



East Suffolk House, Riduna Park, Station Road,  
Melton, Woodbridge, Suffolk, IP12 1RT

# Strategic Planning Committee

## Members:

Councillor Paul Ashdown (Chairman)  
Councillor Debbie McCallum (Vice-Chairman)  
Councillor Melissa Allen  
Councillor Stuart Bird  
Councillor Chris Blundell  
Councillor Jocelyn Bond  
Councillor Norman Brooks  
Councillor Jenny Ceresa  
Councillor Tony Cooper  
Councillor Linda Coulam  
Councillor Mike Deacon  
Councillor Graham Elliott  
Councillor Tony Fryatt  
Councillor Andree Gee  
Councillor Colin Hedgley  
Councillor Malcolm Pitchers  
Councillor David Ritchie  
Councillor Craig Rivett  
Councillor Kay Yule

Members are invited to a Meeting of the **Strategic Planning Committee**  
to be held in the Deben Conference Room, East Suffolk House,  
on **Monday, 10 June 2019 at 10:30am**

An Agenda is set out below.

**Part One – Open to the Public**

**Pages**

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- |          |   |                |
|----------|---|----------------|
| <b>1</b> | <b>Election of a Chairman</b><br>To elect a Chairman for the 2019/20 municipal year.  |                |
| <b>2</b> | <b>Election of a Vice-Chairman</b><br>To elect a Vice-Chairman for the 2019/20 municipal year.  |                |
| <b>3</b> | <b>Apologies for Absence and Substitutions</b>  |                |
| <b>4</b> | <b>Declarations of Interest</b><br>Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests 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>5</b> | <b>The Role of the Strategic Planning Committee ES/0030</b><br>Report of the Cabinet Member with responsibility for Planning and Coastal Management   | <b>1 - 10</b>  |
| <b>6</b> | <b>Local Validation Lists ES/0032</b><br>Report of the Cabinet Member with responsibility for Planning and Coastal Management   | <b>11 - 42</b> |
| <b>7</b> | <b>Planning Policy and Delivery Update ES/0031</b><br>Report of the Cabinet Member with responsibility for Planning and Coastal Management  | <b>43 - 48</b> |
| <b>8</b> | <b>Appeals Report ES/0033</b><br>Report of the Head of Planning and Coastal Management  | <b>49 - 60</b> |

**Part Two – Exempt/Confidential**

Pages

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There are no Exempt or Confidential items for this Agenda.

**Close**

Stephen Baker, Chief Executive

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**STRATEGIC PLANNING COMMITTEE**

Monday, 10 June 2019

**THE ROLE AND FUNCTION OF THE STRATEGIC PLANNING COMMITTEE**

**EXECUTIVE SUMMARY**

1. This report confirms the Terms of Reference for the Strategic Planning Committee (SPC) as set out in the East Suffolk Constitution, as well as those for the Planning Committee North and Planning Committee South.
2. In addition the report also provides guidance on which reports that will be brought to the SPC throughout the municipal year.

Is the report Open or Exempt?	Open
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<b>Wards Affected:</b>	All
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<b>Cabinet Member:</b>	CLlr David Ritchie, Cabinet Member for Planning and Coastal Management
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<b>Supporting Officer:</b>	Philip Ridley Head of Planning and Coastal Management Telephone (01394) 444432 <a href="mailto:Philip.ridley@eastsoffolk.gov.uk">Philip.ridley@eastsoffolk.gov.uk</a>
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## **1 INTRODUCTION**

- 1.1 East Suffolk Council's Constitution, at Part 2- Functions and Responsibilities pages 22-25 (see attached in Appendix A), sets out the Terms of Reference for the Strategic Planning Committee (SPC) and the Planning Committees North and South.
- 1.2 The SPC will meet quarterly, or as necessary, to consider those matters as set out in Para 3.8 contained in Appendix A. For this municipal year the SPC will meet in June, September, December and March. To assist Members and the public, this report provides some guidance on which reports will be presented to the SPC through the year for information to provide clarity on its role and function.

## **2 ITEMS TO BE INCLUDED ON THE STRATEGIC PLANNING COMMITTEE AGENDA**

- 2.1 Paragraph 3.8 of part 2- Functions and Responsibilities of the Constitution contained in Appendix A is clear as to what the SPC will consider. On reviewing its remit it is proposed that for each of the quarterly meetings there will be a number of standard items, as set out in paragraph 2.2 below, but for each of the meetings there will be additional reports when required on particular aspects of the service.
- 2.2 For each quarterly meeting it is proposed to present reports on the performance of the planning service (including enforcement), a review of Planning Appeal decisions, and an update on the progress of Planning Policy documents, including Neighbourhood Plans. The performance report will include both the reporting of the statistics we have to submit to government (which will also be reported to Cabinet), but also the reporting of the number of homes, jobs etc. that have been consented/built as well as other key data such as fee income and key project milestones. This will enable Members to have a comprehensive oversight of the work and progress of the service and how it is contributing to the delivery of the aims and objectives of the Council's Business Plan. Please note that this report has not been presented to this meeting of the SPC as there is insufficient data to report on East Suffolk Council since it was only established on 1<sup>st</sup> April 2019.
- 2.3 The other reports to be presented throughout the year will include an Annual Review of the Service which will also include a site tour to see key sites across the district. This will be likely to be first presented in June 2020 to review the current municipal year. In September each year, subject to the agreement of the Cabinet Member, a report will be presented setting out the publication of the Annual Monitoring Report which will report on the delivery of the policies of the two Local Plans, including an assessment of housing and employment delivery. This is a key document for the council which will identify whether the policies in the Development Plan are delivering what is required, and are on target.
- 2.4 A report will also be presented in June each year reviewing the complaints and compliments that have been received during the previous municipal year, including a review of any reports and recommendations from the Local Government and Social Care Ombudsman. This report is an important component of the work of the SPC to consider the type and number of complaints received and whether they were justified or not. The report will also highlight any changes that have been implemented to service provision as a result of complaints being received.
- 2.5 Additionally reports will be presented where necessary on the other matters as set out in Paragraph 3.8 including reports on CIL and Planning Obligations.
- 2.6 It will also be noted that the SPC will also consider planning applications which are of a scale which are likely to have an impact over a wider area of the district in accordance with Paragraph 3.8 b).

- 2.7 The Planning Committees North and South will meet at least monthly with the North Committee meeting on the second Tuesday of each month and the south Committee meeting on the fourth Tuesday of each month currently commencing at 2pm. Their Terms of reference can be found in Appendix A to this report. The details of which Parishes fall into each area planning committee is contained in Appendix B.

### **RECOMMENDATIONS**

That the Strategic Planning Committee Note the contents of this report and in particular the Terms of Reference for the Strategic Planning Committee, Planning Committee North and Planning Committee South as set out in Appendix A.

### **APPENDICES**

<b>Appendix A</b>	Extract from the East Suffolk Council Constitution
<b>Appendix B</b>	Plan identifying the areas covered by Planning Committees North and South.

**BACKGROUND PAPERS - None**



### 3. PLANNING COMMITTEE - Terms of Reference

#### Introduction

- 3.1 There are two area Planning Committees known as the Planning Committee North and the Planning Committee South.
- 3.2 There is also a Strategic Planning Committee which covers the whole of the district.

#### General delegations

- 3.1 There will be a pool of at least 25 of its Members nominated by the political groups, according to the political balance of the Council, to be available to serve on the area Planning Committees, from which 9 Members will be drawn, also according to the political balance of the Council, to serve on each of the area Planning Committees.
- 3.2 The Terms of Reference for the area Planning Committees shall be subject to any restrictions set out in this Constitution including matters reserved for Council or for Officers of the Council.
- 3.3 Each Planning Committee has responsibility for the delegated functions set out in these Terms of Reference within its designated area, provided that the Planning Referral Panel can decide that a specific Planning Committee can determine an application or matter which is outside of its designated area, because of the location or impact of that application or matter, including those that may be referred to the Strategic Planning Committee due to their impact on a wider area.
- 3.4 The Strategic Planning Committee may at any time review and make changes to the allocation of parishes within the North and South Planning Committee areas.

#### Strategic Planning Committee

- 3.5 The Strategic Planning Committee will be made up from the two area Planning Committees and should also include the Cabinet Member who is the holder of the Portfolio for Planning.
- 3.6 The quorum will be seven.
- 3.7 Strategic Planning Meetings will be held quarterly or as necessary.
- 3.8 The functions of the Strategic Planning Committee are:
  - a) To consider and advise the Council and Cabinet where appropriate on planning matters impacting the whole of the district, including NSIP applications.
  - b) (Where an application has been referred to the Strategic Planning Committee by the Planning Referral Panel due to its impact on a wider area) to determine and advise the Council on planning and development management applications and any local development proposals and other applications under the [Town & County Planning Act 1990](#), Town & Country Planning Development Orders and all subordinate legislation (including the [Town & Country Planning Act \(Public Path Orders\) Regulations 1993](#)) and other associated legislation relating to planning, development and building control, including local plans and the [National Planning Policy Framework](#), and including applications in relation to advertisements, listed buildings and

any other notices, orders, certificates demands, permissions, consents and grants under any such legislation.

- c) To review the performance of the Council's planning and rights of way services.
- d) To carry out an annual monitoring role in relation to the work of the Planning Committees.
- e) To consider the annual report by Officers of the Council on any planning obligations or conditions which are required by the Council, including a summary of progress in the receipt and use of financial sums or development in kind received in accordance with a planning obligation.
- f) To consider and advise the Council on responses to Central Government consultations.
- g) To approve, adopt, review, amend and revise codes of best practice and procedure for planning and other matters, including the [Planning and Rights of Way Code of Practice](#), within its terms of reference and to make the same publicly available.
- h) To guide the Council in setting its planning policy objectives and priorities.
- i) To determine fees and charges which are relevant to planning and related matters.
- j) To review and monitor the operational impact of planning and development control and other policies and to recommend proposals for new initiatives and policy developments including new legislation or central government guidance and initiatives.
- k) To consider any recommendations made by reports from the [Local Government and Social Care Ombudsman](#).
- l) To consider and advise on Planning Appeals.
- m) To review the training in planning matters undertaken by Members and the provision of information to Members who are appointed to the Planning Committees.

### **Planning Committee North and Planning Committee South**

- 3.9 The quorum for each area Planning Committee will be five.
- 3.10 Details of the parishes which fall into each area Planning Committee can be found on the [Council's website](#).
- 3.11 Each area Planning Committee shall meet at least monthly; Planning Committee North shall meet on the second Tuesday of each month and Planning Committee South shall meet on the fourth Tuesday of each month, with additional meetings being called as necessary.
- 3.12 The functions of the two area Planning Committees are:
  - a) To determine and advise the Council on all planning and development management applications and any local development proposals and other applications under the [Town & County Planning Act 1990](#), Town & Country Planning Development Orders and all subordinate legislation (including the [Town & Country Planning Act \(Public Path Orders\) Regulations 1993](#)) and other associated legislation relating to planning, development and building control, including local plans and the [National Planning Policy Framework](#), and including applications in relation to advertisements, listed buildings and any other notices,

orders, certificates demands, permissions, consents and grants under any such legislation.

- b) To carry out the duties and powers of the Council as the local planning authority under the [Town and Country Planning Act 1990](#), and its duties and powers under the [Listed Buildings and Conservation Areas Act 1990](#), the [Building Act 1984](#), Building Regulations and other subordinate legislation.
- c) To exercise the powers and duties of the local planning authority in relation to the planning of sustainable development within the policies of the local development documents; local development monitoring reports and neighbourhood planning.
- d) To deal with matters relating to the designation and management of conservation areas and building conservation.
- e) To deal with applications for grants for repair or maintenance of buildings of architectural or historic interest and matters in connection with the acquisition, restoration and disposal of buildings (excluding terms for the acquisition or disposal of land and property) or materials for conservation purposes.
- f) To deal with matters relating to tree preservation orders and consents to all work affecting protected trees, statutory notices, highways, hedgerows, reclamation of derelict land, enforcement, structures used for unauthorised display, unauthorised advertisements, defacement of premises, removal of signs at the request of the owner or occupier of premises, deposited plans under the [Health & Safety at Work Act 1974](#), [Building Act 1984](#) and Building Regulations or other subordinate legislation, public rights of way including stopping up and diversions, registration of common land and town/village greens, the creation, stopping up and diversion of highways and other related matters, including without limitation those specified in Schedule 1, Part 1A of the [Local Authorities \(Functions & Responsibilities\) \(England\) Regulations 2000](#) relating to town and country planning and development control functions.
- g) To represent the Council in any appeal against determination of a planning application or matter.
- h) To delegate these functions, where appropriate, to employees of the Council or any sub committee.

3.13 Each Planning Committee has:

- a) The power to impose any condition limitation or other restriction on any approval consent licence permission or registration granted in the exercise of those functions and the power to determine any other terms to which any such approval consent licence permission or registration is subject.
- b) The power to determine whether, and in what manner, to enforce any failure to comply with any approval consent licence permission or registration granted or any failure to comply with the condition limitation or term to which a such approval consent licence permission or registration is subject or any other contravention in relation to a matter with regard to which the function has been exercised.
- c) The power to amend modify or vary any such approval consent licence permission or registration or any condition limitation or term to which it is subject and the power to revoke any such approval consent licence permission or registration

3.14 Each of the area Planning Committees shall have the power to decide to take enforcement action and to institute, defend, and conduct legal proceedings in furtherance of or arising from the discharge of functions delegated to it except where specific functions have been delegated to an employee of the Council.

**Special Provisions as to Membership**

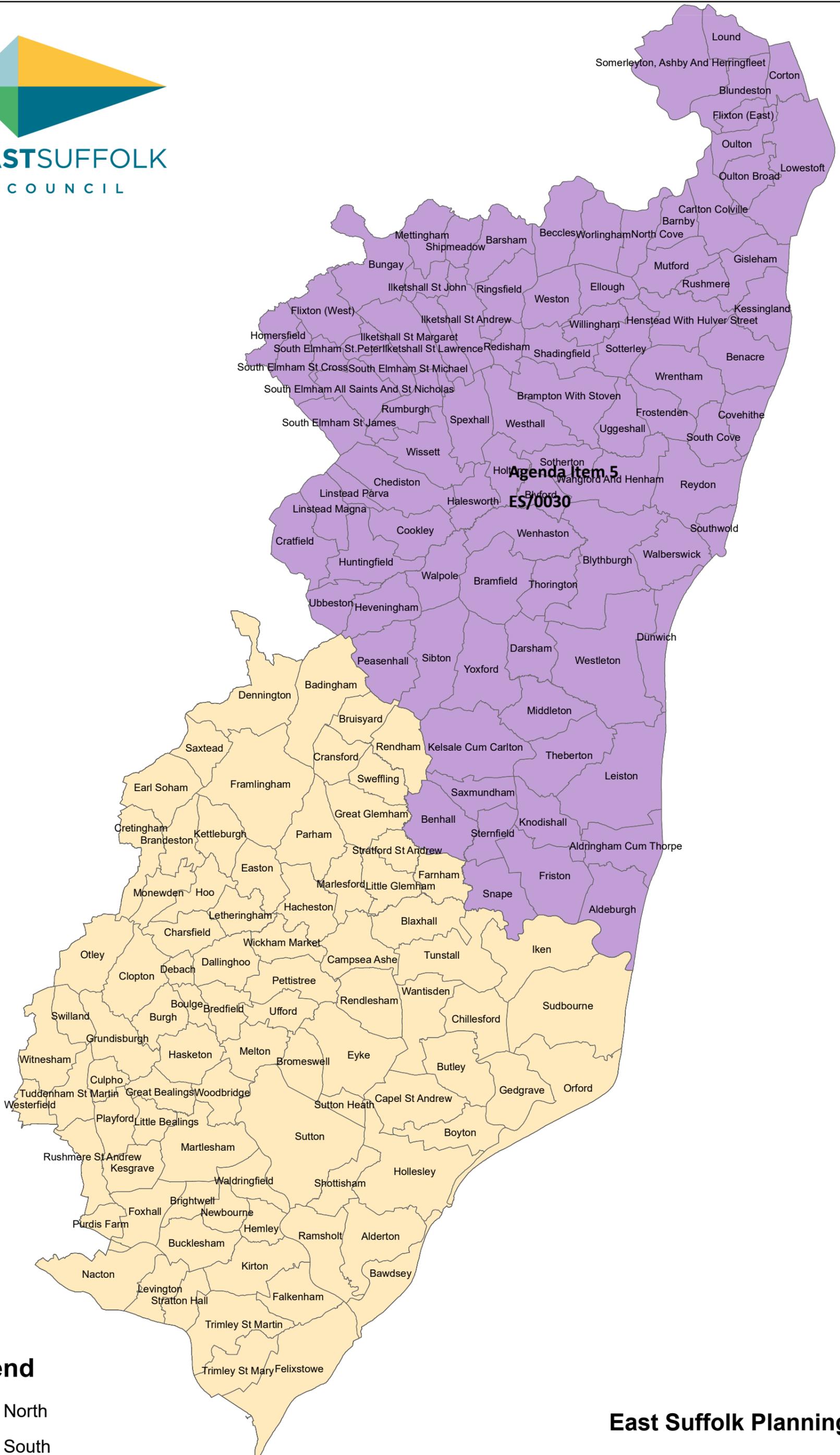
3.15 Only Members who have undertaken the appropriate training in accordance with the [Planning and Rights of Way Code of Practice](#) may be appointed to any of the Planning committees.

**Substitutes**

3.16 Substitutions are allowed to any of the Planning Committees, subject to being in receipt of appropriate training in accordance with the [Planning and Rights of Way Code of Practice](#).



EASTSUFFOLK  
COUNCIL



Agenda Item 5  
ES/0030

### Legend

-  North
-  South

East Suffolk Planning Team

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**STRATEGIC PLANNING COMMITTEE**

Monday, 10 June 2019

**LOCAL VALIDATION LISTS**

**EXECUTIVE SUMMARY**

1. This report provides an update on the formation of new Validation Requirements for East Suffolk Council combining the former Suffolk Coastal and Waveney District Councils Validation requirements.

Is the report Open or Exempt?	Open
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<b>Wards Affected:</b>	All
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<b>Cabinet Member:</b>	Councillor David Ritchie Cabinet Member for Planning and Coastal Management
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<b>Supporting Officer:</b>	Liz Beighton Planning Development Manager 01394 444778 <a href="mailto:Liz.beighton@eastssuffolk.gov.uk">Liz.beighton@eastssuffolk.gov.uk</a>
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## **1 INTRODUCTION**

- 1.1 This report provides an update on the formation of new Validation Requirements for East Suffolk Council combining the former Suffolk Coastal and Waveney District Councils Validation requirements

## **2 LOCAL VALIDATION REQUIREMENTS**

- 2.1 The local validation guide explains what information will normally be required to accompany a planning application to enable it to be validated. We will only require information that will be a material consideration in the determination of the application. Be aware that certain information is essential before an application can be validated.
- 2.2 The Town & Country Planning (Development Management Procedure) Order 2015 (as amended) sets out the national information requirements for planning applications: the national list. All planning applications must be accompanied by the information set out in the national list. Without this information, your planning application cannot be validated and the process for deciding the application will not commence.
- 2.3 In addition to the National List the Council should adopt a Local list. The local list clarifies what information is usually required for applications of a particular type, scale or location. This should be read in conjunction with the Validation Checklist forms for each type of application which identifies those matters on the local list most likely to be applicable for that application type.
- 2.4 This report is appended with a draft Local Validation checklist which seeks to combine the former Suffolk Coastal and Waveney District Councils lists to provide a consistent and robust approach to validating planning applications. The attached draft document was placed on consultation with statutory consultees on the 21 May for a 21 day consultation period, which expires on 11 June 2019. To date only one response has been received from Sport England raising no objections but listing comments. The draft guide attached has been drafted with the support of internal consultees in the Policy and Environmental Health departments.
- 2.5 The report is presented to the Strategic Planning Committee for information and to allow for its adoption upon expiration of the consultation period to assist East Suffolk Council in the validation of applications and provide certainty to customers and developers over the level of information required to support planning applications.

## **3 REASON FOR RECOMMENDATION**

- 3.1 To enable the Council to have a robust document to offer certainty to the level of information required to support the submission of a planning application.

### **RECOMMENDATION**

To note the contents of the report and to give delegated authority to the Head of Planning and Coastal Management, in conjunction with the Portfolio Holder, to adopt the Local Validation Requirements upon the expiry of the consultation process unless any significant and substantial matters are raised.



# East Suffolk Local Validation Requirements

**April 2019**

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LEGAL ADDRESS East Suffolk House, Station Road, Melton, Woodbridge IP12 1RT  
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## Contents

<b>Introduction</b> .....	1
Common reasons why applications are invalid.....	2
What if further information or a fee is required? .....	2
Online and electronic submissions.....	2
<b>Section 2 – Drawings, Plans and Certificates</b> .....	3
Drawings.....	3
Site Location Plan at a scale of 1:1250 or 1:2500 .....	3
Site Layout Plan / Block Plan .....	3
Floor Plans and Elevations.....	4
Sections and levels .....	4
Ownership Certificates .....	4
Part 1 Notice.....	5
Fees .....	5
<b>Section 3 – Local Validation Requirements - Supporting information</b> .....	6
Affordable Housing Statement.....	6
Air Quality Assessment.....	6
Archaeological Assessment.....	7
Biodiversity survey & report .....	8
Coastal Erosion Vulnerability Assessment .....	9
Contaminated Land Assessment / Land Contamination Questionnaire .....	10
Daylight / Sunlight Assessment.....	10
Design and Access Statement .....	10
Draft Heads of Terms .....	11
Energy Statement.....	12
Environmental Impact Assessment.....	12
Flood Risk Assessment .....	12
Foul Drainage Assessment .....	13
Heritage Statement or Impact Assessment .....	14

Joinery and Window Details.....	15
Landscape and Visual Impact Assessment.....	15
Landscaping details.....	16
Lighting Assessment / Details of Lighting Scheme.....	16
Listed Building Appraisal.....	<b>Error! Bookmark not defined.</b>
Marketing Assessment.....	17
Noise Impact Assessment or acoustic report.....	17
Open Space Assessment.....	<b>Error! Bookmark not defined.</b>
Parking layout plans.....	18
Planning Statement.....	18
Public Rights of Way.....	19
Refuse storage plan.....	19
Retail / Leisure Impact Assessments.....	20
Rural Workers Dwellings.....	21
Structural Survey.....	21
Sustainable Drainage Strategy.....	22
Statement of Community Involvement.....	22
Transport Statement or Assessment.....	23
Travel Plan.....	23
Tree Survey / Arboricultural Assessment.....	24
Ventilation/Extraction.....	24
Viability Assessment.....	25
<b>Further Information and Contacts</b> .....	<b>26</b>

## Introduction

This guide explains what information will normally be required to accompany an application to enable it to be validated. We will only require information that will be a material consideration in the determination of the application. Be aware that certain information is essential before an application can be validated.

The Town & Country Planning (Development Management Procedure) Order 2015 (as amended) sets out the national information requirements for planning applications: **the national list**. All planning applications must be accompanied by the information set out in the national list. Without this information, your planning application cannot be validated and the process for deciding the application will not commence.

In addition to the National List the Council has adopted a Local list. The local list clarifies what information is usually required for applications of a particular type, scale or location. Section 3 of this document sets out the Local List. This should be read in conjunction with the Validation Checklist forms for each type of application which identifies those matters on the local list most likely to be applicable for that application type.

When we receive planning applications we check to see that we have all the information we need to determine an application, that the plans, certificates and fee are correct. This process is referred to as the validation of the application. It is in your interests to get this correct as the application is not passed to a planning officer and processed further until it is valid.

If a scheme is acceptable and permission is granted then conditions can be imposed requiring the submission of further information. Further applications to discharge these conditions, for which a fee is payable, then need to be submitted and therefore you may wish to consider submitting additional information at the planning application stage to avoid the submission of further details later which may hold up your development.

Common areas where information can be provided beforehand, to prevent conditions having to be applied, include:

- Materials – i.e. Supplier and make / colour of bricks/tiles
- Boundary treatments
- Hard Landscaping – particularly showing permeable surfaces
- Parking and turning layouts to satisfy highway requirements
- Tree protection details
- Soft Landscaping
- Drainage schemes
- External lighting details
- Contamination Surveys

As part of our pre-application process we will identify what information will need to accompany an application and you are therefore recommended to seek this advice. Further details can be found on our website: (<http://www.eastsuffolk.gov.uk/planning/planning-applications/pre-application-planning-advice/>)

The fact that an application has been validated does not mean that the quality of the plans/documents has been fully assessed. The Local Planning Authority reserves the right to:

- Seek further information with regard to the submitted plans/documents
- Seek information on material planning issues that have not been addressed in the application where they are relevant to the nature of the application.

These aspects will need to be satisfied before any decision is made on the application.

If during the course of the consideration of the application it becomes apparent that further information is required you will be given an agreed period of time to submit this information and we aim to make this request as early in the process as possible to avoid any unnecessary delays in the determination of the application.

We therefore ask you to carefully consider the constraints of a site before submitting your application; particularly as some of the additional information can take time to put together and survey work may need to be carried out at a particular time of year.

There are two Local Plan areas covering the LPA, one covering the former Suffolk Coastal District and the other covering the former Waveney area. As such validation requirements will be slightly different depending on which Local Plan covers the location of the site. It is prudent to check the validation requirements with the Planning Department in advance of submission to ensure there are no delays in applications being made valid.

### **Common reasons why applications are invalid**

Even though the checklist is supplied to try and ensure applications include all necessary documentation, omissions still occur, adding delay to the application validation process. The most common of these are:

- Design and Access Statement missing
- No location plan submitted (with North identified or missing licence and copyright information)
- Incorrect
- No block plan submitted
- No existing elevation/floor plans submitted
- Certificate A/B/C/ D & merged Agricultural Holdings within the application form not signed
- Incorrect fee/no fee submitted
- Lack of tree survey
- Lack of ecological survey

### **What if further information or a fee is required?**

We will endeavour to notify you within five working days, detailing the reasons for invalidity. We will specify what needs to be provided and give a timescale for the submission of the missing information or fee. If this is not submitted within the given timescale, the application will be returned to you and no further action will be taken on it.

### **Online and electronic submissions**

East Suffolk Council is able to receive all applications electronically via the Planning Portal ([www.planningportal.gov.uk](http://www.planningportal.gov.uk)). This is the preferred method of receipt.

If applications are submitted by hand this may delay the registration of the application as all the documents will need to be scanned and uploaded onto the Council's website.

All information contained in this document is correct at the date of publication. It is likely that some requirements may change over time. Changes will be incorporated when the document is revised.

## Section 2 – Drawings, Plans and Certificates

### **Drawings**

Drawings are preferred at A4 or A3, however larger drawings are acceptable. For larger schemes larger drawings are preferable to enable the scheme to be effectively looked at. Where a drawing contains different elements of the proposal, they should be clearly grouped under headings. All drawings MUST include the following information:

- The scale of the drawing (e.g. 1:100, 1:200 – it has to be a metric scale)
- Title to identify the development and subject of the drawing
- A unique drawing number which also indicates any revisions (e.g.1234Revision B)
- All revisions should be described to identify any changes (e.g. Revision A – Layout changed)
- A scale bar
- The date the plan was prepared or amended

### **Site Location Plan at a scale of 1:1250 or 1:2500**

Such plans should show at least two named roads when possible, in rural areas one road is sufficient, along with any surrounding buildings.

If submitted based on OS data, the plan needs to contain the relevant licence information as required by copyright law.

The properties shown should be numbered to ensure that the exact location of the application site is clear and the direction of North needs to be indicated.

The application site must be edged clearly with a red line, including all land necessary to carry out the proposed development – for example, land required for access to the site from a public highway, visibility splays, landscaping, car-parking and open areas around buildings. If an existing access is going to be used, the red line needs to only go up to highway land. A blue line must be drawn around any other land owned or controlled by the applicant, close to, or adjoining the application site. Applicants should check that all land within the red line is within their ownership or control or consists of adopted highway. Where the red line includes third party land this needs to be reflected in the ownership certificate on the application form.

### **Site Layout Plan / Block Plan**

Such Plans should be at a scale of 1:500 or 1:200, and should be on, or based on, an up to date licensed Ordnance Survey map or equivalent, and should accurately show:

- The proposed development in relation to the site boundaries, and other existing buildings on the site.
- All the buildings, roads and footpaths on land adjoining the site including access arrangements.
- The species, position, and spread of, all trees within 15 metres of any proposed building works.
- The extent and type of any hard surfacing.
- Boundary treatments including walls or fencing where this is proposed.
- The location, number and form of any vehicle or cycle parking.
- The location and shape of any vehicle turning area.
- Indicate the direction of North

### **Floor Plans and Elevations**

Floor plans and elevations should be submitted at a scale of 1:100 or 1:50 for all new buildings and for all proposals where extensions/alterations are proposed to existing buildings.

All sides of the existing building, as well as the proposed development, must be shown and these should indicate, where possible, the proposed building materials and the style, materials and finish of windows and doors. Blank elevations must also be included, if only to show that this is in fact the case.

New buildings should also be shown in context with adjacent buildings (including property numbers where applicable). Finished floor levels will be required for new detached building(s).

Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship between the buildings, and detail the openings on each property.

### **Sections and levels**

Cross section(s) through the proposed building(s) should be submitted at a scale of 1:100 or 1:50 in the following circumstances:

- Where a proposal involves a change in ground levels – illustrative drawings should be submitted to show both existing and finished levels.
- On sloping sites – full information is required concerning alterations to levels, the way in which a proposal sits within the site and, in particular, the relative levels between existing and proposed buildings. The drawings may take the form of contours, spot levels, or cross or long sections, as appropriate.
- For any detached buildings both existing and finished levels will be required.

### **Ownership Certificates**

You must complete an ownership certificate for all applications except:

- an application for Reserved Matters,
- works to trees protected by Tree Preservation Orders,
- Hedgerow removal Notice,
- Any Prior Notification application,
- notification of works to trees in Conservation Area areas,
- Applications for Express Consent to display an Advertisement,
- Certificate of Lawfulness applications,
- Any post decision application (Discharge of condition, Non material amendment).

These certificates are embedded within the application form itself. For these purposes an ‘owner’ is anyone with a freehold interest, or leasehold interest, the unexpired term of which is not less than 7 years.

The responsibility for completing the appropriate Certificate rests entirely with the applicant. The Planning Authority has no records of the details of ownership or lease of land or buildings. The Planning Authority will therefore rely solely on the information submitted with the application and therefore to avoid any delay or challenge it is important that the certificates are accurately completed.

Fill in **Certificate A** if the applicant is the only person who owns the application site and none of the land is

part of an agricultural holding. This is what the completed certificate A confirms.

Fill in **Certificate B** if the applicant does not own the application site or if the applicant owns the site but there are other people who also own it or have an interest in it (for example shared freeholders, leaseholders, agricultural tenants). You will need to list the names and addresses of any other people and confirm the date when you “served notice” (that is, formally told them) that you were making the application. This is what the completed Certificate B confirms, which is required at least 21 days before the submission of the application.

You should use **Certificate C** if you know some owners or agricultural tenants but not all of them. In this case you must also explain what reasonable steps you have taken to identify other owners and/or agricultural tenants. You will need to list the names and addresses of any other people and confirm the date when you “served notice” (that is formally told them) that you were making the application. You will also have to place a public notice in a newspaper circulating in area where the land lies, which is required at least 21 days before the submission of the application.

You should use **Certificate D** if you do not know any of the owners and/or agricultural tenants. In this case you must also explain what reasonable steps you have taken to identify the owners. You will also have to place a public notice in a newspaper circulating in area where the land lies.

### **Part 1 Notice**

A notice to the owners of the application site must be used if Certificate B has been completed, and may be required if Certificate C has been completed, and some owners other than the applicant are known. A copy should be served on each of the individuals identified in the relevant Certificate. It will be helpful if a copy of each Notice served, accompanies the application. This notice can be found on the Planning Portal: <https://ecab.planningportal.co.uk/uploads/1app/notices/notice1.pdf>

### **Fees**

The correct fee for your application may be found on the Planning Portal website:

[https://ecab.planningportal.co.uk/uploads/english\\_application\\_fees.pdf](https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf)

## Section 3 – Local Validation Requirements - Supporting information

### **Affordable Housing Statement**

When required to validate an application:

- For applications in the area covered by the former Suffolk Coastal District:
  - Applications which include proposals for 10 or more dwellings or in the case of outline planning applications more than 1000sqm of new floorspace.
- For applications in the area covered by the former Waveney District:
  - Applications which include proposals 11 or more dwellings
- For affordable housing exception sites<sup>1</sup>
- Applications submitted by Community Land Trusts

This is required for all proposals that include, or would normally be required to include, affordable housing. You find details as to when affordable housing would be sought in the Local Plans (see links below).

An affordable housing statement should include:

- the number, mix of tenure and size of the affordable housing units

Where the proposal is located in the countryside, the statement should also include:

- evidence that the proposal would meet a proven local need.

More information:

- [Planning Practice Guidance - Planning obligations](#)

### **Air Quality Assessment**

When required to validate an application:

- When a proposal has the potential to cause significant levels of air pollution or odour or any potential air quality matters for future occupants. Under most circumstances this will only be necessary for major applications' ?

This is required where development proposals could impact upon local air quality, are located within or close to air quality management areas (AQMA's) or where there are proposed potential harmful emissions to air quality

The assessment should indicate the potential change in air quality resulting from the development and outline mitigation measures as necessary. Reference should be made to the EPUK and IAQM document 'Land-Use Planning and Development Control: Planning for Air Quality' (2015) for initial guidance on when an Air Quality Assessment will be required, and where it is considered necessary, the East Suffolk Environment Health Team should be contacted to confirm the scope of any assessment.

Applications for any biomass boilers exceeding 50kW thermal must provide the following information:

- Location (and use) of boiler
- Lie of the land (rural, urban, suburban)

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<sup>1</sup> Proposals for affordable housing developments in accordance with Policy DM1 of the Suffolk Coastal Core Strategy & Development Management Policies or Policy WLP8.6 of the Waveney Local Plan

- Is the land flat? (in relation to nearby receptors)
- Where is the boiler situated (with a boiler house, residential building etc)
- Dimensions of the building the boiler is situated in (width and length)
- Size of boiler (kW thermal)
- Fuel type used
- NOx emission rate (g/s)
- PM10 emissions rate (g/s)
- Exit/discharge velocity (m/s)
- Exit/discharge temp (oC)
- Full stack height
- Ridge height of building that the boiler and stack is situated within
- Calculation of height of stack once it clears the building ridge height
- Internal stack diameter
- Distance and direction of closest residential receptors
- Height of tallest building within a distance of 5x the stack height

Further information :

- Planning Practice Guidance: Air Quality Assessments

<https://www.gov.uk/guidance/air-quality--3#how-detailed-does-an-air-quality-assessment-need-to-be>

- Institute of Air Quality Management

<http://iaqm.co.uk/guidance/>

### **Archaeological Assessment**

In accordance with the NPPF an Archaeological Assessment may be required with certain applications. Many of the site allocations on the Local Plan require an archaeological assessment and in all these instances an assessment will be required for validation.

A full Archaeological Assessment must be included with any planning application affecting areas of known or suspected archaeological importance to ensure that provision is made for the preservation of important archaeological remains.

Further information

- Historic England provides guidance on what needs to be included within an Archaeological Assessment:

<https://content.historicengland.org.uk/images-books/publications/morphe-project-planning-note-3/morpheprojectplanningnote3.pdf/>

- Suffolk County Council publish a flowchart:

<https://www.suffolk.gov.uk/culture-heritage-and-leisure/suffolk-archaeological-service/archaeological-planning-and-countryside-advice/>

- There is an online version of the Historic Environment Record at Heritage Explorer(an absence of reported archaeology might still mean that there is archaeology on a site):

<https://heritage.suffolk.gov.uk/>

### ***Biodiversity and Geodiversity***

Ecological Assessment will be required for any application which is within or may have an effect on:

- Special Protection Areas (SPA) including potential SPAs (pSPA)
- Special Areas of Conservation (SAC) including candidate SACs (cSAC)
- Ramsar sites
- Sites of Special Scientific Interest (SSSI) (designated for their biodiversity value)
- National and Local Nature Reserves
- Roadside Nature Reserves
- County Wildlife Sites

Ecological assessment will also be required for any application which may result in an adverse impact on a protected species, UK Priority species or UK Priority habitat (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)).

Tables X and XX (below) identify where habitats and species are most likely to be affected by different types of development.

### **INSERT TABLES 1 AND 2 (EDITED TO CORRECT ANY OUT OF DATE LINKS) FROM HERE INTO DOCUMENT**

<http://www.suffolkbis.org.uk/sites/default/files/biodiversity/statobs/Suffolk%20Biodiversity%20Validation%20requirements%2029%20March%202016.pdf>

Ecological Assessments consider the impacts on species and habitats from a development proposal. They should identify how harm to habitats and species can be avoided and if necessary mitigated and/or compensated. The Ecological Assessment must be conducted at an appropriate time of year by a suitably qualified individual. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.

For proposals which may have an impact on SPAs (including pSPA), SACs (including cSAC) or Ramsar sites, and which are not wholly directly connected with or necessary to the conservation management of the site's qualifying features, sufficient information should be included to enable the Council to undertake a Habitats Regulations Assessment (HRA) under the requirements of the Conservation of Habitats and Species Regulations (2017).

A Geodiversity Assessment will be required for any application which is within or may have an effect on:

- Sites of Special Scientific Interest (SSSI) (designated for their geodiversity value)
- Regionally Important Geological/geomorphologic Sites (RIGS)
- County Geodiversity Sites (CGS)

### **Further information :**

- Natural England: Frequently Asked Questions [www.naturalengland.org.uk/ourwork/planningdevelopment/spatialplanning/standingadvice/faq.aspx](http://www.naturalengland.org.uk/ourwork/planningdevelopment/spatialplanning/standingadvice/faq.aspx)
- Planning Practice Guidance: Natural Environment <https://www.gov.uk/guidance/natural-environment>

- [National Planning Policy Framework](#) (in particular Paragraphs 109-119)
- [Association of Local Government Ecologists \(ALGE\)](#)
- [Chartered Institute of Ecology and Environmental Management \(CIEEM\)](#)
- [Natural England](#)
- [Suffolk Biodiversity Information Service \(SBIS\) <https://www.suffolkbis.org.uk/>](#)
- <http://www.suffolkbis.org.uk/sites/default/files/biodiversity/statobs/Suffolk%20Biodiversity%20Validation%20requirements%2029%20March%202016.pdf>) [Suffolk Wildlife Trust <https://www.suffolkwildlifetrust.org/>](#)
- Circular 06/05: Biodiversity and Geological Conservation <http://www.gov.uk/government/publications/biodiversity-and-geological-conservation-circular-06-2005>
- GeoSuffolk <http://www.geosuffolk.co.uk/suffolkgeosites.html>

### **Coastal Erosion Vulnerability Assessment**

All new development, redevelopment, extensions to existing property and development or intensification of land uses in Coastal Change Management Areas (CCMA) (as identified on the Policies Map for the Local Plans) and planning applications for all development within and 30 metres landward of the Coastal Change Management Area identified on the Policies Map must be accompanied by a Coastal Erosion Vulnerability Assessment (CEVA).

The scope of a Coastal Erosion Vulnerability Assessment should be appropriate to the degree of risk and the scale, nature and location of the development. The Vulnerability Assessment should demonstrate that the proposed development:

- Would not impair the ability of communities and the natural environment to adapt sustainably to the impacts of a changing climate;
- Will be safe through its planned lifetime, without increasing risk to life or property, or requiring new or improved coastal defences;
- Would not affect the natural balance and stability of the coastline or exacerbate the rate of shoreline change to the extent that changes to the coastline are increased nearby or elsewhere.

The CEVA process must be applied if the CCMA plus Risk zone lies within any part of the area of land within which the development is proposed to take place and not only if the CCMA plus Risk zone includes the precise site of proposed development.

Further information

- Development and Coastal Change Supplementary Planning Document (currently only covers the former area of the Waveney District)

<http://www.eastsuffolk.gov.uk/planning/local-plans/waveney-local-plan/existing-waveney-local-plan/supplementary-planning-documents/development-and-coastal-change/>

- Policies Maps can be found here::
- <https://www.eastsuffolk.gov.uk/planning/local-plans/policies-map>

## **Contaminated Land Assessment / Land Contamination Questionnaire**

The National Planning Policy Framework states that; *responsibility for securing a safe development rests with the developer and/or the land owner.*

If there is reason to believe contamination could be an issue on the proposed development site, or the application is for a development that has a sensitive use (such as residential, holiday lets, schools, nurseries), developers should provide proportionate but sufficient site investigation information to determine the risks it may pose to whom/what so that the risks can be satisfactorily reduced to an acceptable level. As a minimum, a Phase 1 study will be required. A Phase 1 study consists of a desktop study, site walkover and initial risk assessment. The study must be carried out by a competent and suitably qualified person.

If contamination is not suspected, and the development is only for 1-2 dwellings on existing residential land or a Greenfield site then a Land Contamination Questionnaire and environmental search should be completed.

Environmental searches may be obtained from various companies who keep large databases of environmental information which detail various previous land uses that may indicate the existence of potential contamination.

Further information:

- <http://www.eastsuffolk.gov.uk/assets/Planning/Planning-Applications/Planning-Application-Forms/Land-contamination-questionnaire.pdf>

## **Daylight / Sunlight Assessment**

This is required for all applications where the development is likely to have an adverse impact on the current levels of daylight/sunlight enjoyed by adjacent properties or buildings, including associated gardens and amenity space.

An assessment should provide sufficient information to assess the impact on adjacent properties or buildings with regard to sunlight availability to windows and sunlight availability to open spaces and gardens. Shadow paths should be demonstrated on a block plan (to an appropriate scale) showing the adjacent properties in relation to the proposed development. Such an assessment needs to be done in accordance with British Standard "Code of Practice for Daylighting" BS 8206: Part 2, 2008 if that is the most up to date one?

## **Design and Access Statement**

Design and Access Statements are always required for major development (that is development of 10 or more dwellings (or 0.5 hectares for residential development where the number of dwellings is unknown) for the creation of more than a 1000 square metres of floor space and where the site is greater than 1 hectare), and alterations to a listed building.

If the site is within a conservation area, a Design and Access Statement will also be required for proposals involving the creation of one or more dwellings or a building or buildings where the floor area created by the development is 100 square metres or more (measured externally), including householder developments if applicable.

For householder developments a design and access statement is required where any part of a dwelling house or its curtilage fall within one of the following designated areas:

- Site of Special Scientific Interest
- Conservation Area
- Area of Outstanding Natural Beauty
- The Broads National Park

They are not needed for:

- Householder developments (see exemptions above)
- A material change of use of land and buildings, (unless it also involves operational development)
- Applications relating to advertisement control
- Applications relating to tree preservation orders
- Engineering or mining operations
- Applications relating to the storage of hazardous substances

A design and access statement should:

- explain the design principles and concepts that have been applied to the development
- demonstrate the steps that have been taken to appraise the context of the development and how the design of the development takes that context into account in relation to the proposal
- explain the policy adopted as to access and how policies relating to access in relevant development plan documents (DPDs) have been taken into account
- state what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation; and
- explain how specific issues which might affect access to the development have been addressed.

Further guidance:

- CABE guidance - [Design Council - Design and access statements: How to write, read and use them](#)
- [National Planning Practice Guidance \(NPPG\) - National information requirements](#)

### **Draft Heads of Terms**

Applications will not be made invalid because they lack Draft Heads of Terms, however you are strongly advised to submit them with the following applications as this will speed up the process.

- All applications for more than 10 dwellings
- When advised of the need through Pre-application advice

A Planning Obligation (Section 106 Agreement) is a separate legal agreement signed by the planning authority and the landowners (that is, persons with a legal interest in the land, which may also include the developer), prior to the grant of a planning permission. The agreement will include commitments given by the landowner towards the provision of various community benefits considered necessary to make the proposals acceptable.

A schedule of issues (such as affordable housing provisions, contributions to schools and contributions to the RAMS) to be addressed (known as the Draft Head(s) of Terms) during the planning application process and should be submitted with any application where an obligation is required. This may be required for applications involving the creation of at least one dwelling that is not a replacement, unless otherwise advised by the local planning authority.

More information:

- [National Planning Practice Guidance - Planning obligations guidance](#)
- [S106 Developers guide to infrastructure contributions in Suffolk](#)

### **Sustainability Statement**

**When required to validate an application:**

- Buildings (new build or conversions) with a gross external floorspace of 1,000m<sup>2</sup> or more.
- Residential developments providing 10 or more residential units.

### **Environmental Impact Assessment**

**When required to validate an application:**

- It is not possible to invalidate an application due to the lack of an Environment Statement.

This is a process by which information about the likely environmental effects of developments are collected, assessed and taken into account. Usually this will only apply to major projects such as infrastructure development, wind farms and large residential developments. However, this is not always the case and some smaller developments, if located in a sensitive area or cumulatively related to other development proposals, may require an EIA. If you are proposing any large or sensitively located development you should ask the Local Planning Authority about an Environmental Impact Assessment as part of your pre-application discussion and we can explain what needs to be done as part of the process, particularly in relation to seeking screening and scoping opinions.

More information:

- [Town and Country Planning \(Environmental Impact Assessment\) \(Amendment\) Regulations 2015](#)
- [National Planning Practice Guidance - environmental impact assessment](#)

### **Flood Risk Assessment**

**When required to validate an application:**

- For every application in Flood Zones 2 or 3 (see <https://flood-map-for-planning.service.gov.uk>)
- For every application in an area identified as at risk of flooding from fluvial or tidal sources now and in the future (with climate change) within the Strategic Flood Risk Assessments.
- For any application elsewhere with a site area greater than 1 Hectare.
- Engineering operations that involve raising the level of land or significantly increasing surface water run-off to non-mains sewer systems such as watercourses and soakaways

East Suffolk Council has prepared a Strategic Flood Risk Assessment (SFRA) (April 2018)<sup>2</sup>. The SFRA provides a detailed analysis of flood risk across the main towns of the District. The SFRA identifies flood zones that take into account the impact of climate change over the next 100 years. Any development proposals within the areas identified in the SFRA at risk should be accompanied by a Flood Risk Assessment. The April 2018 Strategic Flood Risk Assessment does not include climate change meddling for every watercourse. It is therefore also necessary to

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<sup>2</sup> See <https://www.eastsuffolk.gov.uk/planning/local-plans/waveney-local-plan/local-plan-background-studies/strategic-flood-risk-assessment-level-1-april-2018/> and

consider the flood extents from the 2008 Strategic Flood Risk Assessment<sup>3</sup> for the following watercourses:

- River Waveney
- Wrentham
- Tin River
- Alde – west of A12
- Minsmere – west of Middleton

More information:

- [Flood risk assessments standing advice](#)
- [Flood Zone 1 and critical drainage areas](#)
- [Flood Zones 2 and 3](#)
- [Sequential tests](#)

### **Foul Drainage Assessment**

Development is expected to ensure that the capacity of local wastewater treatment and sewerage infrastructure is not exceeded.

If an application proposes to connect a development to the existing drainage system then details of the existing system should be shown on the application drawing(s).

Where a development involves the disposal of trade waste or the disposal of foul sewage effluent other than to the public sewer, then a more detailed Foul Drainage Assessment will be required including details of the method of storage, treatment and disposal. A Foul Drainage Assessment should include a full assessment of the site, its location and suitability for storing, transporting and treating sewage. Where connection to the mains sewer is not practical, then the Foul Drainage Assessment will be required to demonstrate why the development cannot connect to the public mains sewer system and show that the alternative means of disposal are satisfactory. A private means of foul effluent disposal is only acceptable, and should only be considered, when foul mains drainage is unavailable.

Further information

- Planning Practice Guidance: Water Supply, Waste Water and Water Quality
- <https://www.gov.uk/guidance/water-supply-wastewater-and-water-quality>
- <http://planningguidance.planningportal.gov.uk/blog/guidance/water-supply-wastewater-and-water-quality/>

### **Geodiversity Survey and Report**

Proposals should conserve and contribute towards the enhancement of the landscape character, biodiversity and geodiversity of the East Suffolk District.

Within East Suffolk there are Sites of Special Scientific Interest with designations for geodiversity interest. If a proposed development is likely to impact on the geodiversity of these sites, then a survey and assessment of the impact of the development will be required.

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<sup>3</sup> See <https://www.eastsuffolk.gov.uk/planning/local-plans/waveney-local-plan/local-plan-background-studies/> and <https://www.eastsuffolk.gov.uk/assets/Planning/Suffolk-Coastal-Local-Plan/Document-Library/Environment/SuffolkCoastalFloodRiskAssessmentMay09.pdf>

The Survey should needs to identify the potential impact of the development and measures to avoid, mitigate or compensate those impacts on the designated site.

Further information

To check whether a site is affected, applicants are advised to contact the Suffolk Biological Records Centre, which holds geodiversity as well as biological records. Further advice may also be obtained from the GeoSuffolk website.

The following websites provide links to these resources:

- Suffolk Biological Records Centre
- [www.suffolkbrc.org.uk/public\\_html/node/39](http://www.suffolkbrc.org.uk/public_html/node/39)
- GeoSuffolk
- [www.geosuffolk.co.uk](http://www.geosuffolk.co.uk)

### **Heritage Statement or Impact Assessment**

When required to validate an application:

- Proposals affecting any listed building, including development within a curtilage and the setting of a listed building
- Proposals affecting Scheduled Ancient Monuments and their setting
- Proposals affecting sites identified on the Sites and Monuments Record and their setting
- Proposals affecting sites known to or thought to contain archaeological remains e.g. unidentified earthworks that appear on historical mapping
- Proposals within or affecting the character or appearance of Conservation Areas
- Proposals involving the demolition or substantial alterations to a building which may be considered as a non-designated heritage asset.

All applications where the development is likely to have an impact on designated or non-designated heritage assets (identified at pre-application stage) will require a heritage statement. For Householder applications this will be required for:

- works in the curtilage of a listed building
- works in a conservation area

Annex 2 (Glossary) of the National Planning Policy Framework (NPPF) defines a heritage asset as 'A building, monument, site, place, area or landscape identified as have a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets include designated heritage assets and assets identified by the local planning authority (including local listing)'

A statement should include:

- a description of the significance of any heritage assets affected, including any contribution made by their setting
- the relevant historic environment record should be consulted.
- an assessment of the affected heritage asset(s) using appropriate expertise where necessary to describe the significance of the heritage asset
- an assessment of the impact of the proposal on the significance of the heritage asset and any reasoned justification for the proposal
- where an application site includes new building or ground disturbance on or adjoining a heritage asset of archaeological interest, or where a site has the potential to include heritage assets with archaeological interest, a desk-based archaeological assessment (and where necessary an appropriate level of field evaluation) should be compiled in accordance with paragraph 128 of the NPPF.

Heritage Statements should be proportionate to the proposed development. A copy of the listing held by English Heritage will not be accepted as a heritage statement.

Assessments may form part of an Environmental Statement, where a proposal would fall within the guidelines of an Environmental Impact Assessment (EIA) development.

More information:

- [National Planning Policy Framework](#)
- [National Planning Practice Guidance - Conserving and enhancing the historic environment](#)
- [Suffolk County Council Archaeological Service](#)
- [Historic England](#)
- [Non-designated Heritage Asset Criteria](#)

### **Joinery and Window Details**

This is required for all applications which include the replacement of existing, or the provision of new, windows, doors and surrounds, conservatories or shop fronts, within or to heritage assets.

Elevational drawings showing proposed windows, doors and their surroundings at a scale of 1:10 and horizontal and vertical cross-section drawings at a scale of 1:2 showing the details of the glazing bars, sills, heads, methods of opening and glazing.

For conservatories, the elevational and cross-sectional drawings (to the scales identified above) must include a continuous horizontal cross-section through windows and doors, and details of the glazing bars, sills, heads, cornice and methods of glazing and opening.

For shopfronts, the elevational and cross-sectional drawings (to the scales identified above) must include details of the glazing bars, sills, heads, fascia, pilasters, stallriser, cornice, method of glazing, shopfront lettering and colour scheme.

It may be possible to agree these details by condition in some instances.

### **Landscape and Visual Impact Assessment**

#### **When required to validate an application:**

- Schemes which are likely to have a significant visual impact within the landscape.
- Significant development within the Area of Outstanding Natural Beauty
- Significant development within the setting of the Area of Outstanding Natural Beauty and the setting of the Broads.
- All application where an Environmental Impact Assessment is required.

Any proposal that, due to its scale or location, is likely to have a significant visual impact will require a landscape and visual impact assessment. This may form part of an environmental statement where a proposal would fall within the guidelines of an environmental impact assessment (EIA) development.

A landscape and visual impact assessment should include:

- a description of the site and the landscape context
- evaluation of the landscape sensitivity and the capacity to incorporate the development

- identification and assessment of effect on landscape character and quality
- identification and assessment of visual impact
- measures that would avoid or minimise adverse effects
- where significant adverse effects are unavoidable, consideration of alternatives and why they have been rejected
- methodology of LVIA with reference to best practice guidance.

More information::

[An approach to Landscape Character Assessment](#)

[National Planning Policy Guidance - Natural environment](#)

[Suffolk Landscape Character Assessment](#)

[Suffolk Coastal Landscape Character Assessment](#)

[Waveney Landscape Character Assessment](#)

[Landscape Institute](#)

### **Landscaping details**

**This is required for all applications for development where landscaping is to be undertaken.**

Details should include:

- proposed planting of trees and shrubs
- any existing trees and vegetation to be retained
- surface materials for hard landscaping
- any excavation or changes in ground level
- the timescale for implementation
- proposals for long-term maintenance and landscape management

In some circumstance, particularly with outline planning applications, applicants may wish to provide a lesser amount of landscaping detail, however in such a case it will need to be acknowledged that full landscaping details will be expected as part of reserved matters applications or as a pre-commencement condition.

More information:

[\*\*\*National Planning Policy Guidance - Natural Environment - Landscape\*\*\*](#)

[\*\*\*British Association of Landscape Industries\*\*\*](#)

[\*\*\*Royal Horticultural Society\*\*\*](#)

[\*\*\*Landscape Institute\*\*\*](#)

### **Lighting Assessment / Details of Lighting Scheme**

### **When required to validate an application:**

This is required for all applications for development where the development is likely to result in a material increase in levels of light pollution (for example floodlighting or illumination in the countryside).

An assessment should include details of any existing and proposed external lighting and the hours when the lighting would be switched on. These details should all include a layout plan with beam orientation and schedule of the equipment in the design (such as manufacturers specifications).

### **Marketing Assessment**

This is required for those applications that involve:

Within the former Suffolk Coastal area:

Change of use or redevelopment of an employment use to a non-employment use

- Change of use or redevelopment of a public building (such as schools, churches, museums or halls) or community facility to a non-community use.
- Any application that involves or consists of the loss of a designated or non-designated heritage asset, on the grounds of redundancy
- Conversion of holiday lets to unrestricted residential dwellings

Within the former Waveney area:

- Change of use or redevelopment of an employment use to a non-employment use within an Existing Employment Area (as defined by Policy WLP8.12) or on Riverside Road, Lowestoft Enterprise Park and Quayside Business Centre within the Kirkley Waterfront and Sustainable Urban Neighbourhood allocation (Policy WLP2.4)
- Applications for the removal of an occupancy restriction on a rural workers dwelling
- Change of use or redevelopment of tourist accommodation
- Change of use or redevelopment of community facilities
- Any application that involves or consists of the loss of a designated or non-designated heritage asset, on the grounds of redundancy
- the loss or change of use of a public house

A marketing assessment should be prepared in accordance with the guidance in Appendix E of the emerging Suffolk Coastal Local Plan and Appendix 4 of the Waveney Local Plan.

### **Noise Impact Assessment or acoustic report**

#### **When required to validate an application:**

- Proposals that generate high levels of noise such as noisy sports; industrial and/or commercial

developments using noisy machinery, for example joinery workshops; refrigeration plant and equipment.

- New housing adjacent to major sources of noise, including roads, railways, commercial and/or industrial sources.
- the introduction of new noise sensitive receptors (such as those associated with new residential dwellings, hospitals or schools).

This is required for all new development which may involve a noise generating activity to surrounding areas, particularly where proposed close to existing sites that may be particularly harmed by such development (such as industrial estates, trunk roads) and for any development for sensitive use (such as new dwellings) situated close to an existing noise generating activity.

You are advised to contact the Environmental Health Team to discuss the scope of any noise report submitted.

More information:

- [National Planning Policy Guidance - noise guidance](#)
- [Noise Policy Statement for England](#)
- [Noise](#)

### **Parking layout plans**

When required to validate an application:

- Any full or reserved matters application for the development of 10 or more dwellings or 1,000m<sup>2</sup> of commercial floor space
- Any development which includes alterations to existing parking and access arrangements

This is required for all development where there is an increase in number of dwellings or bedrooms or for new commercial units proposing parking areas. It should clearly indicate the proposed parking spaces. For smaller developments this may be included in the block plan

More information:

- [Suffolk County Council - Parking guidance](#)

### **Planning Statement**

This is required for all applications where the context and justification for a proposed development needs to be demonstrated, and in particular all applications for major development, change of use and developments that do not accord with the development plan.

A planning statement should:

- detail how the proposal has taken account of national and local planning policy
- identify the context for the development and why the site has been chosen

- detail the intensity and type of use and who the users would be
- detail any consultation that has taken place with the local authority, statutory consultees or wider public and the feedback from that consultation (where this has not been incorporated as a separate statement of community involvement)

It may also include details of consultations with the local planning authority, the wider community and the statutory consultees that have been undertaken prior to submission of an application (a statement of community involvement may be incorporated into the planning statement where appropriate).

Where proposals effect or create sports facilities and/or playing fields, or generate a substantial need for them, a planning statement should also include:

- reasoned justification as to why development affecting such facilities should be allowed
- details of the area of sports facilities to be lost and any replacement
- information on any assessment considered to support the view that the open space, sport and recreation facilities are surplus to requirements
- details of quality, accessibility, management and maintenance of proposed facilities and of existing facilities where there is a proposed loss
- details of existing and proposed changing/toilet facilities
- technical details including surfacing, fencing and floodlighting
- details of proposed sports to be played, including the level to be played at.

### **Public Rights of Way**

Developers will be expected to make opportunities to enhance access to the countryside and coast through improvements to the rights of way network.

As the effect of development on a public right of way is a material consideration in the determination of a planning application, applications should include details about the definitive position of public rights of way across or adjacent to a development site and how they will be protected and enhanced. Proposals which seek to create public rights of way should include a statement on the creation process proposed and detailed plans of the locations, width and surface proposed.

Further information

Planning Practice Guidance: Open space, sports and recreation facilities, public rights of way and local green space - Public rights of way and National Trails

### **Refuse storage plan**

When required to validate an application:

Applications will not be made invalid because they lack information regarding Refuse Collection, however you are strongly advised to submit this information with the following applications as it will speed up the process:

- creation of new dwellings
- new retail business
- industrial or leisure or other similar developments

All applications for new dwellings should provide details of bin storage and collections points. This may be included on a block or layout plan where appropriate.

### Self Build and Custom Build Design Principles

When required to validate an application:

In the former Waveney Area full and detailed planning applications which include 5 or more self build or custom build dwellings should include a information setting out a set of design principles for the self build and custom build dwellings.

### Town Centre Sequential Test

When required to validate an application:

For all development of main town centre uses as defined in the National Planning Policy Framework<sup>4</sup> which are located outside of town centre boundaries or not in accordance with the Local Plans. The assessment should consider alternative suitable sites for the development in more sequentially preferable locations (i.e. town centre first, followed by edge of centre).

### Town Centre Impact Assessments

When required to validate an application:

This is required for developments for:

Within the former Suffolk Coastal area:

- Retail and leisure development (including redevelopment, extensions, changes of use and variation of conditions which increase floorspace) outside of town centre boundaries exceeding 2,500sqm

Within the former Waveney area:

- Retail and leisure development (including redevelopment, extensions, changes of use and variation of conditions which increase floorspace) outside of town centre boundaries exceeding 350sqm

Any assessment should include:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal and
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major

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<sup>4</sup> Main town centre uses: Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

More information:

- [Ensuring the vitality of town centres](#)

### ***Rural Workers Dwellings***

The NPPF requires that local planning authorities should avoid new isolated homes in the countryside, unless there are special circumstances such as an essential need for a rural worker to live permanently at or near their place of work in the countryside.

Proposals for the development of isolated rural workers dwellings must provide key information to ensure unnecessary and potentially obtrusive development in the countryside is avoided.

Applications for rural workers dwellings must be accompanied with evidence showing that:

- There is a clearly established existing functional need.
- The need relates to a full-time worker, or one who is primarily employed in agriculture and does not relate to a part time requirement.
- The unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so.
- The functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned.

Further information

- Paragraph 79 of the NPPF - <http://planningguidance.planningportal.gov.uk/blog/policy/achieving-sustainable-development/delivering-sustainable-development/6-delivering-a-wide-choice-of-high-quality-homes/>
- <https://www.gov.uk/guidance/rural-housing>
- Annex A of Planning Policy Statement 7 (Cancelled) - <http://webarchive.nationalarchives.gov.uk/20120919132719/www.communities.gov.uk/archived/publications/planningandbuilding/pps7>

### ***Structural Survey***

When required to validate an application:

A structural survey will be required in support of an application if the proposal involves substantial demolition or structural alterations to a Listed Building or demolition in a Conservation Area and where it is proposed to restore/convert an existing building. This report should be prepared by an expert, giving details about the condition of a building and whether it is capable of accommodating the proposed works.

A structural survey is required for applications that affect the structural integrity of the building and involve the substantial conversion, demolition, extension or alteration of:

- a listed building or non-designated heritage asset
- the conversion of a former agricultural building to a new use
- the demolition (including any part demolition) of an agricultural building

Structural surveys should be carried out by a suitably qualified professional and should, where appropriate, identify any remedial works to ensure the retention of the building.

A structural survey submitted in relation to a heritage asset (designated or otherwise) must include an extensive photographic survey detailing the current structural condition, and, where applicable, a schedule of repairs necessary to make the building structurally sound.

Further information

- Built Heritage and Design Supplementary Planning Document contains information on what is required within a Structural Survey
- [http://www.waveney.gov.uk/site/scripts/download\\_info.php?fileID=2706](http://www.waveney.gov.uk/site/scripts/download_info.php?fileID=2706)
- English Heritage: Conversion of Traditional Farm Buildings – A Good Practice Guide
- [www.english-heritage.org.uk/publications/conversion-of-traditional-farm-buildings/](http://www.english-heritage.org.uk/publications/conversion-of-traditional-farm-buildings/)
- National Heritage List for England
- <http://www.english-heritage.org.uk/professional/protection/process/national-heritage-list-for-england/>
- <https://www.historicengland.org.uk/listing/the-list>

### **Sustainable Drainage Strategy**

The Sustainable Drainage Systems (SuDs) are required for all applications for major development (defined as development of ten or more dwellings (or 0.5 hectares for residential development where the number of dwellings is unknown) for the creation of more than a 1000 square metres of floor space and where the site is greater than one hectare).

SuD measures must be shown on all relevant plans submitted, in order to demonstrate how SuDs integrate with planned public open spaces, landscaping, roads, trees and buildings. Plans should identify multifunctional SuDs for example, those which enhance biodiversity or improve water quality. Details should be submitted that include any soakage test results and calculations, drainage, design layout and calculations (including summary on Suffolk County Council SW Drainage Proforma), proposals for protection of SuDs and watercourses during construction, details of adoption and maintenance.

More information:

[Green Suffolk - flooding](#)

[Suffolk County Council Guidance on development and flood risk](#)

[Suffolk Flood Risk Management Strategy](#)

### **Statement of Community Involvement**

**When required to validate an application:**

- For any development in excess of 50 dwellings or 1000sq.m of commercial floorspace

Major applications should be accompanied by a statement of community engagement demonstrating that a community involvement exercise has been undertaken and that the views of the local community have been

taken into account in the formulation of the development proposal. Evidence of the engagement process should be included. The applicant will need to pay attention to data protection requirements if providing pre-application engagement public responses as part of the submission.

More information:

- [National Planning Policy Guidance - public consultation](#)
- [Community engagement](#)

### **Transport Statement or Assessment**

When required to validate an application:

The NPPF requires that all developments that generate significant all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment. amounts of movements should be supported by a Transport Statement or Transport Assessment. Reference is also drawn to allocations in the Local Plans which highlight the need for TA's and TPs on certain sites which are required to enable applications to be validated.

Plans and decisions should take account of whether:

- The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure.
- Safe and suitable access to the site can be achieved for all people.
- Improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Suffolk Highways should be contacted to provide further advice as to the scope of the assessment and what information should be included within a Transport Assessment/Transport Statement.

Further information

- The NPPF
- [Manual for streets](#)
- [Transport evidence bases in plan making and decision taking](#)

### **Travel Plan**

This is required for all applications where the proposed development is likely to generate significant traffic movements and have significant transport implications.

A Travel Plan is a long-term management strategy for an organisation or site that seeks to deliver sustainable transport objectives through action and is articulated in a document that contains a suitable action plan and is annually reviewed and monitored. The Travel Plan should also link to the supporting Transport Assessment or Statement that will also need to be submitted.

The scope and content for a Travel Plan should ideally be discussed prior to any application being submitted in consultation with the Highway Authority (Suffolk County Council). More information:

[\*National Planning Policy Framework \(NPPG\) - travel plans\*](#)

[\*Suffolk County Council - travel plans for new developments\*](#)

### **Tree Survey / Arboricultural Assessment**

#### **When required to validate an application:**

- When proposals could have an impact on significant trees on or adjoining the site, whether or not the trees are protected by a Tree Preservation Order or are in a conservation area (and are therefore protected).

This is required where trees are:

- on or adjacent to the proposed development
- protected by a Tree Preservation Order

As well as trees, the survey must indicate key landscape features such as ponds, hedges and wildlife corridors that may be affected by the proposed development. Trees to be felled and trees to be retained should be clearly delineated.

An Arboricultural Method Statement should also be provided that sets out the information regarding the measures to be taken to protect the trees shown to be retained on the submitted drawings, schedules of any necessary tree work and proposals for long-term maintenance.

Tree surveys and reports are typically valid for up to two years.

More information:

- [Arboricultural Association](#)
- [British Standards 5387](#)

### **Ventilation/Extraction**

Development should be expected to protect the amenity of the wider environment by minimising odour, noise and other forms of disturbance.

A Ventilation-Extraction Statement will be required to accompany all applications for restaurants, cafes, pubs, wine bars and any other drinking establishment and all hot food takeaways.

Details should include details of the type, size and location of the filtration plant, a scheme to attenuate noise and vibration, final noise levels emitted, the sizes and route of the ductwork, and the location of the final discharge point, including details of odour control and filtration equipment proposed to be fitted.

In cases where an outline assessment of the noise emissions indicates that the development may generate noise disturbance, a further assessment may be required by the Environmental Health team.

## Further information

- Planning Practice Guidance: Noise
- <https://www.gov.uk/government/publications/noise-impact-assessment-information-requirements>
- <http://planningguidance.planningportal.gov.uk/blog/guidance/noise/noise-guidance/>
- <https://www.gov.uk/guidance/nuisance-smells-how-councils-deal-with-complaints>

### **Viability Assessment**

Where the application cites viability as a factor in the heads of terms a viability assessment is required, particularly for applications involving less affordable housing than would otherwise normally required. Other circumstances may include: divergences from policy requirements on housing mix, self build, sustainable construction requirements; change of use of community facilities; enabling development proposals; and provision of market housing on exception sites.

Viability Assessments should be prepared in accordance with the guidance set out in Appendix G of the emerging Suffolk Coastal Local Plan and Appendix 5 of the Waveney Local Plan as well as the National Planning Policy Guidance on Viability.

More information:

***NPPG- Viability***

## Further Information and Contacts

Most of the references to national and local planning policies and other background documents are available online. Useful websites are set out below.

**For national and regional planning policies and guidance (Planning Policy Guidance Notes or Statements, government circulars etc):**

- Department for Communities and Local Government – [www.communities.gov.uk](http://www.communities.gov.uk)
- Planning Portal – [www.planningportal.gov.uk](http://www.planningportal.gov.uk)
- GOV.UK – [www.gov.uk](http://www.gov.uk) and <https://www.gov.uk/government/collections/planning-practice-guidance>





**STRATEGIC PLANNING COMMITTEE**

Monday, 10 June 2019

**PLANNING POLICY AND DELIVERY UPDATE**

**EXECUTIVE SUMMARY**

1. This report provides an update on Local Plan coverage for the District, progress on Neighbourhood Plans and key elements of the forward work programme, for information.

Is the report Open or Exempt?	Open
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<b>Wards Affected:</b>	All
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<b>Cabinet Member:</b>	Councillor David Ritchie Cabinet Member for Planning and Coastal Management
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<b>Supporting Officer:</b>	Desi Reed Planning Policy and Delivery Manager 01502 523055 <a href="mailto:desi.reed@eastsoffolk.gov.uk">desi.reed@eastsoffolk.gov.uk</a>
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## **1 INTRODUCTION**

- 1.1 This report provides an update on Local Plan coverage for the District and progress on Neighbourhood Plans and key elements of the forward work programme.

## **2 LOCAL PLAN PROGRESS**

- 2.1 Local Plans provide part of the statutory land use planning framework for the District against which planning decisions are made. They are prepared in accordance with the National Planning Policy Framework and associated guidance.

### Local Plan for the former Waveney area

- 2.2 The Local Plan for the former Waveney area was prepared over the period 2016 – 2019 and included three rounds of consultation. It was submitted for Examination, to the secretary of State, in June 2018. The Inspector’s Report was received in February 2019. The Inspector found the Plan sound, subject to a number of modifications and the Plan was subsequently adopted on 20 March 2019.
- 2.3 This Plan superseded the Core Strategy 2009, the Development Management Policies 2011, the Site Allocations 2011 and the Lake Lothing and Outer Harbour Area Action Plan 2012.
- 2.4 The Local Plan for the former Waveney area plans for the period 2014 to 2036. In summary, the strategy for the area is as follows:
- 8,223 new homes (374 a yr) (9,235 with c.12% contingency)
  - 5,000 new jobs
  - 43 ha of employment land
  - 13,000 sqm of retail (2,200sqm convenience (food) & 11,000 comparison (non food))
  - New Garden Neighbourhoods in south of Beccles/Worlingham and north Lowestoft
  - Major developments in central Lowestoft and Carlton Colville
  - Growth to support rural communities including supporting and enhancing the role of the market towns

### Broads Local Plan

- 2.4 The north-west part of East Suffolk, following the River Waveney valley, falls within the Broads Authority area; equivalent status of a National Park. The Broads Authority is the Local Planning Authority for the area, determines planning applications within its area and has also been reviewing its Local Plan. A new Local Plan for the Broads was adopted on 17 May 2019. The content of the Local Plan aligns, where appropriate, with the policies in the Waveney Local Plan.

### Local Plan for the former Suffolk Coastal area

- 2.5 The Local Plan for the former Suffolk Coastal area is also well progressed and following three rounds of consultation was submitted to the Secretary of State, for Examination by the Planning Inspectorate, on 29<sup>th</sup> March 2019. Inspector Philip Lewis BA (Hons) MA MRTPI has been appointed to conduct the Examination to determine whether the Local Plan is sound. The public Hearing stage of the Examination is likely to take place in late summer. As is usual practice, it is anticipated that the Inspector will require modifications to be made to the Local

Plan. These will need to be published for at least 6 weeks consultation. The Inspector will then consider the feedback, any changes and whether the hearing needs to be re-opened. Assuming all goes well, the Inspector will write his report and the Local Plan will be presented to Full Council for consideration for adoption. Based on current timings it is anticipated this will be early next year.

- 2.6 On adoption, this plan will supersede the Core Strategy and Development Management Policies 2013, Site Allocations and Area Specific Policies 2017, Felixstowe Peninsula Area Action Plan 2017 and the remaining 'saved' policies from 2001 Local Plan, (pre the 2004 Planning and Compulsory Purchase Act).
- 2.7 The Local Plan plans for the period 2018 to 2036. In summary, the emerging strategy is as follows:
- 10,476 new homes (582 a yr) (11,366 with c. 8.5% contingency)
  - 6,500 jobs
  - Baseline requirement of 11.7ha of employment land, but significantly more identified
  - 4,100-5,000 sqm convenience (food) retail
  - 7,700 – 13,100 sqm comparison (non food) retail
  - Delivery of Garden Neighbourhoods, south of Saxmundham and north of Felixstowe
  - Strategic employment allocations including support for the Port of Felixstowe
  - Growth to support rural communities including strengthening the role and economies of market towns
- 2.8 The former Suffolk Coastal area forms part of a wider housing market area and functional economic area including Ipswich Borough, Babergh and Mid Suffolk Districts. Therefore, the strategic cross boundary planning issues that affect the 4 local authority areas are being considered through a collaborative approach, via the Ipswich Strategic Planning Area Board. The Board comprises the relevant Portfolio Holders and officers from the 4 authorities plus Suffolk County Council. A Statement of Common Ground, relating to the cross boundary strategic issues, such as housing, employment and infrastructure and how they are being addressed, is being prepared to reflect key agreements. The latest version was signed by all relevant parties as part of the preparations for the submission for Examination of the Suffolk Coastal Local Plan. (available on the East Suffolk website). There will be further updates as the other authority Local Plans reach key stages.

### **3 NEIGHBOURHOOD PLAN PROGRESS**

- 3.1 Neighbourhood Plans were introduced through the Localism Act 2011 and the Council has a duty to support neighbourhood plan groups in preparing them. Neighbourhood Plans, need to be in general conformity with the strategic Local Plan policies for the District. The Waveney Local Plan was adopted on the basis that all the policies are 'strategic'. The emerging Suffolk Coastal Local Plan has been prepared on the same basis.
- 3.2 Many Parish and Town Councils across East Suffolk have prepared or are preparing Neighbourhood Plans with the support of Planning Officers and officers from the Active Communities Team. The following Neighbourhood Plans have been 'made' and form part of the development plan for the District against which planning decision are being made. A Neighbourhood Plan gains full weight in decision making following a 'yes' vote at referendum.
- Framlingham – March 2017

Great Bealings – March 2017  
Kessingland – January 2017  
Leiston – March 2017  
Martlesham – July 2018  
Melton – January 2018  
Rendlesham – January 2015  
Wenhaston with Mells Hamlet – July 2018

- 3.2 The following is a list of emerging Neighbourhood Plans. The Neighbourhood Areas have been designated by the Council and the Plans are actively being taken forward. They are at various stages of progress:

Aldringham cum Thorpe; Barnby; Beccles; Bredfield; Bungay; Carlton Colville (designation due for decision 3 June); Earl Soham; Easton; Halesworth; Henstead with Hulver Street; Kelsale cum Carlton; Kesgrave; Lound, Ashby, Herringfleet and Somerleyton; Lowestoft; Mutford; Otley; Oulton; Playford; Reydon; Saxmundham; Shadingfield, Sotterley, Willingham and Ellough; Southwold; Wickham Market; Worlingham.

#### **4 OTHER KEY WORK**

- 4.1 In addition to work on Local Plans and Neighbourhood Plans, key projects in the current and forward work programme for the next 12 to 18 months include:

Continued recruitment of the Major Sites and Infrastructure Team – including responsibility for handling the largest Major planning applications

Review of the Community Infrastructure Levy (CIL) Charging Schedule

Review of the CIL spend process, including the coordination of infrastructure delivery and development progress

Review of the S106 and CIL collection process, including software

Review of the Statement of Community Involvement (including digitisation review)

Review of the approach to supporting Neighbourhood Plan groups

Rolling out the Green Infrastructure Strategy (Waveney area) across East Suffolk

Preparation of Supplementary Planning Documents (SPDs) across East Suffolk relating to Affordable Housing, Development and Coastal Change, Historic Environment, Sustainable Construction

Housing Action Plan – to provide a more proactive approach to housing delivery

5 year housing land supply

Recreation Avoidance and Mitigation Strategy and SPD

Small site Development Briefs

Master-planning for large sites

Annual Authority Monitoring Report for East Suffolk – relating to progress on preparing and implementing the Local Plans

Planning input on a wide range of regeneration projects and external projects

**5 REASON FOR RECOMMENDATION**

5.1 This report is for information only.

**RECOMMENDATION**

That the content of the report is noted.





**STRATEGIC PLANNING COMMITTEE**

Monday, 10 June 2019

**APPEAL DECISIONS**

**EXECUTIVE SUMMARY**

1. This report provides an update on all appeal decisions received from the Planning Inspectorate between 1 April 2019 and 26 May 2019

Is the report Open or Exempt?	Open
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<b>Wards Affected:</b>	All
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<b>Cabinet Member:</b>	Councillor David Ritchie Cabinet Member for Planning and Coastal Management
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<b>Supporting Officer:</b>	Liz Beighton Planning Development Manager 01394 444778 <a href="mailto:Liz.beighton@eastssuffolk.gov.uk">Liz.beighton@eastssuffolk.gov.uk</a>
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## **1 INTRODUCTION**

1.1 This report provides a summary on all appeal decisions received from the Planning Inspectorate between the 1 April 2019 and 26 May 2019.

## **2 APPEAL DECISIONS**

2.1 A total of 15 appeals have been received from the Planning Inspectorate since the 1 April 2019 following a refusal of planning permission from either Suffolk Coastal District Council or Waveney District Council.

2.2 A summary of all the appeals received is appended to this report.

2.3 The Planning Inspectorate monitor appeal success rates at Local Authorities and therefore it is important to ensure that the Council is robust on appeals, rigorously defending reasons for refusal. Appeal decisions also provide a clear benchmark for how policy is to be interpreted and applications considered.

2.4 Very few planning refusals are appealed (approximately 20%) and nationally on average there is a 42% success rate for major applications, 27.25% success rate for minor applications and 39.25% success rate for householder applications. Taken as a whole that means that slightly over 36% (or 1 in 3) of app planning appeals are successful.

2.5 Of the 15 appeal decisions received only one was determined by the Planning Committee with the remaining 14 being delegated. 11 of the decisions were dismissed (73%), three were allowed (20%) and one decision was a split decision (20%). These statistics show that the Council's success rate in defending appeals is above the national average and provides confidence that the Council is able to robustly defend against unacceptable development and has a suite of policies available to assist defence.

2.6 There are no areas of concern raised in any of the appeals, although it is noted in two decisions that where either appellants or the Council are making claims in support of their case then evidence will need to be supplied to the Planning Inspector. One such instance was in relation to removal of permitted development rights and the other in relation to the structural capacity of walls in a GPDO application.

## **3 REASON FOR RECOMMENDATION**

3.1 This report is for information only.

### **RECOMMENDATION**

That the content of the report is noted.

### **APPENDICES**

#### **Appendix A**

Summary of Appeals

**Agenda Item 8**  
**ES/0033**  
**APPENDIX A**

The following appeals have been received between 1 April 2019 and 26 May 2019

Application Number	DC/18/4461/FUL
Appeal Number	APP/J3530/W/19/3219857
Site	Grove Cottage, Boulge Road, Hasketon IP13 6LA
Description of Development	Continued use of former agricultural land as garden associated with Grove Cottage and erection of single-storey extension to garage to form hobbies/garden room
Committee / Delegated	Delegated
Decision Date	30 April 2019
Appeal Decision	Allowed – new condition proposed
Main issues	Appropriateness of the removal of PD rights by condition (condition 4)
Summary of Decision	<p>The Inspector considered that a condition was necessary to control the amount of development within the extended garden but not in the vicinity of the existing house and its associated outbuildings and the narrow part of the extended garden. A revised condition therefore proposed to identify the area within which PD is restricted would address the need to control such development within discrete areas of the site.</p> <p>The condition as worded would preclude any development and the Inspector had limited evidence to demonstrate that all of the types of development identified would be inappropriate in terms of their effect on the openness and character and appearance of the site and surrounding area. Therefore, it was considered that condition 4 was not reasonable as went beyond what is necessary to secure and appropriate and proportionate degree of control over development within the extended garden area.</p>
Learning Point / Actions	To ensure that where permitted development rights are removed there is clear justification presented as to the reasonableness of such.

Application Number	DC/18/1998/OUT
Appeal Number	APP/J3535/W/19/3219393
Site	Gavelcroft, Bungay Road, Holton, Halesworth, IP19 8LY
Description of Development	Outline Application (All Matters Reserved) - Construction of a detached dwelling
Committee / Delegated	Delegated
Decision Date	15 May 2019
Appeal Decision	Dismissed
Main issues	<ul style="list-style-type: none"> <li>i) Would preserve the setting of the LB 'Gravelcroft'</li> <li>ii) Appropriateness of location for housing</li> <li>iii) Highway safety</li> </ul>
Summary of Decision	The proposal would reduce the relationship of Gravelcroft, a farmhouse which would have been dominated by farmland, to the open countryside and adversely affect the way in which it was experienced. In the absence of a detailed proposal that demonstrates that the new dwelling would not have this harmful effect, it is assessed

	<p>that there is less than substantial harm to the designated heritage asset. Regarding paragraph 196 of the NPPF there are no substantial planning benefits which would outweigh this harm. Proposal also contrary to paragraph 193 of the NPPF in that it would not preserve its setting.</p> <p>Considered that the Council has not a demonstrable five year supply of housing. Because of its physical location to the settlement of Holton, the site is considered to be in a reasonably sustainable location within reach of services and facilities.</p> <p>The Council contend that 90m visibility cannot be achieved in a south easterly direction fro a position 2.4m back from the edge of the highway. The dimensions are from the DRMB and whilst a HA may choose to use the DMRB in its consideration of proposals, the Inspector was not persuaded that the dimension of sight lines are necessary in this case. The requirements for Manual for Streets would be more suited in this instance.</p> <p>Consider that a detailed design could demonstrate acceptable sight lines, assuming appellants have the necessary control of the land. As there is no evidence to this regard it is not possible to reach a firm conclusion in this regard.</p>
Learning Point / Actions	A need to interrogate consultee responses on applications and ensure that in instances of appeals appropriate additional justification is provided to support the Council's case.

Application Number	DC/18/1009/FUL
Appeal Number	APP/J3530/W/19/3207314
Site	Land Adjacent To Glenholme, Blackheath Road, Wenhaston, IP19 9DH
Description of Development	Erection of single 3-bedroom bungalow with detached double cart-lodge and driveway
Committee / Delegated	Delegated
Decision Date	1 May 2019
Appeal Decision	Dismissed
Main Issues	<ul style="list-style-type: none"> <li>i) Whether the site is a suitable site for housing</li> <li>ii) Effect of the development on the character and appearance of the site and surrounding area, with particular reference to the SLA.</li> </ul>
Summary of Decision	<p>The site falls outside the settlement boundary of Wenhaston and is therefore in designated countryside. The proposal does not accord with Policy WmMP1 of the Neighbourhood Plan. Blackheath Road, at the point of development, has no footpaths and is unlit. Walking along the road to Wenhaston is therefore neither a safe or convenient option, particularly during winter months and during inclement weather. The narrowness of the road and lack of lighting would also deter some cyclists. Did not observe any bus stops near the site. Given the inadequacy of access, there would be heavy reliance on the private car. The site is considered to be an unsustainable location with poor access to services and facilities.</p>

	The site makes a very limited contribution to the aspects of landscape character which have been highlighted as important to the SLA. Reference was drawn to a scheme in support in Aldeburgh, but the Inspector considered there was insufficient detail of that scheme (and also the site was in the AONB) and hence has limited weight in the determination. Accordingly the development was not considered harmful in this regard.
Learning Point / Actions	The decision reinforces the Councils approach to sustainable development for new housing. The decision also notes that where alternative decisions are drawn on for reference then they should be supplemented with appropriate information.

Application Number	DC/18/3188/OUT
Appeal Number	APP/J3530/W/19/3219035
Site	Briarwood, School Lane, Ufford, IP13 6DX
Description of Development	Outline Application - Development of a one and a half storey 4 bedroom dwelling, with accommodation at roof level.
Committee / Delegated	Delegated
Decision Date	29 April 2019
Appeal Decision	Dismissed
Main Issues	The effect of the development on the character and appearance of the site and the surrounding area.
Summary of Decision	The site is included within an area protected from development in the DPD. The submitted plans demonstrate a significant degree of change of the site. It was therefore concluded that the development would have a harmful impact.
Learning Point / Actions	None

Application Number	DC/18/4632/FUL
Appeal Number	APP/J3535/W/19/3221084
Site	3 Hollowell Close, Oulton, Lowestoft, NR32 3RB
Description of Development	Construction of rear and side extensions
Committee / Delegated	Delegated
Decision Date	3 May 2019
Appeal Decision	Split decision – side extension allowed and rear extension refused
Main Issues	The effect on the living conditions of the occupants of 5 Hollowell Close, with particular reference to outlook.
Summary of Decision	The eaves level would create a dominant addition and an undue sensed of enclosure to the garden of No.5. This adverse impact would be exacerbated by the reasonably modest size of the rear garden of No.5 and the relative ground levels. It is noted that the Council does not object to the side extension and that the materials and appearance are acceptable.
Learning Point / Actions	The ability to use a split decision where some elements of a proposal are acceptable rather than refuse in total or seek resubmission.

Application Number	DC/18/4081/PIP
Appeal Number	APP/J3530/W/19/3219452
Site	Os 2158, Snipe Farm Road, Clopton, IP13 6SL
Description of Development	Erection of 1-3 residential dwellings on site identified within red line boundary on the site location plan.
Committee / Delegated	Delegated
Decision Date	10 May 2019
Appeal Decision	Dismissed
Main Issues	<ul style="list-style-type: none"> <li>i) Whether the proposal would be habitats development under article 5B of the TCP (PIP) Order 2017</li> <li>ii) Whether the proposed location, land use and amount of development is appropriate with specific regard to access to local services and facilities and the character and appearance of the area.</li> </ul>
Summary of Decision	<p>Concluded that the proposal would constitute habitats development (following the People over Wind Judgement) which is excluded from the grant of PIP under Article 5B. Accordingly, a UU or S106 cannot be considered and the proposal is one to be tested via a planning application not PIP process.</p> <p>As the incorrect procedure has been followed, matters in relation to issue (ii) have not been considered further.</p>
Learning Point / Actions	An important decision confirming that if the RAMS is triggered then the PIP process cannot be followed. This has implications for the majority of the District.

Application Number	DC/17/5077/FUL
Appeal Number	APP/J3530/W/19/320977
Site	Pitfield, Bridge Street, Kelsale Cum Carlton, IP17 2PG
Description of Development	Change of use from holiday let to 1 x 3 bedroom dwelling (C3 Use).
Committee / Delegated	Delegated
Decision Date	23 April 2019
Appeal Decision	Dismissed
Main Issues	Whether the site is a suitable location for a C3 use.
Summary of Decision	<p>The Inspector considered that no specific local need has been identified which would comply with Paragraph 77 of the NPPF. Only limited services are provided in Kelsale and although it was suggested that shops are within walking distance, the Inspector concluded that insufficient evidence has been provided upon the location of shops or the range of goods they provide.</p> <p>The closest centre to provide a range of services is Saxmundham. The distance and unlit nature and vehicular speeds if the intervening roads would deter pedestrians and cyclists and hence there would be a heavy reliance on the private car.</p> <p>The site is therefore considered to be unsustainable and isolated and would not contribute to the vitality of villages.</p>

	<p>The building is not a non designated heritage asset based on the information available to the Inspector.</p> <p>Whilst the appellants argued that the facility is underused and been difficult to let, the Inspector did not have full details to support these issues and therefore unable to come to a finding on the relative viability of the holiday let and therefore this carries limited weight.</p>
Learning Point / Actions	A separate costs application was made by the appellants which was dismissed as it was concluded that the Council had not acted in an unreasonable manner.

Application Number	DC/17/4939/ARM
Appeal Number	APP/J3530/W/19/
Site	Norwood House, Littlemoor Road, Middleton, IP17 3JZ
Description of Development	<p>Approval of Reserved Matters of Outline Application DC/16/3947/OUT - Erection of 14 sheltered/extra care dwellings, together with residents lounge/meeting room and parking area. - Appearance and landscaping. In addition, this application seeks to discharge conditions: 7 (external materials); 10 (discharge of surface water onto highway); 11 (ecological enhancement scheme); and 14 (construction method statement).</p> <p>The original application was NOT an EIA application.</p>
Committee / Delegated	Delegated
Decision Date	29 April 2019
Appeal Decision	Allowed
Main Issues	In light of the Council's decision not to defend the appeal, the main issue is whether there are any other considerations that might indicate that the appeal should be dismissed.
Summary of Decision	Having reviewed the evidence it is concluded that there are no material planning issues that indicate that the appeal should be dismissed.
Learning Point / Actions	<p>It is noted that the appeal was made on the grounds of non-determination as the applicant was unable to satisfy the HA of the acceptability. Details were submitted appease the HA after the appeal was lodged, but as the process of appeal had commenced the LPA was unable to issue an approval. Accordingly, the decision was reached not to defend the appeal.</p> <p>A separate costs application was made by the appellants which was dismissed as it was concluded that the Council had not acted in an unreasonable manner.</p>

Application Number	DC/18/4423/FUL
Appeal Number	APP/J3530/W/19/
Site	Cherry Trees, Main Road, Bucklesham, IP10 ODR
Description of Development	Construct detached single garage to front of property
Committee / Delegated	Delegated
Decision Date	7 May 2019

Appeal Decision	Allowed
Main Issues	The effect of the garage on the character and appearance of the streetscene and surrounding area.
Summary of Decision	Although occupying a large footprint and would be visible in the streetscene, the Inspector felt that as it was set back from the road and behind fencing and planting this would soften the impact and would not therefore appear unduly prominent.
Learning Point / Actions	None

Application Number	DC/17/4171/FUL
Appeal Number	APP/J3530/W/18/3207902
Site	Wenhaston Quarry, Heath Road, Wenhaston With Mellis Hamlet Halesworth, IP19 9BZ
Description of Development	Full planning for change of use of the site to provide holiday lodge accommodation and associated leisure activities
Committee / Delegated	Committee
Decision Date	26 April 2019
Appeal Decision	Dismissed
Main Issues	<ul style="list-style-type: none"> <li>i) The effect of the scale of the appeal proposal on the character and appearance of the surrounding area</li> <li>ii) Whether the proposed development would appropriately protect or enhance local biodiversity.</li> </ul>
Summary of Decision	<p>The Inspector noted that a subsequent application for 39 lodges on the site had been approved.</p> <p>Noting policy support for tourism uses, the Inspector found that although some aspects such as lighting could be controlled by condition, there would be significant harm to the overriding remoteness of the location typical of the scenic qualities and deeply tranquil valley location. The proposal would represent a 51% increase over what has been approved which the Inspector found to be materially different in the degree of harm which would result from a more intensive use of a remote site with more development around the rural perimeter of the site.</p> <p>Noting that the removal of the tower and landscaping of the northern boundary would represent a visual improvement, it remains that the proposed phalanx of lodges and other structures along this boundary would result in discernible intrusion of a greater mass of development fringing this rural part of the valley.</p> <p>Regarding biodiversity an ecology assessment had been undertaken which confirms that valuable habitats exist on the site. There is concern that the survey represents a 'snapshot' which may be sub-optimal for some species and ultimately underestimates the ecological value and potential of the site, including for bats. The reduced scheme and lower density struck the right balance between retaining and enhancing the biodiversity value of the site. In contrast the appeal proposal attempts to squeeze too much out of the site such that the benefits would be limited and tangible harm to the areas of high and</p>

	modest ecological value would arise from direct encroachment and enclosure.
Learning Point / Actions	None

Application Number	DC/18/0178/PN3
Appeal Number	APP/J3530/W/19/3210616
Site	Barn At Plunketts Barn, School Road, Tunstall, IP12 2DA
Description of Development	Reclad, Insert new openings and create internal non load bearing divisions to form 2 dwellings.
Committee / Delegated	Delegated
Decision Date	2 May 2019
Appeal Decision	Dismissed
Main Issues	Whether the development would be permitted development with regard to whether or not the proposed development would comprise building operations reasonably necessary for the building to function as a dwelling house.
Summary of Decision	<p>Application assessed under Part Q and reference was drawn by the Inspector to the Hibbitt judgement which pre-dates the PPG but established that a building must be capable of conversion to residential use without operations that would amount to either complete or substantial re-building of the pre-existing structure or, in effect, the creation of a new dwelling.</p> <p>A Structural Inspection supported the application and the appellant also submitted a scope of works which combined with the structural assessment demonstrated that in order to convert the building into two dwellings there would need to be significant changes to it.</p> <p>The Inspector considered that there was limited evidence submitted to substantiate the Council's concerns that the existing concrete frame would be incapable of bearing the loads necessary to accommodate the proposed works.</p> <p>The Inspector concluded that whilst the works would be extensive they equate to elements which are reasonably necessary for the building to function as a dwelling which are specified in Part Q.1 (i) and therefore the development amounts to permitted development.</p>
Learning Point / Actions	A necessity to submit appropriate levels of information to support arguments made in a refusal / appeal.

Application Number	DC/18/0050/FUL and DC/18/2971/FUL
Appeal Number	APP/J3530/W/18/3212166 and 3213206
Site	The Fields, The Street, Dennington, IP13 8JF
Description of Development	Proposed dwelling land (ref 0050) – Appeal A Proposed conversion & extension to workshop to form annexe (ref 2971) – Appeal B
Committee / Delegated	Delegated
Decision Date	23 April 2019
Appeal Decision	Both appeals Dismissed

Main Issues	<p>i) The effect of the development on the character of the immediate area (A &amp; B)</p> <p>ii) Effect on living conditions of future occupants with particular regard for additional noise and disturbance (A &amp; B)</p> <p>iii) Whether the annexe is well related to the existing dwelling (B)</p>
Summary of Decision	<p><u>Character of Area</u>  With regards to appeal A, it was considered that it would be cramped, by virtue of occupying much of the plot, which was out of character with the surrounding properties. Further the dwelling would be partially visible across farmland to the west and the scale and massing would be greater than the existing buildings combined. This would increase the urbanisation when approaching the village.  In the case of appeal B, the development would enlarge an existing building and significantly increase the footprint and massing of the built form and visually fill the space between The Field and Barnsdale. In both instances the proposals would result in unacceptable harm to the character of the immediate area.</p> <p><u>Living Conditions</u>  In the case of Appeal A, the new dwelling would be accessed past the host dwelling and locate its parking close to the gardens of The Fields. This would introduce comings and goings, with increased noise and disturbance, which would be out of control of the occupants of The Fields.  With regards to openings and position of buildings, both appeals would have the potential to increase activity closer to Barnsdale than is currently experienced, with potential increased noise and disturbance to the occupiers.  Both appeals cause unacceptable levels of harm to living conditions.</p> <p><u>Relationship to Main Dwelling</u>  Policy DM6 seeks annexe accommodation to be well-related to the host dwelling. The size and scale is that which could function as an independent dwelling and does not therefore act subservient to the main dwelling.</p>
Learning Point / Actions	None

Application Number	DC/17/3591/FUL and DC/17/3592/LBC
Appeal Number	APP/J3535/W/18/3197715 & 3198466
Site	2 Home Farm Barns, New Road, South Elmham St Cross, Harleston, IP20 0PA
Description of Development	Construction of rear conservatory
Committee / Delegated	Delegated
Decision Date	5 April 2019
Appeal Decision	Dismissed
Main Issues	The effect of the proposal in the significance of the listed building
Summary of Decision	The depth of the proposal and its roof design would appear awkward

	<p>and cumbersome. With the existing small section of the roof over the central entrance, the proposal would result in three different sections of roof in close association. It would appear complex and detract from the simple and utilitarian overall appearance of the barn.</p> <p>The proposed depth would appear large and dominating and combined with the design would have an unacceptable impact on the barn. The extension reduces the contribution the barn makes to its significance and as such fails to preserve its special interest.</p> <p>The Inspector found the proposal resulted in less than substantial harm and found no public benefits would arise.</p>
Learning Point / Actions	None

