, Councillor Andree Gee, Councillor Malcolm Pitchers, Councillor Sarah Plummer, Councillor Geoff Wakeling

**Other Members present:**

Councillor Peter Byatt

**Officers present:** Joe Blackmore (Principal Planner (Development Management, North Area Lead)), Cate Buck (Senior Enforcement Officer), Katy Cassidy (Democratic Services Officer), Ellie DeGory (Assistant Planner), Eloise Limmer (Senior Design and Heritage Officer), Agnes Ogundiran (Conservative Political Group Support Officer), Katherine Rawlins (Planner), Becky Taylor (Assistant Planner), Ben Woolnough (Planning Manager (Development Management, Major Sites and Infrastructure)), Karolien Yperman (Design and Heritage Officer)

**1 Apologies for Absence and Substitutions**

Apologies for absence were received from Councillor Hammond and Councillor Parker. Councillor Byatt attended as Councillor Parker's substitute.

**2 Declarations of Interest**

Councillor Ashdown declared a non registerable interest in items 6 and 7 as a member of Lowestoft Placeboard.

Councillor Wakeling declared a non registerable interest in agenda item 11 as Ward Member for Halesworth and Blything.

Councillor Plummer declared a non registerable interest in agenda item 10 as Ward Member for Beccles and Worlingham.

Councillor Ashton declared an Other Registerable Interest in agenda items 6 and 7 and recused himself from these items as he was the Cabinet Member for Assets and East Suffolk Council were the applicants.

### **3 Declarations of Lobbying and Responses to Lobbying**

Councillor Byatt declared he had attended briefings on Items 6 and 7 but no lobbying had taken place.

Councillor Wakeling declared he had a conversation regarding item 11 but no lobbying had taken place.

### **4 Quality of Place Awards 2023**

Planning Committee North received a presentation by Karolien Yperman, Design and Heritage Officer on the Quality of Place Awards 2023, an annual awards ceremony that has taken place for 13 years. The aim of the awards was to celebrate some of the best design and placemaking projects that have been completed across the East Suffolk District. The awards were selected by an external panel who assessed applications and visited the sites to decide on the winning and highly commended projects which were presented at a ceremony held in Framlingham Castle Community Rooms at the end of the year.

The winning projects were shared with the Committee and Karolien advised that the nominations for the 2024 awards would be opening on 2 April 2024 and applications would be sought for the following categories:

- Design – New Build
- Design – Extensions and Alterations
- Building Conservation
- Community
- Nature/Ecology
- Landscape

### **5 East Suffolk Enforcement Action - Case Update**

The Committee received report ES/1891 of the Head of Planning and Coastal Management, which provided a summary of the status of all outstanding enforcement cases for the Council where enforcement action had been sanctioned under delegated powers up to 27 February 2024. At that time there were 16 such cases.

The Chair invited the Senior Enforcement Officer to comment on the report. The Senior Enforcement Officer noted that since the publication of the report notice had been served on 2 Harbour Road in Lowestoft on 27 February 2024 for an unauthorised first floor extension. This was due to come into force on 29 March 2024 with a four month compliance period.

The Chair invited questions to the officers.

In response to a question from Councillor Ashdown regarding unsightly hoarding surrounding the property at The Paddock, 2 The Street, Lound, the Senior Enforcement Officer advised that as the hoarding was a means of enclosure it could be up to 2m

high within permitted development rights and therefore there was nothing that could currently be done.

The Planning Development Manager confirmed that despite it being a multicoloured fence, it was within permitted development rights, however he agreed to look into it and keep Councillor Ashdown informed.

In response to a question from Councillor Gee regarding the controls that could be put into place, the Planning Development Manager confirmed that as this wasn't within a conservation area or Article 4 direction or listed building, then it would be permitted development, adding that the rights for fences and means of enclosure were very basic, stipulating the permitted height but not the colour or materials to be used.

Councillor Ashton pointed out that in order to have an update on the relevant enforcement items it was important to have the appropriate officers at the Committee. The Planning Development Manager confirmed that the team would provide a more detailed update for the April Planning Committee for the items being queried and where necessary the appropriate legal officers would be invited, adding that lots of the items were pending legal conclusion.

In response to Councillor Byatt's question regarding G.1, the Planning Development Manager confirmed that they were currently considering the best solution following an internal meeting with the Council's Ecologist and would bring an update to April's meeting.

There being no further questions the Chair sought a proposer and seconder for the recommendation set out in the report. On the proposition of Councillor Pitchers, seconded by Councillor Wakeling, it was by a unanimous vote

## **RESOLVED**

That the outstanding enforcement matters up to 27 February 2024 be noted.

### **6 DC/23/0792/FUL - Post Office, 51 London Road North, Lowestoft, NR32 1AA**

The Chair advised the Committee that agenda items 6 and 7 were associated applications and would be presented jointly.

The Committee received report ES/1886 of the Head of Planning and Coastal Management which related to planning application DC/23/0792/FUL. The application sought full planning for the re-purposing/redevelopment of the former grade II listed post office and auxiliary buildings for a multifunctional art based centre.

The Committee received report ES/1887 of the Head of Planning and Coastal Management which related to planning application DC/23/1407/LBC for the associated listed building consent of the former post office at 51 London Road North which was the principal listed building on the site.

Both applications were before the Committee for determination as East Suffolk Council was the land owner and applicant.

The Principal Planner apprised the Committee of the detail of the scheme which entailed conversion of the grade II listed post office to provide six artist studios, an art gallery and associated facilities, gallery use within the sorting hall and conversion of the Gault building to provide a gallery, film studio and four residential units for visiting artists. The Principal Planner advised that alongside that there would be a new build development comprising a lift, stair core, store and loading area, café and new build artist studio and associated facilities. To summarise, the Principal Planner advised that the multifunctional art centre proposed would be centred around the work of the artist Laurence Edwards and would be known as Messums East.

The Committee received a presentation from the Principal Planner. The site's location and an aerial photograph of the site was displayed. It was noted that it was a very constrained site with lots of buildings that clearly tell the story of its former use as a post office and sorting hall. The Principal Planner advised that the site was within a conservation area and part of the South Heritage Action Zone, which although not a formal planning designation, was part of a heritage led regeneration project in partnership with Historic England with the Post Office building being the flagship project. The Principal Planner noted that the conservation repairs carried out last year significantly improved the external appearance of the building and this proposal was designed to bring the building into active use and enjoyed by the public.

The aerial view demonstrated the close proximity to the railway station and the sustainable location of the site. Photographs were shown to the Committee showing the site in context, highlighting all of the buildings that formed part of the application and the 3 storey Gault building, which although not listed was a non-designated heritage asset. The Principal Planner pointed out the two more modern buildings which were proposed to be demolished and replaced.

The proposed block plan was shown, highlighting areas of demolition and new build alongside the basement and ground floor plans which showed the details of the planned development throughout the site.

The Principal Planner noted the gated area from Surrey Street and the plans to open up that entrance to the site, leading to the Gault Building and the new café areas giving views of the working artist studios. Visualisations of the scheme were shared allowing the Committee to see the very constrained site in context, highlighting the design features. The Principal Planner noted the circulation tower and the significant design amendments that occurred with the Case Officer, Senior Design and Heritage Officer and the architect team, it was originally clad, which didn't show what was happening inside, changed to largely glazed and transparent demonstrating its functional purpose and need to be there. The Principal Planner advised there had been a more refined approach taken to concealing mechanical plant and equipment so the roof had remained relatively untouched.

The key issues and material considerations of the planning application DC/23/0792/FUL were summarised as

- Principle of development
- Design and heritage – listed building impact, sett and conservation area,

- Town centre impact and economic benefits
- Highways safety and sustainable transport
- Flood risk

The key issues and material consideration of the listed building approval DC/23/1407/LBC was summarised as the significance of the Listed Building and the statutory duty to preserve its special interest as a designated heritage asset.

The recommendation to delegate authority to the Head of Planning and Coastal Management to approve the application for planning permission - DC/23/0792/FUL was outlined to the Committee.

The Chair invited questions to the Principal Planner.

In response to a question from Councillor Byatt regarding carbon neutral approach, the Principal Planner advised that there were solar panels on the single storey roof at the rear of the development and that in the context of a listed building, the scheme was as sustainable as could be expected.

Councillor Ewart commended the amazing work, asking how long it had taken to reach this stage. The Principal planner noted the hard work from the case officer and Senior Design and Heritage Officer, alongside the Regeneration Team stating it had taken approximately 2 years.

In response to a question from Councillor Ewart regarding disabled access, the Principal Planner confirmed that from the front it would be via the new ramp to access the main space and if staying in the accommodation, access would be via the gated area to the lift to access the upper floors of the building.

The Case Officer confirmed that the site was intended to be a teaching and learning space with the film studio and classroom for lectures as well as community meeting and office spaces.

In response to a question from Councillor Ewart the Case Officer clarified the various access points and the routes to move in and around the site. Councillor Ewart questioned the opening times and whether the café and gallery would be open in the evenings, the Case Officer confirmed the café and outdoor seating areas would be open for specific events with the closing hours conditioned to 11pm as residential properties were within close proximity.

Councillor Ewart commented on the value of Laurence Edwards' work and the need to consider security and asked whether the scheme was part of the Levelling Up programme. This question was referred to Helen Johnson, Culture and Heritage Programme Manager.

There being no further questions for the Principal Planner, the Chair invited Helen Johnson, Culture and Heritage Programme Manager to speak.

The Culture and Heritage Programme Manager told the Committee that the Post Office formed part of the wider Lowestoft Town Investment Plan and was an ambitious



programme of projects funded by the Towns Fund and East Suffolk Council that had cultural regeneration at its heart. This application supported the strategic aims of East Suffolk Council including enabling a more thriving economy and tackling inequalities, as the Post Office site was in one of the most disadvantaged areas in the Country and in a Town Centre with high vacancy rates.

The aim of the project was to transform the Post Office into an arts venue, with a gallery to show exhibitions and an enhanced gallery space where significant artwork can be loaned from national museums and galleries. As part of the plans there would be a dedicated public facing studio space for Laurence Edwards, a local artist with an international reputation. Helen Johnson noted Laurence lived in the district and studied at Lowestoft College and his work included the 26 feet Yoxman in Yoxford. As part of the plans there would be live work accommodation, where artists could work from the Post Office and short-term stays in a dedicated accommodation block in the Gault Building.

The development would comprise a film room, café, and covered seating to serve visitors to the Post Office, so they would have a welcoming and enjoyable experience.

The Post Office would provide opportunities for people to participate in the production of a landmark sculpture and consume high quality art. It would deliver increased cultural experiences to more people, especially those hardest to reach as well as training, skills engagement, cultural events, and exhibitions. The Post Office development would provide opportunities for artists to produce art in a creative and collaborative space.

Design work has focused on maximising sustainability and minimising the building's environmental impact, in line with East Suffolk Council's commitment to Net Zero and the application for planning permission was after investment and restoration of the façade of the Grade II listed building last year.

This application would preserve and enhance the historic fabric of this prominent listed building and make the whole site safe, watertight, and attractive. It would bring a redundant building back into a creative use, that will enable more local people across Lowestoft and wider district to engage in arts and can lead to wider benefits, improving pride of place, raising aspiration, and broader health and wellbeing opportunities. Helen Johnson concluded by asking for support for this application to allow these important works to go ahead.

The Chair invited questions to Helen Johnson, Culture and Heritage Programme Manager.

In response to a question from Councillor Ewart, it was confirmed that it was funded from the Town's Fund allocation awarded to the Post Office project, alongside East Suffolk Council funding and arts funding had also been applied for.

Councillor Byatt asked about the fees for accommodation. The Culture and Heritage Programme Manager confirmed they were currently working with Messums East to make sure it was inclusive and accessible, it was confirmed that Messums East would be the café operator.

There being no further questions, the Chair invited the Committee to debate the application for planning permission that was before it.

Councillor Ashdown noted that he had been reviewing this application for some considerable time and had seen it mature and it was something that the town desperately needed, bringing a building back into use and creating opportunities, he was happy to support the application.

Councillor Gee concurred it would be a hub to draw everyone to and was happy to second.

Councillor Byatt agreed and referred to Councillor Ewart's comment that it was something to be proud of and registered his congratulations to the team.

On the proposition of Councillor Ashdown seconded by Councillor Gee, it was unanimously

## **RESOLVED**

that authority to approve, with planning conditions including (but not limited to) those summarised below:

1. Three year time limit;
2. Standard compliance condition;
3. Prior to its installation full details of the staircase in the lift tower, including materials and banister design, should be submitted to and agreed by the LPA;
4. Prior to construction of new build elements full material specification should be submitted to and agreed by the LPA;
5. Prior to their installation full details of any new gates should be submitted to and agreed by the LPA;
6. No demolition shall commence until a record is made of the buildings to be removed. The record should consist of plans, elevations, and photographs. This record should be deposited with the Historic Environment Record prior to completion of the works; and for deposition to be confirmed to the council as soon as possible following;
7. Prior to their installation full details of any external plant should be submitted to and agreed by the LPA;
8. Hard landscaping strategy to be agreed and implemented prior to occupation;
9. Odour control and mitigation measures for all extract plant;
10. Noise Assessment and mitigation measures for all plant and machinery;
11. Outdoor seating area to operate no later than 23.00 hours;
12. Café hours of operation to be 09:00 to 23:00 hours;
13. Contamination - Phase I and Phase II Contamination Reports and Remediation where appropriate;
14. Action in the Event of Unsuspected contamination;
15. Highways - Demolition and Construction Environmental Management Plan to be agreed prior to the commencement of development;
16. Highways - Refuse and Recycling Storage to be provided and maintained;
17. Highways - Cycle Storage to be provided prior to first occupation;
18. Ecological mitigation avoidance and enhancement measures to be secured;

19. Artist's accommodation to be occupied for no more than 56 days in any calendar year and to be ancillary to the primary use as a multifunctional arts based centre;
20. Surface water drainage strategy to be in accordance with approved strategy;
21. No development shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the LPA;
22. Details of surface water drainage strategy and piped networks to be submitted to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register; and
23. Flood Risk Mitigation measures to be implemented prior to first occupation of the development and maintained as such thereafter.

**7 DC/23/1407/LBC - Old Lowestoft Post Office, London Road North, Lowestoft, NR32 1AA**

The presentation for this application was captured within the minutes of item 6.

The recommendation to delegate authority to the Head of Planning and Coastal Management to approve the application for Listed Building Consent - DC/23/1407/LBC was outlined to the Committee.

The Chair invited questions on the Listed Building application DC/23/1407/LBC.

There being no further questions, the Chair invited the Committee to debate the application for listed building consent that was before it.

There being no debate, on the proposition of Councillor Pitchers, seconded by Councillor Ashdown it was by a unanimous vote

**RESOLVED**

that listed building consent be GRANTED, subject to conditions summarised below:

1. Three year time limit;
2. Standard compliance condition;
3. All new external and internal works, and works of making good to the retained fabric, shall match the existing original work adjacent in respect of methods, detailed execution, and finished appearance unless otherwise approved in writing by the Local Planning Authority;
4. Prior to their installation to agree the finalised floor and wall finishes throughout the building;
5. Prior to their installation full details of the service runs for the toilets in the listed building including soil pipe and any external ventilation should be submitted and agreed by the Local Planning Authority;
6. The glazed rooflight should be repaired like for like, if any changes are proposed these should be agreed in writing with the Local Planning Authority prior to work starting on this element;
7. Prior to their installation full details of all new ventilation, extract and heating and cooling plant to be installed in the listed building should be submitted to and

agreed with the Local Planning Authority; and

8. Prior to their installation full details of any works required within the listed building to meet fire regulations should be submitted to and agreed with the Local Planning Authority.

## **8 DC/24/0011/FUL - 70 Firs Farm Cottages, The Warren, Snape, IP17 1NS**

The Committee received report ES/1888 of the Head of Planning and Coastal Management which related to planning application DC/24/0011/FUL. The application sought full planning permission for the installation of a detached timber outbuilding. The application was before the Committee at the request of the referral panel as it was considered that the views of the Parish Council should be discussed.

The Committee received a presentation from the Assistant Planner, who was the case officer for the application. The site's location plan was shared with Committee, highlighting its location between Snape and Friston, noting it was accessed by a private track and surrounded by agricultural fields. The Assistant Planner commented that the application site was a semi detached property with only one immediate neighbour. Aerial photography and site plan showed the proposed location of the outbuilding which was to be installed on a concrete pad from a previous outbuilding. The Assistant Planner added that the concrete pad would be extended by 1.3 metres to the East to accommodate the new building.

The proposed elevations and materials of the outbuilding were shared with the Committee along with computer generated images and the garden landscaping plan. The Assistant Planner noted the hedgerow that was to be implemented along the southern boundary and boundary with the neighbour.

Photographs and maps of the public rights of way were shared with the Committee, highlighting the areas of concern raised by the Parish Council and the views from the public rights of way to the outbuilding.

Material planning considerations were summarised as landscape character, visual amenity and residential amenity.

The recommendation to delegate authority to the Head of Planning and Coastal Management to approve the application for planning permission was outlined to the Committee.

The Chair invited questions to the Assistant Planner.

Councillor Ewart sought clarification on the structure of the outbuilding and the footpaths and the proximity of the path to the building. The Chair commented that Sailor's Path was raised by the Parish Council. The Assistant Planner confirmed it was a field below and therefore quite a way from where the proposed outbuilding was situated.

There being no further questions the Chair invited the Committee to debate the application before them.

Councillor Ashton commented there was a previous outbuilding of a slightly smaller size, the concrete base is being reused and he proposed to approve the application. Councillor Pitchers agreed and seconded the proposal.

Councillor Ewart commented that from walking on the footpath it would be intrusive as it is close to the boundary and the design was unappealing looking like a container in the countryside. Councillor Byatt commented there would be screening in place.

On the proposition of Councillor Ashton, seconded by Councillor Pitchers, it was by a majority vote

## **RESOLVED**

To approve, subject to the conditions below.

### Conditions

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason: This condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in all respects strictly in accordance with Drawing No. UL141B02A (Proposed Block), Drawing No. UL141E01 (Proposed Elevations), Drawing No. UL141P01 (Proposed Floor), Drawing No. UL141L01A (Site Plan), Drawing No. 2313 (Garden Layout Revision A) and the Design Access and Heritage Statement; received 3rd January 2024,, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

4. Within 3 months of commencement of development, satisfactory precise details of a hedge planting scheme (which shall include species, size and numbers of plants to be planted) shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the submission and implementation of a well-laid out scheme of landscaping in the interest of visual amenity.

5. The extension to the existing concrete slab hereby permitted shall be fully lined to prevent leaching.

Reason: To protect the health of trees in the interest of visual amenity.

6. No external lighting shall be installed on the building hereby permitted unless submitted to, and approved in writing by, the local planning authority. The details submitted shall include position, operating times, details of luminaires and aiming angles. Thereafter, only the approved lighting scheme shall be implemented and maintained in accordance with the approved scheme.

Reason: In the interests of amenity, and protection of the dark skies of the National Landscape.

Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

**9 DC/24/0087/FUL - 16 Nicholas Drive, Reydon, Southwold, IP18 6RE**

The Committee received report ES/1889 of the Head of Planning and Coastal Management which related to planning application DC/23/0087/FUL. The application sought full planning permission for a single storey rear extension to provide an open plan sitting/dining/kitchen area, a utility room and a study. The application was before the Committee at the request of the referral panel as it was considered that the views of the Parish Council should be discussed.

The Committee received a presentation from the Assistant Planner, who was the case officer for the application. The Assistant Planner noted that an update from the applicant had been circulated as part of the update sheet prior to the Committee. The site's location plan was shared with Committee, highlighting its location in a residential area to the east of Reydon made up of three cul-de-sacs. Photographs were shown of the property, demonstrating front, rear and side elevations and noting its proximity to the neighbouring properties at numbers 14 and 16.

The existing and proposed plans and elevations were displayed with the Assistant Planner pointing out the slight sloping in the land and the existing flat roof rear extension. The Assistant Planner advised that it was proposed to demolish the existing rear extension and construct a new larger extension which would have a central pitched roof and flat roof either side. It was noted that the pitched roof would be slightly lower than the existing extension and the flat roofs slightly higher.

The Assistant Planner advised that following objections from the Parish Council, the applicant was asked to submit a drawing to demonstrate the 25 and 45 degree test. This was displayed on the proposed plans, showing the 25 degree line clearing the extension roof with significant space above the ridge of the property.

Material planning considerations were summarised as Policy WLP 8.29 and Policy RNP10a relating to the design and impact on neighbouring amenities. The recommendation to delegate authority to the Head of Planning and Coastal

Management to approve the application for planning permission was outlined to the Committee.

The Chair invited questions to the Assistant Planner.

Councillor Pitchers referred to the comments from the Parish Council regarding the effect on neighbouring properties and asked to revisit the photographs of the gardens.

In order to clarify the size of the proposed extension for the Committee, the Assistant Planner referred back to the block plans and photographs to demonstrate and confirmed that the extension would be to the South West of the property at number 14 and no higher than the property that is there.

Cllr Ashton confirmed with the Assistant Planner that there wouldn't be any more shading from the boundary hedge as shown by the angle test.

Cllr Ewart referred back to the aerial photograph, and pointed out the shading from the tree adding that the house would do the same to the next door garden. The Planning Development Manager confirmed that the extension being South West of the neighbour would cast a shadow on the neighbouring property in the afternoon sun. However, the angle test provided demonstrated that the loss of light was within acceptable limits.

In response to a question from Councillor Byatt, the Planning Development Manager confirmed that the Parish Council should not have to complete the angle test, as it was the responsibility of the applicant to provide those types of tests on the plans for consideration.

There being no further questions for the Assistant Planner, the Chair invited Councillor Kalyvn Friend from Reydon Parish Council to speak.

Councillor Friend told the Committee that this was a fairly large extension into quite a large back garden which may appear quite acceptable, however the new extension would protrude a long way behind the existing house and would be a prominent feature viewed from the neighbour's garden. He added as other adjacent properties are set well back into their plots there would be no disruption of the building line. Councillor Friend advised that the Parish council visited the site and both neighbours had objected due to loss of light from an overbearing extension. In particular it had caused considerable distress to the neighbours at number 14. Councillor Friend concluded that although there had been the loss of light survey, he would request that a site visit was carried out.

There being no questions for the Parish Council, the Chair invited the Committee to debate the application that was before them.

Councillor Gee proposed a site visit in view of the sensitivity and Councillor Byatt seconded.

Councillor Pitchers commented that as the building was not yet there it would be difficult to view the effects on the light. Councillor Ashdown agreed that it was not

necessarily beneficial to carry out a site visit as the extension was not yet there and was happy to recommend approval as the extension was central to the property and the light survey had been carried out.

The results of the light survey were reviewed again and the Principal Planner advised that as case officers a site visit would have already been carried out to inform the recommendation, supporting the comments of Councillors Pitchers and Ashton that a site visit would not necessarily show any more than that already shown by plans and photographs.

Councillor Byatt commented that he conceded with what the officers had said and wished to withdraw as seconder for a proposal for a site visit. Councillor Ashton abstained from the proposal for a site visit.

The Chair requested a seconder for the proposal of a site visit. On the proposal of Councillor Gee and seconded by Councillor Ewart it was found by a majority vote **against** carrying out a site visit.

The Chair invited the Committee to continue to debate the application that was before them.

Councillor Ashdown commented he had already proposed that the application should be approved. Councillor Pitchers was undecided on the application.

Councillor Ewart questioned what was deemed as overbearing and suggested a steer from the Officers. The Planning Development Manager confirmed that it was a matter of judgement and as officers you come to experience and understand the level of what may be not acceptable. In this case the Assistant Planner made the judgement from a site visit and follow up discussion with the Principal Planner to inform the decision. The conclusion being there would be some loss of light but not as to adversely affect the neighbouring amenity.

Councillor Gee commented that she would consider any loss of light for a neighbour would be distressing, particularly in the winter. The Chair confirmed the angle test demonstrated that the adjacent property would not be losing any light.

Councillor Ashton commented for transparency there would be some loss of light as the sun set and rose compared to without the extension, however for the majority of the time there would be minimal impact. He noted that the extension felt quite large for the space, however he would defer to the advice given and agree to the application.

Councillor Wakeling agreed with Councillor Ashton that the due diligence had been carried out and although somewhat undecided he was mindful to agree to the application.

Councillor Byatt seconded the proposal, adding he trusted the officers' recommendations and due diligence. Councillor Ewart commented that having been denied the opportunity for a site visit, she would be voting against. Councillor Pitchers commented that the lack of light was not so obvious as in previous



applications so he would be voting in favour. Following the conclusion of the debate, the Chair asked the Committee to vote on the application before them.

On the proposition of Councillor Ashdown, seconded by Councillor Byatt, it was by a majority vote

## **RESOLVED**

to approve subject to conditions detailed below.

### Conditions

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason: This condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in all respects strictly in accordance with drawing no. 1156/02B received 09/02/2024, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

### Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

## **10 DC/23/4817/FUL - 1 Broadland Close, Worlingham, Beccles NR34 7AT**

The Committee received report ES/1890 of the Head of Planning and Coastal Management which related to planning application DC/23/4817/FUL. The application sought full planning for the removal of a boundary hedge and replacement with 2m high close boarded fence. The application was before the Committee at the request of the referral panel as it was considered that the views of the Parish Council should be discussed.

The Committee received a presentation from the Principal Planner, on behalf of the case officer for this application. The site's location plan and an aerial photograph of

the property shown, noting the area of hedgerow that would be subject to removal and replaced with a close boarded fence. The proposed location and block plan was shared with the Committee, highlighting the stretch of hedgerow of approximately 14 m long and 2 m tall. The existing and proposed elevations were shown to the committee demonstrating the fence that would be replacing the hedgerow. Referring back to the block plan and aerial view, the Principal Planner pointed out that it was a prominent corner but openness at the corner of the road junction meant it would not be affected by these works. Photographs of the hedgerow shown to the committee showed the poor health of the existing hedgerow. It was noted that the Case Officer had consulted with the arboricultural and landscape team and there were no objections. The local context was shown demonstrating other properties with similar closed board timber fence, with no 12 Broadland close being the most relevant. The block plan was shown to the Committee highlighting the proposed fence and relevant properties, drawing particular attention to Highland Drive on the corner, which had an enforcement case which went to appeal but wasn't upheld as the inspector deemed the fence necessary for privacy and not harmful to the character or appearance of the area.

On balance it was felt that replacement with a fence wouldn't harm the appearance and the recommendation to delegate authority to the Head of Planning and Coastal Management to approve the application for planning permission was outlined to the Committee.

The Chair invited questions to the Principal Planner.

Councillor Ewart clarified that it was a 14m long and 2m high closed board fence with concrete posts requested whereas Highland Way had a 5 course brick wall at the bottom, this was correct.

Councillor Byatt queried the depth of the hedge, it was noted that it was approximately 1.5 m deep. That being the case, Councillor Byatt questioned the comments from the Parish Council regarding the openness as a fence would be narrower. The Principal Planner confirmed that the openness was relating to the street scene and a hedge would be softer than a fence.

There being no further questions the Chair invited Councillor Sylvia Robbins from Worlingham Parish Council to speak.

Councillor Robbins referred to the Worlingham Neighbourhood Plan, noting in Worlingham generally dwellings are set back from the road without the hard fencing and the examples that were cited today they have tried to get refusal on due to the detrimental affect on the street scene.

Councillor Robbins advised the Committee that the property that was being looked at today would have the fence in front of the building, noting that the fence referred to in the opposite property was set back with green in front of it.

Councillor Robbins recognised that the hedge needed to be removed as it was rotten but proposed it could be further back with vegetation in front of it. It was their

intention to maintain the openness and did not want to encourage fencing everywhere. The openness would provide a better look for the environment.

The Chair noted that they were in favour of what the neighbourhood plans say and invited questions to Councillor Robbins.

In response to a question from Councillor Byatt, Councillor Robbins confirmed they would prefer the fence to be cited at the front of the existing hedge line nearest the house and have landscaped strip to soften it.

There being no further questions the Chair invited the Applicant, Carol Punt, to speak.

The applicant told the Committee that they had a 2 metre hedge that was deteriorating badly and mainly dead on the outside of the property making it unsalvageable. Photographs were shared with the Committee demonstrating the deterioration of the hedge. The applicant wished to replace the hedge with a 2 metre high fence, they felt that they were too old to grow another hedge and did not wish to lose the private space they had enjoyed to date. Mrs Hunt advised that the summary report from Worlingham Parish Council was not valid as the area they wished to fence off was their back garden and not their front or side garden. Referring to the report's suggestion of a 1m fence without planning permission, Mrs Punt felt this would give the same change to the street scene but without any privacy, adding Covid had taught them the importance of their health and wellbeing. Mrs Hunt did not agree with setting the fence back and adding front planting as this would require the same maintenance which they were aiming to decrease. Mrs Punt told the Committee that 8.6 says a 2m high fence is justified in a rear garden and they regularly had their friends and family, grandchildren stay and wished to retain the privacy. They have had no neighbour objections and several had spoken in agreement with their plans. Regarding the argument of unsightly street scene, Mrs Punt said the retention of the hedge would only cause the street scene to deteriorate further. The rest of their garden was planted with plants and shrubs to create softness with bird feeders in shrubs. Mrs Punt concluded that the hedge had been in place giving her privacy and demonstrated photos to show context.

The Chair invited questions to the applicant.

Councillor Ashdown queried the height of the hedge, it was confirmed it was approximately 2metres high.

Councillor Byatt recognised that the applicant was not prepared to replace with a new hedge and questioned if they would be prepared to allow enough room for a new hedge to eventually grow. The Chair clarified that the Committee had to consider the planning application as it was before them. The applicant confirmed that they were trying to decrease the maintenance associated with the property.

There being no further questions, the Chair invited the Committee to debate the application for planning permission that was before it.

Councillor Ashton noted that he did not wish to see the loss of a hedge but it was not in a good state. The Committee had a strong steer from the Principal Planner on previous examples and most were about enclosing rear gardens which this application was

consistent with. Whilst he was reluctant to see the loss of the hedge, people had to choose what they wanted and if that was acceptable in planning policy terms then the application would need to be determined as submitted.

Councillor Pitchers agreed no one wanted to see the loss of the hedge but in this example it had already deteriorated and recognised the applicant's view of reducing maintenance. Councillor Pitchers proposed to accept the recommendation in line with the Inspectorate steer.

Councillor Gee questioned whether the fences installed in the examples were passed before the Worlingham Neighbourhood Plan was in place and therefore the Committee had a duty to uphold the plan, adding 14 metres of fence was too big and a replacement hedge would be preferred. It was confirmed that the Neighbourhood Plan was made in November 2022 and the appeal quoted was September 2023.

Councillor Ewart questioned if there could be a compromise as the applicant wouldn't be viewing the fence, other properties would, adding the concern is others would follow suit.

The Chair clarified that this was being viewed as the enclosed back garden, this was confirmed with a photograph.

Councillor Ashdown commented that he had listened to everything that had been said, and to replace the hedge was essential, adding to replace with a fence is not out of character, the inspectorate has said that, therefore he was happy to second the proposal.

Councillor Ewart sought clarification of the proposed plans, the Principal Planner re-shared the plans and the controls that could be put in place. The Planning Development Manager shared extracts from Worlingham Neighbourhood plan .

There being no further debate, the Chair asked the Committee to vote on the application before them. On the proposition of Councillor Pitchers, seconded by Councillor Ashdown it was by a majority vote

## **RESOLVED**

to approve in line with the following

### Conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be carried out in accordance with the Site Plan, proposed Block Plan and Elevations received 12th December 2023 and 4th January 2024, for which permission is hereby granted or which are subsequently

submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

**11 DC/24/0754/CON - Proposed Creation of a Public Footpath (Halesworth No 27 & Holton No 14)**

The Committee received report ES/1892 of the Head of Planning and Coastal Management which related to planning application DC/24/0754/CON for the proposed creation of a Public Footpath (Halesworth No 27 and Holton No 14). The application was before the Committee as the application was from East Suffolk Council and could not be made under delegated authority. Furthermore an informal consultation had produced objections therefore the proposal to make an order had been brought to the Planning Committee for determination.

The Committee received a presentation from the Public Path Orders Officer, who was the case officer for the application.

Maps showing the proposed footpath location were shared with the Committee, demonstrating the part of the footpath on the developer's land, the strip of unregistered land and the area where the owner objected.

The current routes available were shared with the Committee and the Public Path Orders Officer highlighted the areas that were currently being used with no footpath and therefore unsafe.

It was pointed out that objections had been received from neighbouring residents who were already impacted by the existing footpath which had been there since the 1940s.

An aerial photograph was shared showing public open space and the footpath coming through then stopping when it reached the edge of the developer's land. The informal routes already used were highlighted and it was pointed out that some residents have already installed access to the open space.

The Public Path Orders Officer advised that the outline planning permission proposal in 2018 showed the proposed route and it was already being used to some extent. The cycling and walking strategy approved in 2022 showed this proposed link.

Photographs were shared showing what existed currently. It was noted that the developer had put in heras fencing as requested but people were accessing it and destroying the heras fencing. The footpath installed so far was demonstrated.

The Public Path Order Officer confirmed that work was done in 2022 to improve the surface of the footpath. There was 220 metres approximately with no footway or pavement and this new route would provide a much less dangerous route.

Although they were not required to do a consultation prior to making the order, the Public Path Order Officer hand delivered 140 letters and responses to the Blyth Dale development and adjacent land owners. They were given 28 days to apply from the

end of November to middle December 2023 and 42 supporter responses were received back and 5 objections.

The Public Path Order Officer noted that the Committee needed to consider the legal tests that would need to be fulfilled in order to confirm the order. One being convenience or enjoyment and there were 42 positive responses. It was noted that that must be balanced with affected landowner. The landowners could claim compensation only when the footpath order had been confirmed. If there were objections the Secretary of State intervenes. The Committee was advised under Section 29, flora, fauna, forestry were considered by arboriculture team and the tests were met.

The Public Path Order Officer advised that the next stage of the process would be the order being advertised online, onsite and in the local press. There would be a 28 day statutory consultation. At that stage if there were still objections it would be taken back to the Committee to determine if it should go to the Secretary of State or be abandoned. The procedure and next steps were confirmed with the Committee.

The Chair invited questions for the Public Path Order Officer.

In response to Councillor Wakeling, it was confirmed that East Suffolk Council would pay landowner compensation as the applicant.

In response to a question from Councillor Pitchers regarding claiming costs from an appeal, the Public Path Order Officer confirmed it would be up to the Inspectorate to advise and only if the objections were unreasonable.

Councillor Ashton asked do people use footpath 6 to get to school to avoid the stretch with no pavement. The Officer replied that there wasn't evidence of that but would hope they did.

In response to a question from Councillor Ewart, the Public Path Order Officer confirmed if there were further objections or refusals throughout the process then mediation would occur, adding there have been occasions where officers have stopped mediation and at that time it is taken to the Secretary of State.

In response to the Chair regarding the unregistered land, the Public Path Orders Officer confirmed an application to the Secretary of State had taken place.

Councillor Ewart asked if this had been done before and the Planning and Development Manager confirmed this could get busier particularly with the cycling and walking strategy.

Councillor Byatt stated some of the objections were dogs mess, litter etc and asked if dog bins and lighting could be installed. The Public Path Orders Officer confirmed it would depend on location and land ownership.

Councillor Ashdown commented it was absolutely vital that they have these links and proposed this was continued with as quickly as possible adding he was very happy to recommend. Councillor Wakeling seconded that, as Halesworth and Riding was his

ward and to be able to provide that connectivity to the school and encourage safe walking was vitally important.

On the proposition of Councillor Ashdown and seconded by Councillor Wakeling it was by a unanimous vote

**RESOLVED**

- 1. That the Planning Committee authorise the making of a public path order under Section 26 of the Highways Act 1980 in recognition of the need for such a route expressed by the public and considering measures to mitigate the effect on the landowner, including compensation, under Section 28 of the above act, to create Halesworth Footpath No 27 and Holton Footpath No 14.
  
- 2. That subject to no objections being received within the statutory notice period the order be confirmed.
  
- 3. That should objections be received which are not withdrawn the Order shall be sent to the Secretary of State for determination.

The meeting concluded at TBC

.....  
Chair



## Planning Committee North

**Title of Report:**

East Suffolk Enforcement Action – Case Update

**Meeting Date**

09 April 2024

**Report Author and Tel No**

Mia Glass

01502 523081

Is the report Open or Exempt?

Open

## REPORT

The attached is a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has either been sanctioned under delegated powers or through the Committee up until 20 March 2024. At present there are 17 such cases.

Information on all cases has been updated at the time of preparing the report such that the last row in the table for each item shows the position at that time. Officers will provide a further verbal update should the situation have changed for any of the cases.

Members will note that where Enforcement action has been authorised the Councils Solicitor shall be instructed accordingly, but the speed of delivery of response may be affected by factors which are outside of the control of the Enforcement Service.

The cases are organised into categories based upon current status:

A. Cases on which a formal enforcement notice has been served, and the compliance period is still ongoing. *4 current cases*

B. Cases on which a formal enforcement notice has been served and is now the subject of an appeal. *6 current cases*



- C. Cases on which a formal enforcement notice has been served, upheld on appeal, and is now within a compliance period. *1 current case*
- D. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and is currently the subject of court action. *0 current cases*
- E. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and now in the period for compliance following court action. *0 current case*
- F. Cases on which a formal enforcement notice has been served, upheld on appeal, and the period for compliance following court action has now expired, so further legal proceedings are being considered and/or are underway. *5 current cases*
- G. Cases on which a formal enforcement action has been placed on hold or where it is not currently expedient to pursue. *1 current case*

## RECOMMENDATION

That the outstanding enforcement matters up to 20 March 2024 be noted.

### A. Cases on which a formal enforcement notice has been served, and the compliance period is still ongoing.

A.1

<b>LPA Enforcement Case Reference</b>	ENF/21/0290/USE
<b>Location / Address</b>	141 Kirton Road, Trimley St Martin
<b>North or South Area</b>	South
<b>Date of Report of Breach</b>	17.06.2021
<b><u>Nature of Breach:</u></b> Change of use of cartlodge to a shop.	
<b><u>Summary timeline of actions on case</u></b>	
19/01/2023 –Enforcement Notice served. Comes into effect on the 20/02/2023	
20/02/2023 – Extension of time agreed to 20/10/2023	
21/11/2023 -Site visited, partially complied, further visit to be undertaken.	
05/12/2023 -Site visited, unable to see inside cartlodge. Further visit to be arranged.	
23/03/2024 -Site visited, Notice has been complied with and the case closed.	
<b><u>Current Status/Position</u></b>	
Case Closed	
<b>Date by which Compliance expected (or prosecution date)</b>	20/10/2023

A.2

<b>LPA Enforcement Case Reference</b>	ENF/22/0133/USE
<b>Location / Address</b>	Patience Acre, Chenerys Loke, Weston

<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	22.04.2022
<b><u>Nature of Breach:</u></b> Residential occupation of holiday let	
<b><u>Summary timeline of actions on case</u></b> <b>28/03/2023</b> –Breach of Condition Notice served. Comes into effect on the 27/04/2023. There is an ongoing appeal against refusal of planning application, DC/22/3482/FUL, therefore extended compliance given. <b>05/07/2023</b> - appeal against refusal of planning application refused.	
<b><u>Current Status/Position</u></b> In compliance period.	
<b>Date by which Compliance expected (or prosecution date)</b>	27/04/2024

A.3

<b>LPA Enforcement Case Reference</b>	ENF/2018/0476/USE
<b>Location / Address</b>	Part Os 1028 Highgate Lane Dallinghoo
<b>North or South Area</b>	South
<b>Date of Report of Breach</b>	15.11.2018
<b><u>Nature of Breach:</u></b> Siting of a converted vehicle for residential use	
<b><u>Summary timeline of actions on case</u></b> <b>11/09/2023</b> - Enforcement Notice served. Comes into effect on the 11/10/2023 <b>19/03/2024</b> – Extension of time given until May, due to ground conditions.	
<b><u>Current Status/Position</u></b> In compliance period.	
<b>Date by which Compliance expected (or prosecution date)</b>	24.05.2024

A.4

<b>LPA Enforcement Case Reference</b>	ENF/23/0129/USE
<b>Location / Address</b>	88 Bridge Road, Lowestoft
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	28.04.2023
<b><u>Nature of Breach:</u></b> Residential property split into two flats and used for holiday use	
<b><u>Summary timeline of actions on case</u></b> <b>19/03/2024</b> - Enforcement Notice served. Comes into effect on the 19/04/2023	

<b><u>Current Status/Position</u></b> In compliance period.	
<b>Date by which Compliance expected (or prosecution date)</b>	19.08.2024

**B. Cases on which a formal enforcement notice has been served and is now the subject of an appeal**

**B.1**

<b>LPA Enforcement Case Reference</b>	ENF/20/0131/LISTL
<b>Location / Address</b>	6 Upper Olland Street, Bungay
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	15.04.2020
<b><u>Nature of Breach:</u></b> Unauthorised works to a Listed Building (Installation of roller shutter and advertisements)	
<b><u>Summary timeline of actions on case</u></b> <b>17/03/2022</b> - Listed Building Enforcement Notice served and takes effect on 18/04/2022. 3 months for compliance. <b>19/04/2022</b> - Appeal start date. Written Representations Procedure PINS Reference APP/X3540/F/22/3297116 <b>07/06/2022</b> – Statement submitted <b>28/06/2022</b> – final comments due.	
<b><u>Current Status/Position</u></b> Awaiting Planning Inspectorate Appeal Decision	
<b>Date by which Compliance expected (or prosecution date)</b>	Dependent upon date and outcome of Appeal Decision

**B.2**

<b>LPA Enforcement Case Reference</b>	ENF/21/0121/USE
<b>Location / Address</b>	The Pastures, The Street, North Cove
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	17.03.2021
<b><u>Nature of Breach:</u></b> Material change of use of Land to a storage use, including the stationing of static and touring caravans for residential use and the storage of vehicles, lorry backs, and other items.	
<b><u>Summary timeline of actions on case</u></b> <b>03/11/2022</b> – Enforcement Notice served. Comes into effect on the 05/12/2022. 4 months for compliance <b>14/11/2022</b> - Pre-start letter from Planning Inspectorate <b>14/12/2022</b> - Appeal started. Written Representations Process, statement due by 6 <sup>th</sup> February 2023. PINS Reference APP/X3540/C/22/3312353	
<b><u>Current Status/Position</u></b> Awaiting Planning Inspectorate Decision.	
<b>Date by which Compliance expected (or prosecution date)</b>	Dependent upon date and outcome of Appeal Decision

## B.3

<b>LPA Enforcement Case Reference</b>	ENF/21/0201/DEV
<b>Location / Address</b>	39 Foxglove End, Leiston
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	26.04.2021
<b><u>Nature of Breach:</u></b> Artificial hedge, support structure and fencing which is over 2m in height	
<b><u>Summary timeline of actions on case</u></b> <b>28/11/2022</b> – Enforcement Notice served. Comes into effect on the 06/01/2023. 2 months for compliance <b>09/01/2023</b> - Pre-start letter from Planning Inspectorate <b>09/01/2024</b> - Start letter received from Planning Inspectorate, statements required by 20 <sup>th</sup> February 2024.	
<b><u>Current Status/Position</u></b> Awaiting Planning Inspectorate Decision.	
<b>Date by which Compliance expected (or prosecution date)</b>	Dependent upon date and outcome of Appeal Decision

## B.4

<b>LPA Enforcement Case Reference</b>	ENF/22/0158/DEV
<b>Location / Address</b>	11 Wharton Street, Bungay
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	20.05.2022
<b><u>Nature of Breach:</u></b> Without Listed Building Consent the unauthorised installation of an exterior glazed door located in front of the front door.	
<b><u>Summary timeline of actions on case</u></b> <b>28/11/2022</b> – Listed Building Enforcement Notice served. Comes into effect on the 06/01/2023. 3 months for compliance <b>09/01/2023</b> – Pre-start letter from Planning Inspectorate <b>31/01/2023</b> –Start letter received from Planning Inspectorate, statements required by 14 <sup>th</sup> March 2023.	
<b><u>Current Status/Position</u></b> Awaiting Planning Inspectorate Decision.	
<b>Date by which Compliance expected (or prosecution date)</b>	Dependent upon date and outcome of Appeal Decision

## B.5

<b>LPA Enforcement Case Reference</b>	ENF/21/0006/DEV
---------------------------------------	-----------------

<b>Location / Address</b>	Land at Garage Block North Of 2, Chepstow Road, Felixstowe, Suffolk
<b>North or South Area</b>	South
<b>Date of Report of Breach</b>	06.01.2021
<b><u>Nature of Breach:</u></b> Erection of large fence	
<b><u>Summary timeline of actions on case</u></b> <b>08/08/2023</b> –Enforcement Notice served. Comes into effect on the 08/09/2023 <b>18/10/2023</b> - Appeal submitted, statements due 29 <sup>th</sup> November 2023.	
<b><u>Current Status/Position</u></b> Awaiting Planning Inspectorate Decision.	
<b>Date by which Compliance expected (or prosecution date)</b>	Dependent upon date and outcome of Appeal Decision

B.6

<b>LPA Enforcement Case Reference</b>	ENF/22/0247/USE
<b>Location / Address</b>	Part Land East Of Mariawood, Hulver Street, Henstead
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	15.11.2018
<b><u>Nature of Breach:</u></b> Siting of mobile home	
<b><u>Summary timeline of actions on case</u></b> <b>21/09/2023</b> –Enforcement Notice served. Comes into effect on the 21/10/2023 <b>23/10/2023</b> - Appeal submitted, awaiting start letter. <b>05/01/2024</b> - Start letter received from Planning Inspectorate, statements required by 15 <sup>th</sup> February 2024.	
<b><u>Current Status/Position</u></b> Awaiting Planning Inspectorate Decision.	
<b>Date by which Compliance expected (or prosecution date)</b>	Dependent upon date and outcome of Appeal Decision

**C. Cases on which a formal enforcement notice has been served, upheld on appeal, and is now within a compliance period**

**C.1**

<b>LPA Enforcement Case Reference</b>	ENF/21/0411/COND
<b>Location / Address</b>	Paddock 2, The Street, Lound
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	17.09.2021
<b><u>Nature of Breach:</u></b> Change of use of land for residential use and stationing of mobile home	
<b><u>Summary timeline of actions on case</u></b> <b>16/06/2022</b> – Enforcement Notice served. Took effect on 18/07/2022. 4 months for compliance <b>26/08/2022</b> – Appeal Start Date. Written Representations Procedure PINS Reference APP/X3540/C/22/3303066 <b>07/10/2022</b> – Appeal statement submitted. <b>28/10/2022</b> – any final comments on appeal due. <b>11/09/2023</b> - Appeal dismissed. 4 months for compliance. <b>15/01/2024</b> - Site visit, partial compliance, use ceased and mobile home removed. 3 month extension given to remove remaining development.	
<b><u>Current Status/Position</u></b> In compliance period following appeal.	
<b>Date by which Compliance expected (or prosecution date)</b>	17/04/2024

- D. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and is currently the subject of court action.**



- E. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and now in the period for compliance following court action**

**F. Cases on which a formal enforcement notice has been served, upheld on appeal, and the period for compliance following court action has now expired, so further legal proceedings are being considered and/or are underway.**

F.1

<b>LPA Enforcement Case Reference</b>	EN08/0264 & ENF/2013/0191
<b>Location / Address</b>	Pine Lodge Caravan Park, Hazels Lane, Hinton
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	20.10.2008
<b><u>Nature of Breach:</u></b> Erection of a building and new vehicular access; Change of use of the land to a touring caravan site (Exemption Certificate revoked) and use of land for the site of a mobile home for gypsy/traveller use. Various unauthorised utility buildings for use on caravan site.	
<p> <b>15/10/2010</b> – Enforcement Notice served  <b>08/02/2010</b> - Appeal received  <b>10/11/2010</b> - Appeal dismissed  <b>25/06/2013</b> - Three Planning applications received  <b>06/11/2013</b> – The three applications refused at Planning Committee.  <b>13/12/2013</b> - Appeal Lodged  <b>21/03/2014</b> – Enforcement Notices served and became effective on 24/04/2014  <b>04/07/2014</b> - Appeal Start date - Appeal to be dealt with by Hearing  <b>31/01/2015</b> – New planning appeal received for refusal of Application DC/13/3708  <b>03/02/2015</b> – Appeal Decision – Two notices quashed for the avoidance of doubt, two notices upheld. Compliance time on notice relating to mobile home has been extended from 12 months to 18 months.  <b>10/11/2015</b> – Informal hearing held  <b>01/03/2016</b> – Planning Appeal dismissed  <b>04/08/2016</b> – Site re-visited three of four Notices have not been complied with.  <b>21/04/2017</b> - Trial date. Two charges relating to the mobile home, steps and hardstanding, the owner pleaded guilty to these to charges and was fined £1000 for failing to comply with the Enforcement Notice plus £600 in costs. The Council has requested that the mobile home along with steps, hardstanding and access be removed by 16/06/2017.  <b>19/06/2017</b> – Site re-visited, no compliance with the Enforcement Notice.  <b>14/11/2017</b> – Full Injunction granted for the removal of the mobile home and steps.  <b>21/11/2017</b> – Mobile home and steps removed from site. Review site regarding day block and access after decision notice released for enforcement notice served in connection with unauthorised occupancy /use of barn.  <b>27/06/2018</b> – Compliance visit conducted to check on whether the 2010.  <b>06/07/2018</b> – Legal advice sought.  <b>10/09/2018</b> – Site revisited to check for compliance with Notices.  <b>11/09/2018</b> – Case referred back to Legal Department for further action to be considered. </p>	

<p><b>11/10/2018</b> – Court hearing at the High Court in relation to the steps remain on the 2014 Enforcement Notice/ Injunction granted. Two months for compliance (11/12/2018).</p> <p><b>01/11/2018</b> – Court Hearing at the High Court in relation to the 2010 Enforcement Notice. Injunctive remedy sought. Verbal update to be given. Injunction granted. Three months given for compliance with Enforcement Notices served in 2010.</p> <p><b>13/12/2018</b> – Site visit undertaken in regards to Injunction served for 2014 Notice. No compliance. Passed back to Legal for further action.</p> <p><b>04/02/2019</b> – Site visit undertaken to check on compliance with Injunction served on 01/11/2018</p> <p><b>26/02/2019</b> – case passed to Legal for further action to be considered. Update to be given at Planning Committee</p> <p><b>27/03/2019</b> - High Court hearing, the case was adjourned until the 03/04/2019</p> <p><b>03/04/2019</b> - Officers attended the High Court, a warrant was issued due to non-attendance and failure to provide medical evidence explaining the non-attendance as was required in the Order of 27/03/2019.</p> <p><b>11/04/2019</b> – Officers returned to the High Court, the case was adjourned until 7 May 2019.</p> <p><b>07/05/2019</b> – Officers returned to the High Court. A three month suspended sentence for 12 months was given and the owner was required to comply with the Notices by 03/09/2019.</p> <p><b>05/09/2019</b> – Site visit undertaken; file passed to Legal Department for further action. Court date arranged for 28/11/2019.</p> <p><b>28/11/2019</b> - Officers returned to the High Court. A new three month suspended sentence for 12 months was given and the owner was required to comply in full with the Injunctions and the Order of the Judge by 31/01/2020</p>	
<p><b><u>Current Status/Position</u></b></p> <p>Site visited. Case currently with the Council's Legal Team for assessment. Charging orders have been placed on the land to recover costs.</p>	
<p><b>Date by which Compliance expected (or prosecution date)</b></p>	<p>Dependent upon potential Legal Process</p>

## F.2

<b>LPA Enforcement Case Reference</b>	ENF/2017/0170/USE
<b>Location / Address</b>	Land Adj to Oak Spring, The Street, Darsham
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	11.05.2017
<p><b><u>Nature of Breach:</u></b></p> <p>Installation on land of residential mobile home, erection of a structure, stationing of containers and portacabins</p>	
<p><b><u>Summary timeline of actions on case</u></b></p> <p><b>16/11/2017</b> – Authorisation given to serve Enforcement Notice.</p> <p><b>22/02/2018</b> – Enforcement Notice issued. Notice came into effect on 30/03/2018 and had a 4 month compliance period. An Appeal was then submitted.</p>	

<p><b>17/10/2019</b> – Appeal Decision issued by PINS. Enforcement Notice relating to the Use of the land quashed and to be re-issued as soon as possible, Notice relating to the operational development was upheld with an amendment.</p> <p><b>13/11/2019</b> – Enforcement Notice served in relation to the residential use of the site. Compliance by 13/04/2020. Appeal then received in relation to the Enforcement Notice for the residential use</p> <p><b>16/06/2020</b> – Submission of Appeal Statement</p> <p><b>11/08/2020</b> - Appeal dismissed with some amendments.</p> <p><b>11/12/2020</b> - Compliance with notice required. Site visit subsequently undertaken. Enforcement Notices had not been complied with so case then pass to Legal Department for further action.</p> <p><b>25/03/2021</b> - Further site visit undertaken. Notices not complied with, file passed to Legal services for further action.</p> <p><b>2022</b> - Application for an Injunction has been made to the High Court.</p> <p><b>06/10/2022</b> - Hearing in the High Court granted and injunction with 5 months for compliance and costs of £8000 awarded.</p> <p><b>08/03/2023</b> - Site visit conducted; injunction not complied with therefore matter passed to legal for further action.</p> <p><b>30/03/2023</b> - appeal submitted to High Court against Injunction – awaiting decision from Court.</p> <p><b>10/07/2023</b> -Injunction appeal failed, 2 weeks given to comply with Injunction by 10am on 24<sup>th</sup> July.</p> <p><b>25/07/2023</b>-Site Visit conducted; injunction not complied with. Information sent to legal team.</p> <p><b>22/02/2024</b> -Site visit conducted, required by the Legal Team.</p>	
<p><b><u>Current Status/Position</u></b> With Legal Team to take further action under the TCPA 1990.</p>	
<b>Date by which Compliance expected (or prosecution date)</b>	24 <sup>th</sup> July 2023

### F.3

<b>LPA Enforcement Case Reference</b>	ENF/21/0051/USE
<b>Location / Address</b>	Land West Of Guildhall Lane, Wrentham
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	10.02.2021
<p><b><u>Nature of Breach:</u></b> Change of use and unauthorised operational development (mixed use including storage of materials, vehicles and caravans and residential use /erection of structures and laying of hardstanding)</p>	
<p><b><u>Summary timeline of actions on case</u></b> <b>10/03/2022</b> - Enforcement Notices served and takes effect on 11/04/2022. 4 months for compliance.</p>	

<b>25/08/2022</b> - Site visit to check for compliance with Notices. File has been passed to the Legal Dept for further action. <b>19/12/2022</b> – Court date set following non compliance at Ipswich magistrates for 30 <sup>th</sup> January 2023. <b>30/01/2023</b> - Court over listed and therefore case relisted for 27 <sup>th</sup> March 2023 <b>27/03/2023</b> - Defendant did not attend, warrant issued, awaiting decision from court. <b>31/07/2023</b> - Defendant attended court, plead guilty to all charges and was fined £5134.78 in total.	
<b><u>Current Status/Position</u></b> Considering legal options under the TCPA 1990, following court appearance	
<b>Date by which Compliance expected (or prosecution date)</b>	Depending on legal advice

F.4

<b>LPA Enforcement Case Reference</b>	ENF/21/0441/SEC215
<b>Location / Address</b>	28 Brick Kiln Avenue, Beccles
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	29.09.2021
<b><u>Nature of Breach:</u></b> Untidy site	
<b><u>Summary timeline of actions on case</u></b> <b>07/02/2022</b> - S215 (Land adversely affecting amenity of Neighbourhood) Notice served - compliance due by 11/06/2022 <b>17/06/2022</b> - Site visit undertaken to check compliance. Site remains untidy. Internal discussion to be held regarding further action. File passed to Legal Department for further action. <b>21/11/2022</b> – Attended court, defendant plead guilty, fined £120 and ordered to pay £640 costs and £48 victim surcharge. A Total of £808. Has until 24 <sup>th</sup> February 2023 to comply with notice. <b>10/03/2023</b> - Site visit conducted, notice not complied with. Matter passed to Legal for further action. <b>23/10/2023</b> - Courts decided to adjourn the case for 3 months, to allow further time for compliance. Therefore, a further court date set for 15 <sup>th</sup> January 2024. <b>15/01/2024</b> - Court appearance for prosecution for a second time for failing to comply with a Section 215 Notice. The defendant pleaded guilty and was fined a total of £1,100. The defendant has improved the condition of the site but not fully complied the notice.	
<b><u>Current Status/Position</u></b> Considering further options.	
<b>Date by which Compliance expected (or prosecution date)</b>	Dependent on further discussions.

F.5

<b>LPA Enforcement Case Reference</b>	ENF/20/0404/USE
---------------------------------------	-----------------

<b>Location / Address</b>	200 Bridge Road, Lowestoft
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	24.09.2020
<b><u>Nature of Breach:</u></b> Change of use of land for the storage of building materials	
<b><u>Summary timeline of actions on case</u></b> <b>19/01/2023</b> –Enforcement Notice served. Comes into effect on the 20/02/2023 <b>26/06/2023</b> –Site visited, notice not complied with, case will be passed to the legal team for further action. <b>23/10/2023</b> - Court found defendant guilty and fined a total of £4400. <b>11/11/2023</b> - Further compliance date set for 11 <sup>th</sup> January 2024. <b>15/01/2024</b> - Site visited, notice not complied with, case has been passed to the legal team to make a decision on what further action should be taken under the TCPA 1990.	
<b><u>Current Status/Position</u></b> With Legal Team	
<b>Date by which Compliance expected (or prosecution date)</b>	11 <sup>th</sup> January 2024.

**G. Cases on which a formal enforcement action has been placed on hold or where it is not currently expedient to pursue**

G.1

<b>LPA Enforcement Case Reference</b>	ENF/2015/0279/DEV
<b>Location / Address</b>	Land at Dam Lane Kessingland
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	22/09/2015
<p><b><u>Nature of Breach:</u></b></p> <p>Erection of outbuildings and wooden jetties, fencing and gates over 1 metre adjacent to highway and engineering operations amounting to the formation of a lake and soil bunds.</p>	
<p><b><u>Summary timeline of actions on case</u></b></p> <p><b>22/09/2015</b> - Initial complaint logged by parish.</p> <p><b>08/12/2016</b> - Case was reopened following further information</p> <p><b>01/03/2017</b> - Retrospective app received.</p> <p>Following delays in information requested, on 20/06/2018, Cate Buck, Senior Planning and Enforcement Officer, took over the case, she communicated and met with the owner on several occasions.</p> <p><b>05/09/2018</b> - Notice served by recorded delivery.</p> <p><b>18/06/2019</b> - Appeal started. PINS Reference APP/T3535/C/18/3211982</p> <p><b>24/07/2019</b> – Appeal Statement Submitted</p> <p><b>05/02/2020</b> - Appeal dismissed. Compliance with both Notices by 05/08/2020</p> <p><b>03/03/2021</b> - Court hearing in relation to structures and fencing/gates Case adjourned until 05/07/2021 for trial. Further visit due after 30/04/21 to check for compliance with steps relating to lake removal.</p> <p><b>30/04/2021</b> - Further legal advice being sought in relation to the buildings and fencing. Extension of time given until 30/04/21 for removal of the lake and reverting the land back to agricultural use due to Licence being required for removal of protected species.</p> <p><b>04/05/2021</b> - Further visit conducted to check for compliance on Notice relating to the lake. No compliance. Case being reviewed.</p> <p><b>05/07/2021</b> – Court hearing, owner was found guilty of two charges and had already pleaded guilty to one offence. Fined £550 and £700 costs</p> <p><b>12/07/2021</b> – Letter sent to owner giving until the 10<sup>th</sup> August 2021 for the structures to be removed</p> <p><b>13/08/2021</b> - Site visited and all structures had removed from the site, but lake remains</p>	
<p><b><u>Current Status/Position</u></b></p> <p>On Hold. Ongoing consideration is taking place in respect of the compliance with the enforcement notice for removal of the lake. This is due to the possible presence of protected species and formation of protected habitat. Consideration is also required in respect of the hydrological implications of removal of the lake. At present, with the removal of structures and no harmful use taking place, the lake removal is not an immediately urgent action.</p>	

<b>Date by which Compliance expected (or prosecution date)</b>	31/12/2024
--	------------



**Committee Report**

**Planning Committee North – 9 April 2024**

**Application no** DC/24/0178/FUL

**Location**

12 Aldringham Park  
Aldringham Cum Thorpe  
Leiston  
Suffolk  
IP16 4QZ

**Expiry date** 19 March 2024

**Application type** Full Application

**Applicant** Stephen Skinner & Lisa Baker

**Parish** Aldringham Cum Thorpe

**Proposal** Proposed sunroom with retention of partly built structure

**Case Officer** Becky Taylor

[becky.taylor@eastsuffolk.gov.uk](mailto:becky.taylor@eastsuffolk.gov.uk)

## **1. Summary**

- 1.1 This application seeks planning permission in respect of the retention of a partly built structure and its completion into a sunroom at 12 Aldringham Park, Aldringham Cum Thorpe, Suffolk.
- 1.2 The Aldringham Cum Thorpe Parish Council object to the proposed development due to the following reasons:
- "The height and length of the wall of the proposed sunroom has an unreasonably overbearing and oppressive impact upon the neighbouring property.
  - The proposal would result in overdevelopment of the site after taking into account the shower room and study/library (built) garden room (not yet built) permitted by Planning Permission Ref: DC/22/2628/FUL. Combined with historic extensions permitted, the proposal would virtually double the footprint of the original house and is not considered proportionate.
  - Light spill from the proposed roof lanterns will adversely impact wildlife and enjoyment of the neighbouring property.
  - The Parish Council also observe that Drawing No. 23172-2 described on Public Access as being "Existing Floor Plans and Elevations" includes significant wall and roof structures which are of course unauthorised and noted to have been the subject of investigation under ENF/23/0376/DEV."
- 1.3 The application was presented to the Referral Panel on the 5<sup>th</sup> of March 2024 as the objections from the Parish Council are contrary to the officer's 'minded-to' recommendation of approval. The Panel decided that the application should be determined by the Planning Committee.
- 1.4 The proposal is compliant with local and national planning policy and therefore it is recommended that planning permission be granted.

## **2. Site Description**

- 2.1 The application site accommodates a two-storey detached dwelling situated within Aldringham Cum Thorpe however is not within any settlement boundary. The property occupies the northern corner plot at the end of the Aldringham Park cul-de-sac, a road just off the B1122 (Aldeburgh Road) which runs from Aldeburgh to Yoxford via Leiston. The subject dwelling does not sit within a Conservation Area, the Suffolk and Essex Coast and Heaths National Landscape, a Site of Special Scientific Interest, or a flood zone, nor is it a Listed Building.
- 2.2 The main dwelling is set back from the road and benefits from off-road parking to the front of the property in the form of a large driveway. The property accommodates a sizable curtilage to the rear, which is enclosed with a mixture of timber fencing and brick walls. The subject dwelling is bounded by neighbouring curtilage to the north, and a detached property and associated curtilage to the south. The rear is bounded by the B1122 and agricultural fields.

- 2.3 An analysis of previous planning history of the property has noted that the property has been altered and extended previously. Indeed, planning permission was granted for a two-storey side extension in August 1993 (C93/0775), a two-storey side extension and single-storey rear extension in September 2012 (C/12/1400) and for alterations and extensions, including a single-storey side extension and a garden room, in March 2022 (DC/22/0339/FUL) - with subsequent amendments approved in August 2022 (under DC/22/2628/FUL). It must be noted that a Garden Room approved within the planning application DC/22/0339/FUL has not yet been built.
- 2.4 More recently the site has been the subject of Planning Enforcement Investigation ENF/23/0376/DEV. That investigation related to the works that are currently under consideration and the subject of this current planning application.

### **3. Proposal**

- 3.1 The application seeks permission for the retention of the partly built wall and roof structure and its completion into a sunroom.
- 3.2 Currently, the partly built wall projects from the rear elevation of the existing single-storey side extension by 7.585m. This wall is approximately 0.9m away from the north-eastern boundary of the property and currently comprises of painted block work at the north-facing side of the wall, though the southern-facing side of the wall has been plastered. Timber rafters and steel columns have also been installed for the purpose of this extension.
- 3.3 The proposal is to complete this extension, which will accommodate a sunroom. The proposed extension is to measure 5.9m in length along the south-western elevation, and 4.315m in width, therefore the existing north-eastern facing wall would extend approximately 1.685m beyond that of the opposing wall of the proposed sunroom. The proposed extension is to have a lean-to flat roof, with a height of 2.69m at the north-eastern facing elevation, decreasing to 2.385m at the south-western facing elevation.
- 3.4 The proposed extension would also have three roof lanterns projecting a maximum of 0.5m from the roof, as well as large amounts of glazing, including windows and bi-fold doors on the rear and south-western facing side elevations, all of which will be white aluminium. Any infill areas around this glazing will be fronted in dark grey horizontal composite cladding.

### **4. Consultees**

#### **Parish/Town Council**

Consultee	Date consulted	Date reply received
Aldringham-cum-Thorpe Parish Council	29 January 2024	19 February 2024
Summary of comments: Aldringham-cum-Thorpe Parish Council object to this application for the following reasons:		

1) The height and length of the wall of the proposed sunroom has an unreasonably overbearing and oppressive impact upon the neighbouring property.

2) The proposal would result in overdevelopment of the site after taking into account the shower room and study/library (built) garden room (not yet built) permitted by Planning Permission Ref: DC/22/2628/FUL. Combined with historic extensions permitted, the proposal would virtually double the footprint of the original house and is not considered proportionate.

3) Light spill from the proposed roof lanterns will adversely impact wildlife and enjoyment of the neighbouring property.

The Parish Council also observe that Drawing No. 23172-2 described on Public Access as being "Existing Floor Plans and Elevations" includes significant wall and roof structures which are of course unauthorised and noted to have been the subject of investigation under ENF/23/0376/DEV.

## **5. Third Party Representations**

5.1 One neighbour objection has been received due to the following summarised reasons:

- Concerns over overdevelopment: "...a further extension on the opposite side of the house which is also marked as a garden room. This approved plan, we believe, is still valid but work has yet to be started on this stage of the plan to our knowledge. Surely this new application could be considered to be over development of the site".
- Concerns regarding the existing wall: "...the wall which is of blockwork and pier construction, runs just a few feet away from the full length of our rear garden boundary fence. The wall is an eyesore and blocks the natural light from our garden. The finish of the blockwork is shabby, it is painted grey and is already showing stains to the painted finish caused by the leaching of cement from the pointing. This is particularly unsightly from our garden and back windows."
- Concerns regarding the groundwork and foundations: "We also have concerns with regards to the groundwork which has already been completed with no planning department input or inspection. We feel it may be inadequate for the proposed structure and may turn out to be a danger in future. "
- Concerns over light spill: "The proposed plan also does not take into account that the plot has a natural slope away from the house down towards the Aldeburgh Road and so where the wall appears to be a natural height where it abuts the new extension, by the time it is at its furthest point it is several feet above our boundary fence, cutting off even more light."
- "The proposed plan shows three roof lanterns and our concern in this regard is light pollution at night which would affect the rear of our property. "

5.2 The full comments can be viewed via Public Access

## **6. Publicity**

None

## **Site notices**

General Site Notice

Reason for site notice: General Site Notice

Date posted: 1 February 2024

## **7. Planning policy**

National Planning Policy Framework 2023

SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP3.3 - Settlement Boundaries (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

## **8. Planning Considerations**

### Design, Scale and Visual Amenity

- 8.1 Policy SCLP11.1 states that the council will support proposed development that demonstrates a clear understanding of the local character of the built environment. Therefore, the overall scale and character of house alterations and extensions should demonstrate consideration of the component parts of the buildings and the development as a whole in relation to its surroundings. The house alterations and extension SPD also states that extensions and alterations to existing dwellings should respect the character and design of the original building.
- 8.2 The proposed single storey rear extension would project from the existing single-storey side extension and would occupy the north-eastern corner of the rear curtilage.
- 8.3 When considering the scale of the proposed development, together with the previously approved but not yet built garden room (under DC/22/0339/FUL), officers are satisfied that the curtilage of the dwelling is of an appropriate size to accommodate such extensions without appearing as overdevelopment. The proposed extension is also deemed to be of an appropriate scale in comparison to that of the main dwelling; its modest height and flat roof design would allow the development to be considered a subservient addition to the host dwelling.
- 8.4 The proposed rear extension will, however, use a dark grey horizontal composite cladding material for the exterior, which does not visually correspond with the brick used on the main dwelling. Though, as this same cladding has been used for the previously approved side extension - which the proposed development will project from - the principle of cladding as the material of choice is not resisted and will allow visual continuity between the extensions. Concerns have been raised by the neighbour as to the design of the northern wall of the extension, as the exterior is currently painted blockwork. However, given the position of the extension in the rear garden, together with the fact the dwelling is not located in an area of any significant architectural or landscape value, the owners have the rights to use any materials and colours they wish, providing the character of the main dwelling is respected. Despite this, these concerns have been communicated to the applicant, who have provided an alternative in the form of render painted in a light colour.

Officers are satisfied that this alternative proposal will help mitigate any visual amenity concerns.

- 8.5 Furthermore, due to the position of the proposed extension on the rear of the main dwelling, views of the development would not be achieved from the public realm of Aldringham Park, and therefore would cause no visual harm to the streetscene nor the surrounding built or natural environment.
- 8.6 Overall, it is considered that the proposed development is of an acceptable design and would not have an adverse impact on the existing character host dwelling or of the streetscene, therefore complies with SCLP11.1: Design Quality, Supplementary Planning Guidance 16, and the National Planning Policy Framework.
- 8.7 Residential amenity
- 8.8 Policy SCLP11.2 states that the proposed development is required to be located and designed with regard to the amenity of both existing and future residents. It is also designed to prevent any adverse effects on neighbouring amenity, such as overlooking, loss of privacy and loss of daylight or sunlight etc.
- 8.9 With regard to neighbouring amenity, concerns have been raised by both the Aldringham Cum Thorpe Parish Council and a neighbouring property, particularly regarding concerns over the scale of the structure being overbearing. Whilst the structure is located within 1m of the northern boundary, which is shared with neighbouring properties, given the large separation distance between the proposed development and the main dwellinghouses of the neighbouring properties, it is not considered to be overbearing. Concerns have also been raised over the natural slope of the plot, which reduces the impact of any screening between the extension and the neighbouring curtilage at the furthest point of projection. However, again, given the large separation distance, it is not considered to contribute to a sense of overbearingness, nor is the natural slope something that could be easily mitigated. Indeed, it is judged that the modest height and lean-to flat roof design would allow the extension to appear less visually intrusive in the area.
- 8.10 Similarly, given the large separation distance, the proposed development is unlikely to generate any residential amenity concerns through the loss of sunlight or daylight into any habitable rooms of neighbouring properties. Whilst concerns have been raised over the loss of light into neighbouring rear gardens, as per SCLP11.2 and SPG 16, loss of daylight and/or sunlight is only usually considered a significant issue when impacting habitable rooms of neighbouring dwellings, for example living rooms, dining rooms and kitchens, and sometimes bedrooms. The loss of sunlight or daylight into residential curtilage is not deemed to be a significant concern.
- 8.11 Bi-fold patio doors, floor to ceiling windows and roof lanterns are also proposed to be installed on the south-western facing elevation, rear elevation and roof, respectively. The proposed bi-fold doors would face south-west, across the applicants own rear garden and towards the side boundary shared with the neighbour, and the floor-to-ceiling windows would face west, towards the rear boundary of the property. However, given this glazing is at ground floor level, together with the relative distance and existing screening provided by walls and fencing at the property boundaries, they do not provide a direct line of sight into any neighbouring residential property. As a result, the proposed glazing is not judged

to contribute to the loss of privacy to neighbouring amenity and would be used for access and lighting purposes only.

8.12 Concerns have also been raised over possible light spill from the glazing on the extension. However, again, as the majority of glazing faces within the rear curtilage, together with the separation distance between this and neighbouring properties, any light spill would be minimal and is considered unlikely to contribute to any adverse impacts on neighbouring amenity. The roof lanterns proposed are more likely to contribute to light spill than the other areas of glazing, however, again given the relative distance from neighbouring properties, officers are satisfied that the impact would not be significant.

8.13 Therefore, whilst the concerns raised by the parish council and the neighbour are noted, the proposal is not considered to compromise the residential amenity of surrounding dwellings, and therefore would comply with SLP11.2: Residential Amenity.

8.14 Impact on wildlife

8.15 Concerns have been expressed over the impact of light spill on wildlife in the area. However, despite the property falling outside of any defined settlement boundary - and is therefore deemed in the Countryside (as per SCLP3.3 - Settlement Boundaries) - the property is situated within a residential area and is not within a National Landscape where the impact on dark skies can be more sensitive. As a result, the proposed development is not judged to contribute significantly to any further impact of light spill on wildlife or the surrounding natural environment than that of the existing residential dwellings.

## 9. Conclusion

9.1 Overall, it is considered that the proposed development is of an acceptable design that would not have an adverse impact on neighbouring amenity. The proposal is therefore considered to comply with the relevant planning policies, legislation and guidance listed above, therefore, the application is recommended for approval subject to conditions.

## 10. Recommendations

10.1 To approve, subject to the conditions below.

## 11. Conditions:

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason: This condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in all respects strictly in accordance with:

Drawing No. 23172 1 (Site Plan)

Drawing No. 23172 2 (Existing Floor Plans and Elevations)

Drawing No. 23172 3 (Block Plan(s)/Site Layout - Existing)

Drawing No. 23172 4 (Proposed Floor and Elevations)

received 17th January 2024 ;, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. With the exception of the northern elevation as referred to in Condition 4, the materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

4. Within 6 months of the date of this permission, the rear (northern) elevation of the extension hereby permitted shall be finished in render and painted in Tinge of Silver (Armstead Trade). Thereafter, the render and colour shall be retained in this form.

Reason: In the interests of amenity.

#### **Informatives:**

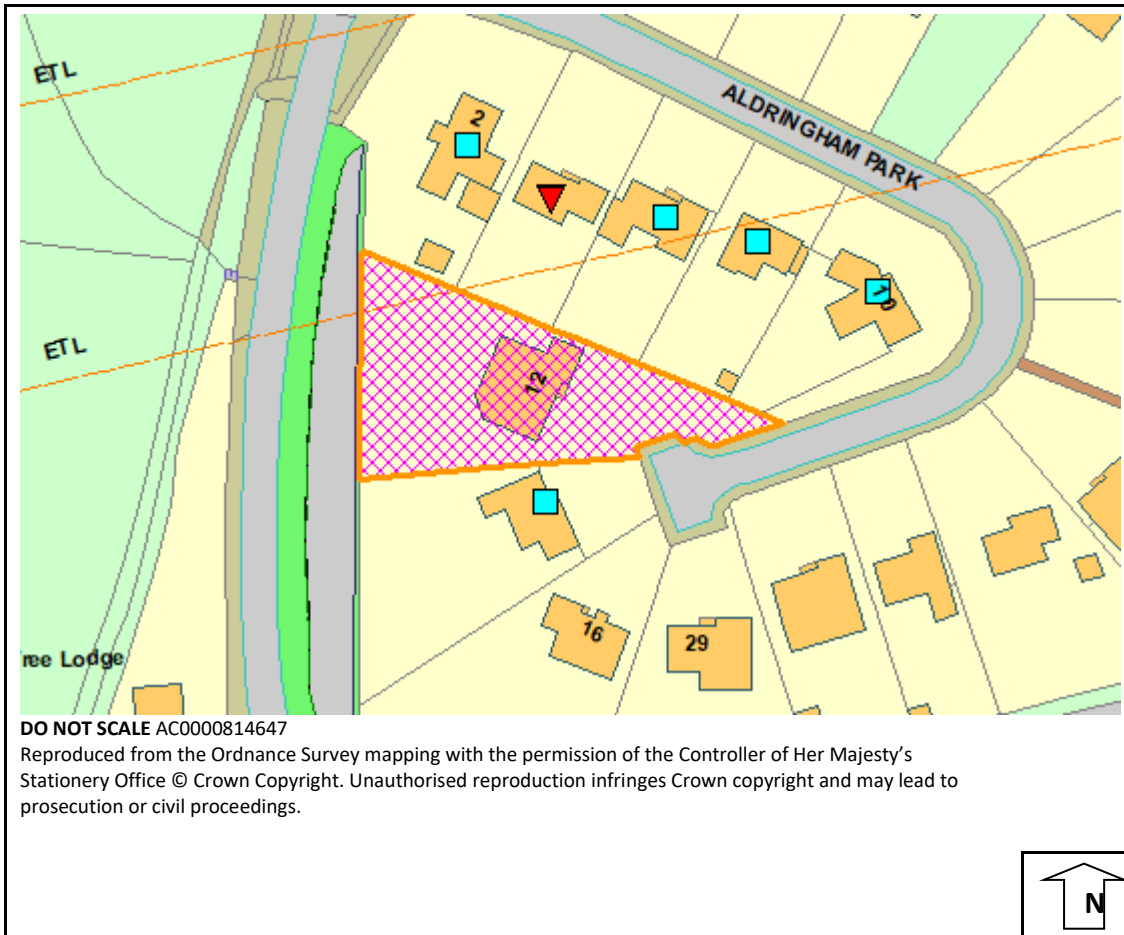
1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

#### **Background information**





See application reference DC/24/0178/FUL on [Public Access](#)



## Map



## Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support

**Committee Report**

**Planning Committee North – 12 April 2024**

**Application no** DC/23/4513/FUL

**Location**

23 Park Lane  
Southwold  
Suffolk  
IP18 6HL

**Expiry date** 16 January 2024

**Application type** Full Application

**Applicant** Michelle Simmonds

**Parish** Southwold

**Proposal** Removal of existing wall to create one additional parking space; erection of new flint cobble wall and rear access

**Case Officer** Fabian Danielsson

[fabian.danielsson@eastsuffolk.gov.uk](mailto:fabian.danielsson@eastsuffolk.gov.uk)

## **1. Summary**

- 1.1. This application seeks planning permission for the removal of a flint and brick boundary wall and the construction of a new flint and brick wall and access gate in order to create an additional parking space at 23 Park Lane in Southwold. The application site is located within the Southwold Conservation Area and the Suffolk and Essex Coast and Heaths National Landscape.
- 1.2. Southwold Town Council object due to the following summarised reasons (included in full below):
- 1.3. The application does not appear to protect and enhance the area as required for a Conservation Area.
- 1.4. The application would adversely alter the street scene of this Lane by creating a partially open frontage which is not in keeping with the Lane.
- 1.5. The objections from the Town Council are contrary to the officer's 'minded to' recommendation of approval, therefore the Planning Referral Process was triggered. The application was presented to the Referral Panel on the 12th March 2024. The decision was for the application to be referred to the Planning Committee.

## **2. Site Description**

- 2.1. The application property is a two-storey end-of-terrace dwelling located within the settlement boundary of Southwold. The property is Grade II listed together with 21 Park Lane which was constructed at the same time in the 17th century. The dwelling was encased in brick in the 19th century and then altered and converted in the mid-20th century with replacement doors and windows. It is a timber-framed structure clad in rendered brick with a roof of black-glazed pantiles with brick stacks to left of centre and right end. The dwelling itself faces onto Park Lane, with a small picket-fenced front garden. A longer, rectangular garden extends to the rear of the property. To the rear of this garden is a late 20th century brick-built garage with a single parking space in front of it, facing onto Lorne Road. Projecting at an angle from the rear eastern corner of this garage is a flint and brick wall, constructed at the same time as the garage, which joins with a historic flint wall running to the east along Lorne Road.
- 2.2. The property is located within Southwold Conservation Area as well as the Suffolk and Essex Coast and Heaths National Landscape.

## **3. Proposal**

- 3.1. Planning permission is sought for the removal of the wall section connecting the garage to the historic wall, and the construction of a replacement wall extending directly east from the corner of the garage to join the boundary wall towards the neighbouring property. An additional parking space would be created as a result of this.

#### 4. Consultees

##### Parish/Town Council

Consultee	Date consulted	Date reply received
Southwold Town Council	4 December 2023	10 January 2024
<p>Summary of comments:</p> <p>The Town Council recommends that ESC refuse this application.</p> <p>There is a neighbour objection to be considered.</p> <p>The property is Grade II Listed and in a conservation area - no Listed Building Application form has been submitted.</p> <p>The application does not appear to protect and enhance the area as required for a Conservation Area.</p> <p>The application would adversely alter the street scene of this Lane by creating a partially open frontage which is not in keeping with the Lane.</p> <p>The Town Council recommend that ESC refuse the application.</p>		

##### Non statutory consultees

Consultee	Date consulted	Date reply received
Southwold And Reydon Society	N/A	16 January 2024
<p>Summary of comments:</p> <p>As the above application refers to a listed building in a conservation area, the Executive Committee is concerned that there is no Listed Building application. We also feel that the proposed changes would negatively alter the street scene, with an open frontage which is not in keeping with Park Lane. We also question why a further parking space is required.</p> <p>We therefore suggest this application is refused.</p>		

Consultee	Date consulted	Date reply received
SCC Highways Department	13 December 2023	5 January 2024
<p>Summary of comments:</p> <p>Notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the conditions recommended.</p>		

Consultee	Date consulted	Date reply received
East Suffolk Design And Heritage	4 December 2023	12 December 2023
<p>Summary of comments:</p> <p>The works affect the part of the site facing onto Lorne Road, there would be no works to the listed building, only in its setting. The wall to be removed is the angled brick and flint wall that abuts the eastern end of the garage and runs to the boundary wall with the street. This is a modern wall built at the same time as the garage in the 1990s and therefore has no historic significance. The flint cobble wall facing the street would be retained with a minor alteration comprising a new brick pier to ensure stability. The width of the existing opening would not be increased therefore there would be no impact on the sense of enclosure along the street. The design of the new section of wall that would run horizontally from the front face of the garage to separate the garden space from the parking area would be traditional in brick and flint, reflecting the character of the existing boundary.</p> <p>This proposal would preserve the special interest of the Grade II listed 23 Park Lane and would not impact its setting. It would preserve the character and appearance of the Southwold Conservation Area. There would be no harm to these designated heritage assets in conformance with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990. The relevant tests of the NPPF at paragraphs 201 and 202 are not applicable.</p>		

Consultee	Date consulted	Date reply received
SCC Coasts And Heaths Project	4 December 2023	No response
Summary of comments:		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	4 December 2023	12 December 2023
<p>Summary of comments:</p> <p>We have no objection to the development and do not believe any archaeological mitigation is required.</p>		

## 5. Third Party Representations

Two letters of objection have been received, with a summary of their comments included below:

- Additional parking unnecessary
- Detrimental to the street scene
- Impact on Conservation Area

- Potential traffic issues
- Would need additional dropped kerb, which is undesirable
- Proposed pier not appropriate visually

## 6. Publicity

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

Category	Published	Expiry	Publication
Conservation Area	8 December 2023	3 January 2024	Beccles and Bungay Journal
Category	Published	Expiry	Publication
Conservation Area	8 December 2023	3 January 2024	Lowestoft Journal

## 7. Site notices

General Site Notice	Reason for site notice: Conservation Area Affects Setting of Listed Building Date posted: 11 December 2023 Expiry date: 4 January 2024
---------------------	---

## 8. Planning policy

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.37 - Historic Environment (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.39 - Conservation Areas (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

SWD6 - Design (Southwold Neighbourhood Plan, 'Made' February 2022)

SWD7 – Parking (Southwold Neighbourhood Plan, 'Made' February 2022)

Historic Environment Supplementary Planning Document

## 9. Planning Considerations

### Visual Amenity, Street Scene and Landscape

- 9.1. Policy WLP8.29 sets out that proposed development should respect the character, design and scale of the host dwelling, and character and appearance of the surrounding area. Key considerations include the overall scale and character of the development, the layout, site coverage, height and massing of existing buildings, the relationship between buildings and spaces and the surrounding street scene or townscape, and the use of materials and detailing appropriate to the local vernacular.

- 9.2. Other relevant policies for the proposed development include policy WLP8.37 - Historic Environment and WLP8.39 - Conservation Areas. Policy WLP8.37 states that proposals for development should seek to conserve or enhance heritage assets and their environment. As the property forms part of the Southwold Conservation Area, policy WLP8.39 also applies which states that any development within conservation areas will be assessed against the relevant Conservation Area Appraisals and Management Plans, and that they should be of a particularly high standard of design and materials in order to preserve or enhance the character or appearance of the area.
- 9.3. Policy SWD6 of the Southwold Neighbourhood Plan requires that all planning applications should demonstrate that they have followed the process for creating high quality design that is sympathetic to and in keeping with the best of the prevailing local character area and maximize the opportunities to improve the quality of the design.
- 9.4. The current proposal includes the removal of a modern flint and cobble wall. This wall was erected in the 1990's to join the corner of the newly constructed garage with the historic wall running along the rear of the property against Lorne Road. Although attractive, the wall is of no historical significance and its removal will therefore not result in any loss of historic fabric. The column where the wall to be removed joins the historic wall appears to have already been modified as part of the construction works for that wall, and therefore no further damage to the historic wall is expected.
- 9.5. Comments have been received suggesting that the character of the street and therefore the conservation area will be harmed by the removal of the wall and the resulting creation of an additional parking space. It is true that Lorne Road is primarily characterised by either building frontages facing directly onto the road or pavement, or a mix of low and high brick walls, generally with greenery behind. Vehicular openings from the road are few, although there are examples, and other garages are present at both the western and eastern ends. However, the wall to be removed is at an angle which means that although the opening at the rear end, towards the garage and the house, will be widened, the opening will not be widened towards the street which means that the sense of enclosure along the street would be minimally affected. Likewise, the proposed brick pier to ensure the stability of the remaining historic wall is likely to have a minor effect on the street scene.
- 9.6. A new wall is proposed to run directly east from the corner of the garage to the neighbouring boundary fence. This will serve to enclose the garden behind the new parking space and will include an access gate. The wall is proposed to be constructed in brick and flint cobbles reclaimed from the removed wall, in a traditional style that would not detract from the historic environment. The proposed new wall will be of a similar height to that of the removed wall.
- 9.7. As the width of the opening at street level will not change, the historic wall will be retained and the replacement wall will be of a traditional style to match the retained wall and the surrounding area, the impact is considered to be neutral with regards to the visual effect to the street scene and Conservation Area. The changes proposed are minor and will have very localised effects. Therefore, the proposal is considered acceptable from a visual design and historic environment perspective.

#### Residential Amenity

- 9.8. Policy WLP8.29 also states that proposed development should not result in an adverse impact on the amenity of neighbouring residents.
- 9.9. In this case, the proposal is not considered to cause any harmful effects in relation to overlooking, loss of privacy, noise or light pollution, nor is considered an overbearing development. Comments have been received regarding the impact of the proposed additional parking on traffic and considering whether a further dropped kerb will be necessary which would affect the parking of other residents along the street. In terms of traffic, the development is of a minor scale and the amount of parking will be appropriate to a residential setting. One additional parking space is not considered to have a noticeable impact on the amount of traffic to and from the property as there would be no noticeable intensification of the use of the property. In addition, the width of the opening at street level is not proposed to change and no further dropped kerb will therefore be necessary.

#### Highways and Parking

- 9.10. Suffolk County Council as the Highways Authority were also consulted on the application and did not raise any concerns over highway safety or the impact upon other highways users. While the proposal does not provide any turning space on-site, this is the same for the current space. Given the nature of Lorne Road, vehicle speeds are likely to be low and therefore the impact of an additional vehicle reversing into, or off the highway is considered to be minimal, especially compared to the potential impact of an additional vehicle parked nearby, on the street.
- 9.11. Policy SWD7 of the Southwold Neighbourhood Plan states, in part, that “Development proposals which include new on-site residential parking provision will be supported provided the scheme:
- does not result in a car-dominated street scape; and
  - preserves and enhance biodiversity; and
  - does not create an open frontage in areas where enclosed front boundaries prevail; and
  - preserves a good quality of garden amenity space for existing and future occupants of the site; and
  - uses permeable surfacing, where practicable. Where this cannot be achieved, proposals should demonstrate how surface water will be drained on-site in a sustainable fashion.”
- 9.12. While the proposed development would increase visibility of vehicles within the Lorne Road street scene, the increased parking area available would not be significantly increased compared to the existing, given the angle of parking area. There would be a limited reduction in ‘planted’ garden space retaining a good quality outdoor amenity space for residents. Albeit there are some examples, the street is not characterised by enclosed front gardens – where properties front Lorne Road, they are generally situated up to the Highway and elsewhere within Lorne Road, the street frontage includes rear boundary treatments. The proposed surface of the parking area would match the existing.
- 9.13. Comments have also questioned the necessity of this additional space and pointed to the publicly available parking at the end of the road. While this can be sympathised with, whether something is necessary or not is not a material planning consideration and can therefore not be given any weight when determining the planning application.



- 9.14. It is noted that during discussions with neighbouring residents, concerns were raised that the house would be used as a holiday let or so called 'party house'. While the use of the property as a holiday let housing single households would be permitted within the current use class of the property, the letting of it to larger groups would require a change of use application and would require further application to the local planning authority.
- 9.15. For the reasons set out above the proposal is acceptable and planning permission can be granted.

## **10. Conclusion**

- 10.1. The proposals accord with the relevant national and local policies and guidance listed above and are therefore acceptable.
- 10.2. As the Parish Council have objected, the application was presented to the Planning Referral Panel, which decided that the case should be presented to Planning Committee for determination.

## **11. Recommendation**

- 11.1. Delegate to the Head of Planning and Coastal Management.

## **12. Conditions:**

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be carried out in all respects strictly in accordance with the following approved plans and documents for which permission is hereby granted:

- Drawing nos. Drwg.No. 162102 A received on 21 November 2023.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

4. The use shall not commence until the area(s) within the site shown on Drawing No. 162/02A for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on-site parking of vehicles is provided and maintained to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

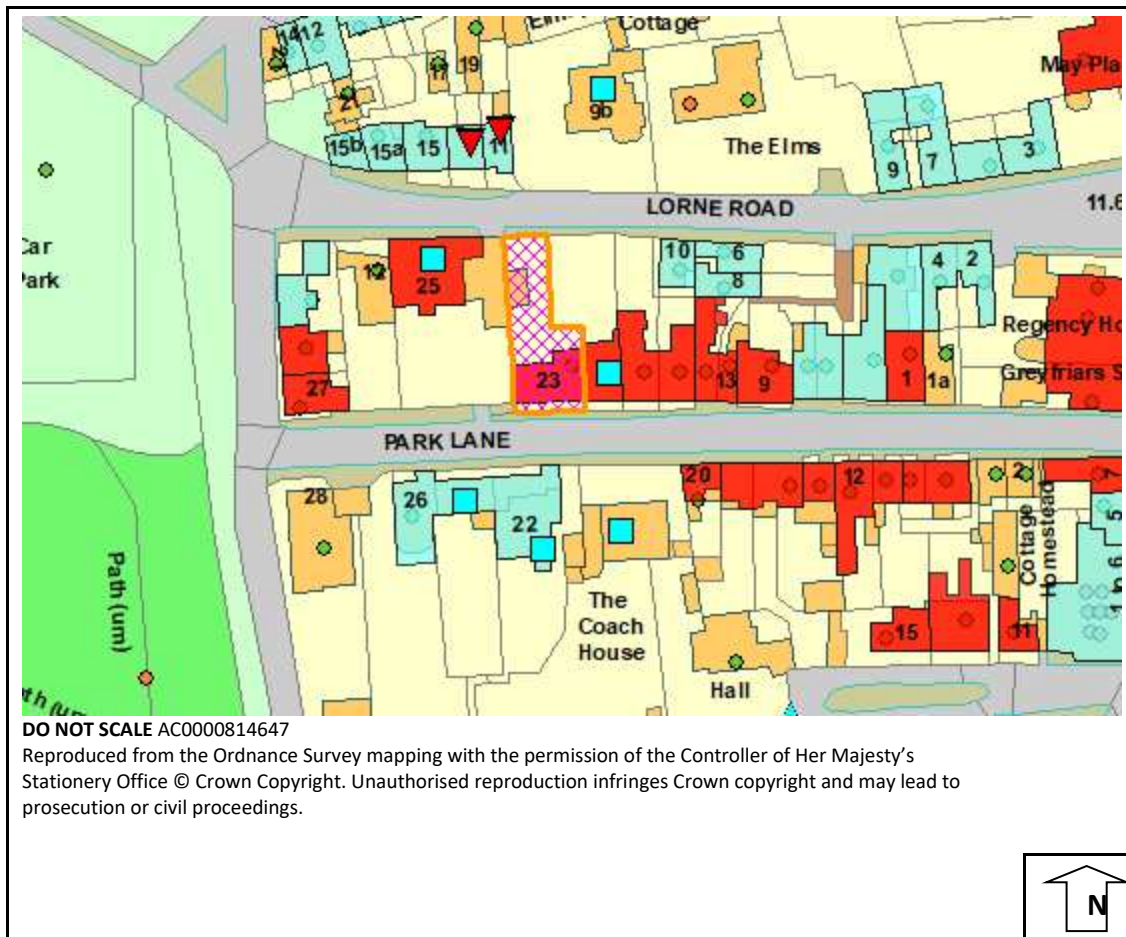
**Informatives:**

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

**Background information**

See application reference DC/23/4513/FUL on [Public Access](#)

## Map



## Key

- Notified, no comments received
- Objection
- Representation
- Support

**Committee Report**

**Planning Committee North – 9 April 2024**

**Application no** DC/24/0163/LBC

**Location**

23 Park Lane  
Southwold  
Suffolk  
IP18 6HL

**Expiry date** 12 March 2024

**Application type** Listed Building Consent

**Applicant** Michelle Simmonds

**Parish** Southwold

**Proposal** Listed Building Consent - Removal of existing wall to create one additional parking space; erection of new flint cobble wall and rear access

**Case Officer** Fabian Danielsson

[fabian.danielsson@eastsuffolk.gov.uk](mailto:fabian.danielsson@eastsuffolk.gov.uk)

## 1. Summary

- 1.1. This application seeks planning permission for the removal of a flint and brick boundary wall and the construction of a new flint and brick wall and access gate in order to create an additional parking space at 23 Park Lane in Southwold. The application is recommended for approval as the proposals are considered to comply with national and local planning policy, and the application can be determined under delegated authority as none of the referral panel triggers have been met.
- 1.2. The application is being presented to the Planning Committee as it is a tandem application with DC/23/4513/FUL which was referred by the Referral Panel.

## 2. Site Description

- 2.1. The application property is a two-storey end-of-terrace dwelling located within the settlement boundary of Southwold. The property is Grade II listed together with 21 Park Lane which was constructed at the same time in the 17th century. The dwelling was encased in brick in the 19th century and then altered and converted in the mid-20th century with replacement doors and windows. It is a timber-framed structure clad in rendered brick with a roof of black-glazed pantiles with brick stacks to left of centre and right end. The dwelling itself faces onto Park Lane, with a small picket-fenced front garden. A longer, rectangular garden extends to the rear of the property. To the rear of this garden is a late 20th century brick-built garage with a single parking space in front of it, facing onto Lorne Road. Projecting at an angle from the rear eastern corner of this garage is a flint and brick wall, constructed at the same time as the garage, which joins with a historic flint wall running to the east along Lorne Road.
- 2.2. The property is located within Southwold Conservation Area as well as the Suffolk and Essex Coast and Heaths National Landscape.

## 3. Proposal

- 3.1. Listed Building Consent is sought for the removal of the wall section connecting the garage to the historic wall, and the construction of a replacement wall extending directly east from the corner of the garage to join the boundary wall towards the neighbouring property. An additional parking space would be created as a result of this.

## 4. Consultees

### Parish/Town Council

Consultee	Date consulted	Date reply received
Southwold Town Council	24 January 2024	14 February 2024
Summary of comments: Refuse as per the comments submitted on the FUL application. An additional comment to be added that there is additional free car parking available within a short distance which alleviates the need for this wall to come down for excess parking on the site and to note that this would		

necessitate a dropped kerb to be put in which in effect would reduce the on road parking outside the property for all users.

### Non statutory consultees

Consultee	Date consulted	Date reply received
Southwold And Reydon Society	N/A	14 February 2024
Summary of comments: The Committee is disappointed that, apart from this application for LBC in the conservation area, none of our other concerns have been addressed.		

Consultee	Date consulted	Date reply received
SCC Coasts And Heaths Project	24 January 2024	No response
Summary of comments:		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	24 January 2024	30 January 2024
Summary of comments: We have no objection to the development and do not believe any archaeological mitigation is required.		

Consultee	Date consulted	Date reply received
East Suffolk Design And Heritage	24 January 2024	30 January 2024
Summary of comments: The only direct impact on historic fabric is the minor alteration to the curtilage listed rear boundary wall. These works are minimal, with the construction of a new end pier following the removal of the modern wall that currently projects into the site. The detailing is in keeping with the character of the wall and therefore there would be no harm to the special interest of this curtilage listed structure.		

### 5. Third Party Representations

Two letters of objection have been received, with a summary of their comments included below:

- Additional parking unnecessary
- Detrimental to the street scene
- Impact on Conservation Area
- Potential traffic issues

- Would need additional dropped kerb, which is undesirable
- Proposed pier not appropriate visually
- Potential use of the property as a holiday let

## 6. Publicity

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

Publication	Published date	Expiry date	Reason
Beccles and Bungay Journal	2 February 2024	23 February 2024	Conservation Area Listed Building
Lowestoft Journal	2 February 2024	23 February 2024	Conservation Area Listed Building

## Site notices

Site Notice Type	Date Posted	Expiry date	Reason
General Site Notice	8 February 2024	29 February 2024	Conservation Area Listed Building

## 7. Planning policy

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.37 - Historic Environment (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

SWD6 - Design (Southwold Neighbourhood Plan, 'Made' February 2022)

## 8. Planning Considerations

### Heritage Impact

- 8.1. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".
- 8.2. Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 8.3. WLP8.37 - Historic Environment states that proposals for development should seek to conserve or enhance heritage assets and their environment.

- 8.4. Policy WLP8.29 sets out that proposed development should respect the character, design and scale of the host dwelling, and character and appearance of the surrounding area. Key considerations include the overall scale and character of the development, the layout, site coverage, height and massing of existing buildings, the relationship between buildings and spaces and the surrounding street scene or townscape, and the use of materials and detailing appropriate to the local vernacular.
- 8.5. Policy SWD6 of the Southwold Neighbourhood Plan requires that all planning applications should demonstrate that they have followed the process for creating high quality design that is sympathetic to and in keeping with the best of the prevailing local character area, and maximized the opportunities to improve the quality of the design.
- 8.6. The current proposal includes the removal of a modern flint and cobble wall. This wall was erected in the 1990's to join the corner of the newly constructed garage with the historic wall running along the rear of the property against Lorne Road. Although attractive, the wall is of no historical significance and its removal will therefore not result in any loss of historic fabric. The column where the wall to be removed joins the historic wall appears to have already been modified as part of the construction works for that wall, and therefore no further damage to the historic wall is expected.
- 8.7. The Design and Heritage officer at East Suffolk Council was consulted on the proposal and concluded that the only direct impact on historic fabric would be the minor alteration to the end of the curtilage listed boundary wall. The replacement wall and the new end pier proposed for the historic wall are in keeping with the character of the wall. As there would be no impact on the listed building itself and only a neutral impact on the curtilage listed wall, there would be no harm to the special interest of listed building.
- 8.8. There would be no harm to the designated heritage assets in conformance with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990. The relevant tests of the NPPF at paragraphs 207 and 208 are not applicable.

## **9. Conclusion**

- 9.1. The proposals accord with the relevant national and local policies and guidance listed above, and are therefore acceptable.
- 9.2. The application is being presented to the Planning Committee as it is a tandem application with DC/23/4513/FUL.

## **10. Recommendation**

- 10.1. Approve subject to conditions.

## **11. Conditions:**

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason: This condition is imposed in accordance with Section 18 of the Act (as amended).



2. The development hereby permitted shall be carried out in all respects strictly in accordance with the following approved plans and documents for which permission is hereby granted:

- Drawing nos. 162102A received on 21 November 2023.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

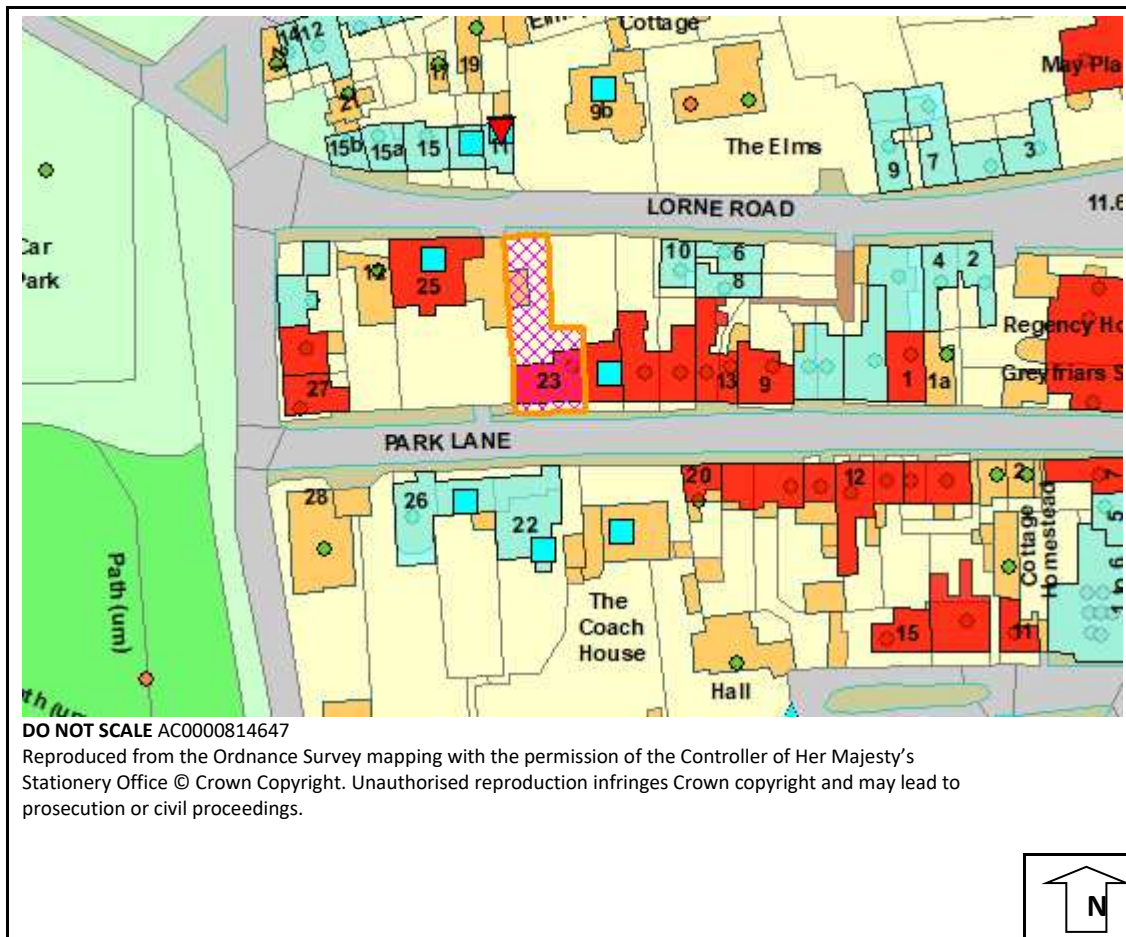
**Informatives:**

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

**Background information**

See application reference DC/24/0163/LBC on [Public Access](#)

## Map



## Key



Notified, no comments received



Objection



Representation



Support