



**Riverside, 4 Canning Road, Lowestoft, Suffolk,
NR33 0EQ**

Planning Committee North

Members:

Councillor Paul Ashdown (Chairman)
Councillor Jenny Ceresa (Vice-Chairman)
Councillor David Beavan
Councillor Norman Brooks
Councillor Tony Cooper
Councillor Linda Coulam
Councillor Andree Gee
Councillor Malcolm Pitchers
Councillor Craig Rivett

Members are invited to a **Meeting** of the **Planning Committee North**
to be held in the Conference Room, Riverside,
on **Tuesday, 8 March 2022 at 2.00pm**

This meeting is being held in person in order to comply with the Local Government Act 1972. In order to comply with East Suffolk Council's coronavirus arrangements and guidance, the number of people at this meeting will have to be restricted to only those whose attendance is reasonably necessary.

Ordinarily, East Suffolk Council encourages members of the public to attend its meetings but on this occasion would encourage the public to watch the livestream, via the East Suffolk Council YouTube channel instead
at <https://youtu.be/GYbIFsQIPo>

If you do believe it is necessary for you to be in attendance we encourage you to notify Democratic Services, by email to democraticservices@eastsuffolk.gov.uk, of your intention to do so no later than 12 noon on the working day before the meeting so that the meeting can be managed in a COVID secure way and the Team can endeavour to accommodate you and advise of the necessary health and safety precautions.

However, we are not able to guarantee you a space/seat and you are advised that it may be that, regrettably, we are not able to admit you to the meeting room.

An Agenda is set out below.

Part One – Open to the Public

	Pages
1 Apologies for Absence and Substitutions	
2 Declarations of Interest 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.	
3 Declarations of Lobbying and Responses to Lobbying To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.	
4 Minutes To confirm as a correct record the minutes of the meeting held on 8 February 2022.	1 - 19
5 Enforcement Action - Case Update ES/1071 Report of the Head of Planning and Coastal Management	20 - 39
6 DC/21/5015/FUL - 15-18 Milton Road East, Lowestoft ES/1072 Report of the Head of Planning and Coastal Management	40 - 52
7 DC/21/5332/FUL - The Lugger, 13 Linden Close, Aldeburgh ES/1073 Report of the Head of Planning and Coastal Management	53 - 60
8 DC/21/2369/FUL - 73 Beccles Road, Bungay ES/1074 Report of the Head of Planning and Coastal Management	61 - 71
9 DC/22/0151/FUL - Water Lane Leisure Centre, Water Lane, Lowestoft ES/1075 Report of the Head of Planning and Coastal Management	72 - 77

Part Two – Exempt/Confidential

There are no Exempt or Confidential items for this Agenda.

Close



Stephen Baker, Chief Executive

Speaking at Planning Committee Meetings

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

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

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

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

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

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

Filming, Videoing, Photography and Audio Recording at Council Meetings

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

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

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

democraticservices@eastsuffolk.gov.uk



The national Charter and Charter Plus Awards for Elected Member Development
East Suffolk Council is committed to achieving excellence in elected member development

www.local.gov.uk/Community-Leadership

Unconfirmed



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, on **Tuesday, 8 February 2022 at 2.00pm**

Members of the Committee present:

Councillor Paul Ashdown, Councillor David Beavan, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Andree Gee, Councillor Malcolm Pitchers

Other Members present:

Councillor Stephen Burroughes, Councillor Alison Cackett, Councillor Tony Goldson, Councillor Frank Mortimer, Councillor Trish Mortimer, Councillor David Ritchie

Officers present: Joe Blackmore (Principal Planner), Sarah Carter (Democratic Services Officer), Michaelle Coupe (Senior Planner), Mia Glass (Assistant Enforcement Officer), Matt Makin (Democratic Services Officer), Danielle Miller (Senior Planner), Philip Ridley (Head of Planning and Coastal Management), Ben Woolnough (Planning Manager (Development Management))

1 Apologies for Absence and Substitutions

Apologies for absence were received from Councillors Brook, Ceresa and Rivett.

Councillors Goldson, Burroughes, and Cackett attending the meeting as Substitutes respectively.

2 Declarations of Interest

Councillor Beavan declared a Local Non-Pecuniary Interest in Item 8 – DC/21/5052/VOC – 1 Station Road, Southwold. He advised that he would take no part in the discussion or voting thereon but would be speaking as Ward Member.

Councillor Coulam declared a Local Non-Pecuniary Interest in Item 9 – DC/21/5574/LBC – Jubilee Bridge, Lowestoft, as being Ward Member.

3 Declarations of Lobbying and Responses to Lobbying

Councillor Burroughes declared that he had been lobbied on Item 7 – DC/21/3894/OUT – Land to the rear of 1 Culcott Close, Yoxford, in the form of contact by the parishioners.

Councillor Cackett declared that she had been lobbied on Item 6 – DC/21/2679/FUL – Land to the North of Chapel Road, Wrentham. He had made no response.

Councillor Goldson declared that he had been lobbied on Item 6 – DC/21/2679/FUL – Land to the North of Chapel Road, Wrentham. He had made no response.

4(a) Minutes - 14.12.21

RESOLVED

That the minutes of the meeting held on 14 December 2021 be agreed as a correct record and signed by the Chairman.

4(b) Minutes - 11.1.22

RESOLVED

Subject to “It was confirmed that that temporary accommodation would be provided until phase 2 had been built, when it was intended to provide a sports hall, gym and changing rooms.” being added to the 5th paragraph on page 49, the Minutes of the meeting held on 11 January 2022 be agreed as a correct record and signed by the Chairman.

5 Enforcement Action - Case Update

The Committee received report ES/01041 which summarised outstanding enforcement cases for East Suffolk Council sanctioned under delegated powers or through the Committee up to 20 January 2022. There were currently nine such cases.

In response to a request from the Chairman, the Assistant Enforcement Officer provided an update with regard to Pine Lodge, Hinton and Land adjacent to Oak Spring, Darsham and confirmed that the cases were progressing with the Legal Team who were in discussions with Counsel. She was unable to discuss further due to legal privilege.

In addition, the Top Street, Martlesham, case had gone to court on 1 February where they had pleaded guilty resulting in fines, costs and victim surcharge payments totalling £9,130. Another officer visit would be taking place soon to ensure all clearance had been completed. The Planning Manager thanked the Enforcement Team on achieving this end result.

The Assistant Enforcement Officer also advised that a Section 215 notice had just been served at 28 Brick Kiln Avenue, Beccles, and that case could appear next month.

The Planning Manager advised that the North Denes, Lowestoft, site remained under consideration by the Council and further advice was being sought with regard to the failure to comply with the enforcement notice.

RESOLVED

That the report concerning Outstanding Enforcement matters up to 17 December 2021 be received.

6 DC/21/2679/FUL - Land to the North of Chapel Road, Wrentham

The Committee considered report ES/1042 which gave details of the application seeking full planning permission for a development of 65 dwellings, comprising both one and two storey properties, including landscaped open space, recreation space with an equipped play area for public use, fully integrated SUDs and other associated infrastructure, on land off Chapel Road, Wrentham.

Members received a presentation showing the site location plan, aerial photograph, rights of way, policy considerations, photographs of street views including the Chapel Road frontage and Chatten Close, views across the site and the surrounding area, and the existing infiltration basin which had been provided for Chatten Close. The Senior Planner commented on the proposed block plan, floor plans and elevations of the different house types, visualisations of the external and internal site elevations and the proposed new hedging on the northern boundary which would act as a buffer. The Senior Planner explained the surface water drainage, landscaping of the site, proposed footpath connection and highway improvements which would include a village sign on the B1127 Chapel Road.

The Senior Planner advised that the Parish Council had required an increase in the layby; that had been discussed with the developer but the Highway Authority advised it was not viable. The solution shown would result in the road being widened to 5.5m. The village sign was to be erected to address local concerns over the speed of traffic entering the village. In addressing the material planning considerations and key issues, the Senior Planner advised that the site was allocated in the Local Plan and out of the total of 65 dwellings based on 22 dwellings per hectare, 20 would be affordable homes. There would be financial contributions in the form of RAMs and CIL. It was considered to represent a sustainable development and authority to approve was being sought subject to the completion of a Section 106 Agreement. If that was not completed within six months of approval being granted, authority to refuse the application was being sought.

Members questioned:

- The widening of the highway and if it was adequate for children's safety.
- The provision of a layby providing better visibility on the large area of vacant land opposite the proposed development.
- A reconfiguration of the junction of Chapel Road and the A12 which was already a risky crossing.
- The safety of the pond close to the site.
- If preference would be given to those with a local connection for the affordable housing.
- If the Council or a Housing Association would take on responsibility for the affordable

housing.

The Senior Planner confirmed that the developer would pay for the works to the highway and it was the opinion of the Highway authority that a layby was not necessary because if the bus stopped on the road, that itself would slow the traffic. Road improvements where Chapel Road joined the A12 were not part of the application. The existing pond was not part of the development site but additional fencing could be conditioned to provide extra safety for children.

The Planning Manager confirmed that the proposal had been discussed with the Parish Council prior to the application being submitted and the area of land Members were proposing for a bus layby was outside of the development site. It was not a typical provision for a developer to provide for school buses, therefore, the proposal was to widen the highway. The site had been allocated in the Local Plan and that allocation had not requested highway improvements. The affordable housing would be made available for those with a local connection and if applicants did not come forward, then the dwellings could be offered to a wider field of applicants. The affordable properties would be subject to bids from housing providers.

The Chairman invited the public speakers to address the Committee.

On behalf of the Parish Council, Cllr I Watson was also representing the people of Wrentham. Referring to the bus shelter and pull in, the Local Plan policy WLP8.21 stated that developments should encourage non-car travel to school and made reference to the cycling strategy. However, Wrentham had no schools and it was too far to walk to school. A large proportion of children used Chapel Road which was a narrow country lane and buses already had to mount the verge to pass. The issue would be made worse by the proposed development which would result in a 13% increase in dwellings in Wrentham. With the narrow road and increase in traffic, there were child safety concerns. The Parish Council had held four public meetings attended by villagers and the developers and whilst some issues had been resolved, it was still their view that there needed to be a bus pull-in. The Council's policies encouraged children to use public transport for school and money should not be a problem in providing suitable bus pull-in.

Members raised questions relating to the land on Bonsey Gardens that could be owned by the Council and its use for a lay-by, and the number of children using the school buses. Cllr Watson advised that an area of land had been passed over to Wrentham. He was unable to provide numbers of children currently leaving the village to go to school; there were several buses as children were transported to several different schools. The road was very busy particularly with buses and car drop-offs and if children cycled to get a bus, there was nowhere to leave their bikes.

The applicant's agent, Mr M Nolan, addressed the Committee in support of the application. The site had been allocated in the Local Plan and would provide 65 much needed homes in a landscaped setting with play equipment for the whole village. There had been extensive public consultation, concerns had been addressed with the exception of the bus lay-by. Mr Nolan advised that the Highway experts had said it was not appropriate to have a lay-by because it would create a blind spot and make the situation worse, hence the reason for widening the road and providing a

crossing that would link to existing foot paths. It was considered that the development was attractive and inclusive and the affordable housing would go to the Council's housing stock. The existing attenuation pond was not part of the application site and he would seek agreement from his client to replace the existing fences and provide life rings. Mr Nolan requested Members to support the application.

In response to questions relating to the provision of a lay-by if land was available, Mr Nolan advised that part of the land in question was in the Council's ownership, part of it was Highways and some of the land was under private ownership. If a lay-by was created and it was used to car parking, that could create potential hazards. He believed that there had been no recorded incidents of accidents either by Chatten Close or by the fire station. With regard to disability access of the properties, Mr Nolan confirmed that all houses needed to be built with level thresholds under the current Building Regulations and some properties would be wheelchair accessible. The proposed attenuation lagoons on the development site were shallow being 1 in 3 and extreme rain would be needed to fill them. Fencing around the play area was to be provided to prevent anyone running out into the road.

The Planning Manager clarified that Members needed to be informed by the evidence and comments provided by the Highway Authority and it was not generally expected that a dedicated layby for school buses would be provided. The request for a layby was not feasible at this time but it could be a future consideration via CIL funding. A considerable amount of work had been undertaken with Highways and the applicant to ensure a good all round design.

Members expressed their concerns over child safety and the lack of shelter too. Whilst the developer and Parish Council had been working together, it was felt that the provision of a layby should be explored in the future and also the pedestrian access to the A12. It was disappointing that there was no school in Wrentham and this estate was being built with no facilities in the village. Following the withdrawal of a proposal for deferral, the Committee sought confirmation that discussions would take place in order to facilitate the provision of a bus stop. The Planning Manager confirmed that they would work with Highways and the Parish Council to see what future provision could be considered for the wider village of Wrentham. The Chairman asked that this be noted as an informative.

Following a proposal for approval which was duly seconded, it was

RESOLVED

That authority to approve be granted, subject to conditions (including but not limited to those summarised in section 10 of the report); and subject to the completion of a S106 Legal Agreement within six months to secure obligations (including but not limited to):

- Affordable housing provision.
- Provision of open space.
- A financial contribution towards primary and secondary school transport.
- Contribution towards RAMS (either S106 or S111)

Or, in the event of failure to complete the S106 within six months of the date of the Committee Meeting, authority to refuse the application be given.

Conditions

-
- 1. Three-year time limit.
- 2. Standard plans/drawings compliance.
- 3. Details of all external materials to be agreed prior to commencement.
- 4. New access laid out in accordance with approved plan and retained.
- 5. Details of means to prevent the discharge of surface water onto Highway prior to commencement.
- 6. Max gradient of Access compliance.
- 7. All parking and manoeuvring to be provided prior to use.
- 8. Clear visibility provided prior to use of access.
- 9. Details of electric vehicle charging points to be approved prior to commencement.
- 10. Details of cycle storage to be agreed prior to completion.
- 11. Submission of a construction management plan prior to commencement.
- 12. Highway improvements to be carried out prior to occupation.
- 13. Village sign to erected prior to occupation.
- 14. Cycle and pedestrian crossing carried out prior to occupation.
- 15. Details of estate roads and footpath to be submitted prior to commencement.
- 16. Footpaths to be secured prior to occupation.
- 17. New estate junction formed prior to other works being carried out compliance.
- 18. Residents Travel Pack (RTP) shall be provided to residents within one month of occupation.
- 19. Details for the disposal of surface water submitted prior to commencement.
- 20. Details of the implementation, maintenance and management of the strategy for the disposal of surface water prior to commencement.
- 21. Submission of surface water drainage verification report with 28 days of completion.
- 22. Details of a Construction Surface Water Management Plan (CSWMP) prior to commencement.
- 23. Unexpected contamination.
- 24. Submission of programme of archaeological works prior to commencement.
- 25. Post investigation archaeological works prior to occupation.
- 26. Landscaping scheme to be completed in the first planting season from the completion of the last building shell.
- 27. Details of a management and maintenance plan for the Open space prior to occupation.
- 28. Details meeting Part M Requirements submitted prior to commencement.
- 29. Development undertaking in accordance with ecological avoidance, mitigation, compensation and enhancement measures compliance.
- 30. No removal of hedgerows trees etc between 1st March and 31 August.
- 31. Submission of a lighting strategy for biodiversity prior to work above slab level.
- 32. Submission of landscape and ecological management plan prior to occupation.
- 33. Submission of Ecological Enhancement Strategy prior to work above slab level.
- 34. Details of fire hydrants prior to occupation.
- 35. Details of play equipment prior to occupation.

The Committee considered report ES/1043 which gave details of the outline application (Some Matters Reserved) for up to five dwellings including means of access on land to the rear of 1 Culcott Close, Yoxford. The application was before Committee as the Council was the landowner of a small section of verge which ran adjacent to the proposed access and there had been a number of objections. Work had been undertaken along that verge without the Council's consent and the landowner had been notified under the relevant certificates.

Members received a presentation showing the site, aerial plan, land in the Council's ownership, the Yoxford Policy Map showing settlement boundaries and key policies, access into Culcott Close from the A12 and access into the proposed development site. The Planning Manager confirmed that the proposed access was to be improved and surfaced and the current barns on site would be demolished. Further photographs across the site showed its context and elevation, and indicative proposed block plan and elevations were displayed along with the proposed vehicular access.

The Planning Manager referred to the material planning considerations and key issues, explaining that the proposal was unacceptable in the countryside, the site had not been allocated in the Local Plan, it was back land development in an unsustainable location and there were conflicts with the public right of way. There were additional concerns relating to overlooking and residential amenity and the recommendation was for refusal.

Members raised questions relating to the application being before Committee and how a piece of land owned by the Council could be annexed with trees and shrubs removed and fencing erected. The Planning Manager confirmed the application had to be considered by the Committee because of the land that was owned by the Council. The diversion of the footpath would face action by the relevant authority and the Council might need to take action with regard to its own land. Planning regulations did not stop a person making an application on third party land.

The Chairman invited the public speakers to address the Committee.

Mr C Claydon spoke as an objector, representing himself, residents and neighbours whose properties would be affected. He referred to their previous objections and also the Parish Council would be speaking having agreed with the objections on outlook, amenity, traffic and the site being outside of the Local Plan. Mr Claydon confirmed that the site was not gap filling, it did not fit the criteria in the Local Plan and the back land development was inappropriate. The proposed development would not only impact on their properties but also Rookery Park and the Conservation Area. The proposed planting to mitigate the impact on privacy would in fact impact on both daylight and sunlight. The whole proposal would have a negative impact on the surrounding area. The site had been removed from the Strategic Housing and Economic Land Availability Assessment because of issues associated with the development. The traffic assessment was inaccurate and the proposed access would be insufficient for two lanes of traffic and safe use of the right of way. Mr Claydon urged the Committee to refuse the application.

Cllr P Ashton spoke on behalf of the Parish Council confirming that the Council

supported the residents and objected to the application for similar reasons. The proposal was outside the development boundary, in the countryside and therefore against the Local Plan. Any additional benefit of the housing would not outweigh the disadvantages and the proposed screening would be overbearing. Cllr Ashton expressed concerns that the Council's land that had been maintained had now had the hedge removed, a fence erected on that land, and the footpath had been diverted without permission. For all the reasons given, the application should be refused and the applicant should be required to make good, with works to restore the hedge and the route of the footpath and remove the fencing.

In response to a question relating to the footpath issue having been raised with the County Council, the Planning Manager advised that the right of way could be subsumed into the access as long as it could still be used for that purpose. It would be for Suffolk County Council to make its own investigations.

The Applicant's agent, Mr J Rankin, confirmed that the proposal was for five dwellings and access with all matters reserved. The site was in a sustainable location and had previously been assessed by the Council for 15 dwellings in 2019. Whilst that had been dismissed due to access, the proposed development had been rationalised and was supported by a design statement providing a clear route to approval. The nature of the documents submitted should be supported and no statutory objections had been received. The reasons for refusal were flawed and could be overcome at appeal. Any issues over residential amenity would be solved at the reserved matters stage. Mr Rankin advised that the site was a sustainable location and focused growth in the village of Yoxford supporting the Council's housing target. The application should be approved.

In response to a Member's question as to why the application was being pursued as it was outside the 30 year Local Plan and involved land that was not in the applicant's ownership, Mr Rankin advised that it was a reasonable application to come forward and, whilst outside the plan, it was considered to be acceptable. Mr Rankin believed there was some confusion over the right of way as there had been no re-alignment of the definitive route. He understood that the works had been undertaken by East Suffolk Norse and had freed up space which would benefit both the applicant and the area.

As Ward Member Councillor Burroughes welcomed the officer's report which spoke for itself. The vehicle access had not been thought out and the removal of the hedge and erection of a fence without due authority was unacceptable. The site was not in the criteria specified in SCLP policy 5.4 nor in National Planning Policy. The village of Yoxford had character and history and this site for housing was unsustainable. The report was for refusal and Councillor Burroughes confirmed he supported refusal.

The Planning Manager advised that whilst the Strategic Housing Land and Employment Availability supported the Local Plan, it was an academic exercise and then sites were filtered out as the Council identified the most suitable development sites to be allocated.

Members supported the officer's recommendation and on a proposal to refuse, which was duly seconded, it was

RESOLVED

That planning permission be refused for the following reasons:

1. This application seeks outline planning permission, with only access to be considered for the erection of up to five dwellings on land to the rear of 1 Cullcott Close, Yoxford, IP17 3GZ. The site is located outside of the Settlement Boundary for Yoxford and is therefore considered to be in the countryside for planning purposes, where new housing development will only be permitted where it is supported by policies within the Local Plan or where it is considered necessary in the countryside. Having assessed the application against the adopted plan policies the principle of development is considered to be contrary to SCLP3.2, SCLP3.3, SCLP5.3 and SCLP5.4. The principle of development has not been found acceptable in this instance due to the clear conflict with the Local Plan. This policy conflict, in addition to those detailed matters of concern set out in refusal reasons two and three, far outweighs any limited benefits that the development would provide.

2. The application site is comprised of an area of approximately 0.95ha which is currently paddock land (including stables, an all weather riding arena, workshop and ancillary outbuildings) associated with no. 1 Cullcott Close. The site includes a number of trees, noted on the topographical survey plan (LDA-227-01B). Existing trees in excess of those shown on the topographical plan are shown on the indicative site layout plan so in this respect there is no clarity as to exactly what trees are on site, which are included for retention, and what condition they are in. Without any form of tree survey or arboricultural impact assessment which is to a BS5837:2012 Trees in Relation to Design, Demolition and Construction standard, it is considered that the potential tree impacts of the development cannot be fully assessed. Although indicative, the layout is likely to be relatively fixed, due to the fundamental layout principles established by the detailed proposed access arrangements. The indicative layout outlines that up to five dwellings would be erected in a backland form of development that is out of character with the area. The development would inevitably result in an inward-looking development which has poor connectivity with the existing development form, contrary to SCLP11.1.

3. The proposed development would be detrimental to the amenity of existing and future residents. Due to the changes in levels between the application site and Culcott Close/A12 the new dwellings, although indicated to be single-storey, would be overbearing and dominating to the adjoining development. This would also result in the loss of privacy, outlook and potentially loss of light to the existing dwellings adjacent to the western boundary of the site. There would also be an increase in noise from the development post construction, whilst this will predominately be noise expected from a residential development, due to the location of the access, adjacent to 1 Cullcott Close, which will run behind the existing cul-de-sac, noise from car movements may also impact amenity of existing residents. It is therefore considered that the development would be detrimental to the amenity of existing and future residents. The scheme is therefore contrary to the NPPF, and Local Plan Policy SCLP11.2 which seek to resist backland development proposals which would detrimentally affect residential amenity.

Informatives:

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

Note: *At 3.45pm, Councillor Beavan left the meeting table and remained in the public gallery for Item 8. He would be speaking on the application as Ward Member but took no part in the discussions or voting thereon.*

8 DC/21/5052/VOC - 1 Station Road, Southwold

The Committee considered report ES/1044 relating to an application that sought to vary conditions 2 and 4 of planning consent DC/18/2406/FUL which granted planning permission for the demolition of existing buildings on the site and for a re-development consisting of flexible office space, retail unit and residential accommodation on land at the junction of Station Road and Blyth Road. The site was within Southwold's Conservation Area and within the settlement boundary of the town. The Senior Planner advised the Committee of an amendment to the report in paragraph 9.2 in the last sentence, where the word 'residential' should be omitted.

Members received a presentation showing the site location and aerial view, including the new car park nearby which was nearing completion, together with a photograph of the original buildings which had now been demolished. Layout plans and artist's impression of the consented scheme and proposed development were displayed. The residential outlook would be improved, the building at the rear was to be single storey, the external staircase would be covered and dormers replaced with rooflights, the café had been omitted and replaced with additional offices and the internal courtyard was being retained along with the two entrances. Roof and fenestration changes were being proposed.

The Senior Planner advised that in considering a Section 73 application, the consideration was limited to the matters subject of the relevant conditions and it was considered that the proposal did not affect the original intention. Changes allowed the site to be used for construction vehicles and the parking would need to be completed before first occupation. The variation was being recommended for approval.

In response to Members' questions, the Senior Planner confirmed that the reasons for the changes since the original application to now were set out in detail in paragraphs 3.3 to 3.6 of her report. The changes would allow the scheme to be more viable and create more office space. Parking on the site would be ready in advance of occupation of the buildings.

The Chairman invited the public speakers to address the Committee.

On behalf of the Town Council, Cllr J Jeans was accompanied by other Town Councillors and the Architect. As a Town Council, they had planned to develop the site for some 20 years and East Suffolk Council were behind the project which had received Coastal Funding. Cllr Jeans referred to the Business Plan and Design and explained the

reasoning behind the changes. Having obtained consent, the Town Council had commissioned an employment consultant to review the business provision post-Covid and that had identified the fact that employment space was in demand for micro-businesses and the reduction in flats from two to one and the removal of the café was to make the scheme work. Design changes related to those issues and would reduce the costs of works.

Members asked questions relating to:

- If the population in Southwold was 840, where would the businesses come from?
- Whilst the town was attractive for holidays, there was limited forms of business, so how many people had expressed an interest in having a business unit in Southwold.

Cllr Jeans acknowledged the older population in Southwold and this proposal would help make the community viable. Employment in the town provided jobs for people travelling from Great Yarmouth, Lowestoft, Beccles and Norwich and there was also a very good nursery and primary school in the town. What they were proposing as an enterprise hub complied with the East Suffolk Strategy and there was demand as the Southwold and Reydon business centres were now full.

Mr D Ray, the applicant's agent and architect, advised that the proposal was to vary two conditions of a fully consented scheme. The car parking numbers were not being varied and EV charging points were being provided in the nearby car park. The proposed tenancies had flexible partitions so that the accommodation could suit market demand. The proposed shared reception and services would allow interaction between businesses. The proposed desk layouts were in accordance with the Work Space Regulations and the overall space had not increased but would provide more flexible accommodation. Even with the reduction of one flat, the material changes were minimal.

Members questioned:

- The removal of the café which should make it more viable
- Attracting minor businesses to Southwold with offices only or artisan work spaces

Cllr Jeans confirmed that the minimal amount of lettable space was to make the proposal viable. The Town Council would not wish to undermine existing businesses or coffee shops and it was hoped that users of the accommodation would support other businesses in the town. Mr Ray advised that within the building coffee and tea would be provided in a communal space for the tenants so they could get to know each other. The initial proposal would be mainly for office accommodation but depending on feasibility in the future, the spaces could be reverted to workshop units.

As Ward Member, Councillor Beavan advised that he supported the overall aims of bringing more businesses into the town all year round but could not support the proposal as it stood and a survey indicated that 394 were opposed to the development. The change of mixed use under consideration was not market driven; no-one had signed up to run the hub and no-one had come forward to rent space. The empty offices at Reydon Business Park had now been converted showing there was no demand for offices. There was demand for workshops and housing. The proposal

would cram offices into less space and charge premium rents. Car parking would also be an issue with 90 workers on site and 30 at the hospital site with 10 spaces being provided here and 20 at the former hospital site. Anyone using the proposed facilities would come from outside the area and therefore have to drive into the town. There was still no Business Plan and a 2% return was insufficient and therefore the proposal was likely to fail. Councillor Beavan agreed there was little material consideration to refuse the application but he could not support the application.

During the ensuring discussion, whilst acknowledging the Town Council's aspirations, comment was made that the proposal seemed out of proportion. In Halesworth, office spaces remained vacant so no-one from there would consider travelling to Southwold. Members expressed disappointment that there was no Business Plan in place and noted permission had already been granted albeit for a slightly different scheme. With no grounds for refusal, it was

RESOLVED

That the variation of conditions 2 and 4 be approved, subject to the conditions previously imposed, except where they relate to the café use which is no longer part of the proposals:

1. The development hereby permitted shall be completed in all respects strictly in accordance with drawings 304529-IW-DR-A-2204 Rev P3; -2203 Rev P3; -2205 Rev P3; ZZ DRA 1001; 1002; 2001D; 2002B; 9001F; 9005; 1001C; 1002C; 1003B; 1004B; 0001G; 0005D; 0005F; 0003B; 0006C; 1005 Transport Statement dated June 2018; Phase I and Phase II Geo-Environmental Assessment dated 10/05/18; Planning Design and Access Statement dated May 2018; Heritage Impact Assessment dated April 2018; and the Drainage Strategy 304529 dated 25/07/18, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

2. Notwithstanding the submitted details a full schedule of wall and roof materials to be used shall be submitted to and approved in writing by the local planning authority prior to development commencing, except demolition, site clearance and the removal of underground tanks. Development to be undertaken in accordance with the approved details.

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

3. No development shall take place (except demolition, site clearance and the removal of underground tanks) until a minimum of ten car parking spaces are made available within the area shown on approved drawing 304529-IW-DR-A-2205 Rev P3. The area shall have been laid out and made available for use in accordance with details that have previously been submitted to and approved in writing by the local planning authority, allowing a temporary surface to accommodate contractors parking for the duration of construction with the final agreed parking surfacing and layout being

completed prior to first occupation of the site. The 10 parking spaces shall thereafter be retained in accordance with the approved details, for the purposes of parking to serve the development hereby granted.

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

4. No development (except demolition, site clearance and the removal of underground tanks and associated infrastructure) approved by this planning permission, shall take place until a site investigation has been submitted to, and approved in writing by, the local planning authority. The investigation must include:

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

All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including BS10175:2011+A2:2017 and CLR11.

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

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

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

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

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

6. Prior to any occupation or use of the approved development the RMS approved under condition 6 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

7. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:

- * results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
- * evidence that the RMS approved under condition 6 has been carried out competently, effectively and in its entirety; and
- * evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

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

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

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

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters,

property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

9. Before the installation of any extract ventilation system, air conditioning, refrigeration equipment, and any other fixed plant, details of the equipment, its location, acoustic housing and any vibration isolation measures, together with the projected noise levels at the boundary of the property, shall be submitted to the local planning authority for approval, and only the approved plant shall be installed and retained in the approved form thereafter.

Reason: To avoid noise nuisance in the interests of residential amenity.

10. No development shall commence, except demolition, site clearance and the removal of underground tanks until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained.

11. No development shall commence, except demolition, site clearance and the removal of underground tanks until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

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

12. The development hereby permitted shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act.

13. No development other than demolition, site clearance and the removal of underground tanks, shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

1. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:
 - i. Temporary drainage systems
 - ii. Measures for managing pollution / water quality and protecting controlled

waters and watercourses

iii. Measures for managing any on or offsite flood risk associated with construction.

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses in line with the River Basin Management Plan.

14. No development, except demolition, site clearance and the removal of underground tanks, shall commence until details/detailed drawings of the following matters shall be submitted to the local planning authority for approval in writing:

[i] windows, doors and other glazed areas;

[ii] eaves and verges;

[iii] canopies and feature panels;

(iv) cycle storage;

(v) new boundary walls

The approved details shall be implemented in their entirety before the buildings are first occupied.

Reason: In the interests of preserving the character and appearance of the Conservation Area: the application did not include the necessary details for consideration.

15. Within 3 months of commencement of development, precise details of a scheme of hard landscape works at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.

Reasons: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.

16. Within 3 months of commencement of development, precise details of a scheme of landscape works (which term shall include tree and shrub planting, planters and other operations as appropriate) at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.

Reasons: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.

17. The approved scheme of landscape works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of five years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter and shall be retained and maintained.

Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.

18. No works on the new footpath on Blyth Road shall commence until full details have been submitted to and approved in writing by the local planning authority. No unit shall be occupied until the footpath has been completed in accordance with the approved details.

Reason: To ensure the provision of adequate and improved access arrangements to the site in the interests of highway safety.

19. Prior to works commencing a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The plan should address how noise and dust/smoke/fumes will be controlled and reduced to a minimum during construction. The building operations undertaken at the site shall comply with the approved details.

Reason: In the interests of residential amenity and the protection of the local environment.

Informatives:

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

Note: At 4.19pm, Councillor Beavan rejoined the meeting.

9 DC/21/5574/LBC - Jubilee Bridge, The Ravine, Lowestoft

The Committee considered report ES/1045 which gave details of the Listed Building Consent being sought for the repair and refurbishment of the existing Jubilee Bridge which crossed The Ravine in Lowestoft. The application was before the Committee as the Council was the applicant.

The Planner advised that a comprehensive programme of works to repair and refurbish the existing Grade II listed structure was in order to allow safe future usage to recommence upon completion.

Members received a presentation showing the site location plan, aerial photograph, photographs circa 1910 and today. The current condition of the bridge with severe corrosion and delamination to vertical and plan bracing members showed why the works needed to be undertaken. The rainwater downpipes and gully pots were to be replaced and the commemorative carved stone placards were to be cleaned and lettering re-painted. The elevations showed the replacement of the railings, lampposts to be restored and the lighting would include LED lights on the handrails.

The Planner confirmed that there would be less than substantial harm on the listed structure but would provide overriding public benefit. Approval was being recommended subject to appropriate conditions in the report and an amended drawing being received as detailed in the update sheet.

In response to Members' questions regarding timing of works and if there would be a road closure below the bridge, the Planner confirmed that he understood the works would commence relatively soon; it might not be necessary to close the road

depending on how the works were undertaken. With regard to imposing a noise condition, the Planner advised that it was not possible to consider the impact on amenity for a Listed Building Consent; however, an informative was being proposed that would recommend restriction of hours of work which could, if necessary, be controlled by Environmental Protection.

The Committee fully supported the refurbishment which was obviously badly needed and welcomed the works being undertaken in another Jubilee year. Members requested that consideration be given to the bridge being restored to its original colour and that a plaque be erected confirming the restoration had been undertaken in the year of Queen Elizabeth II's Platinum Jubilee. The Planner confirmed this would be requested.

There being no further discussion, it was

RESOLVED

That authority to grant Listed Building Consent be given, subject to the following conditions and the submission of an amended drawing to detail the exact location and size of the proposed enclosures:

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

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

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

- Site Location Plan and existing photos, 20223 EX04 T1, received 15/12/2022,
- Existing East Elevation and Embankment Cross-Section, 20223 EX01 T2, received 15/12/2022,
- Existing West Elevation and Embankment Cross-Section, 20223 EX02 T2, received 15/12/2022,
- Existing Bridge Sections & Details, 20223 EX03 T2, received 15/12/2022,
- Structural Repair Spec & Details: Replacement Bridge Deck, 20223 SR01 T4, received 15/12/2022,
- Structural Repair Spec & Details: Bridge Plan & Vertical Bracing, 20223 SR02 T2, received 15/12/2022,
- Structural Repair Spec & Details: Hand Rails, Balusters & Fixings, 20223 SR03 T2, received 15/12/2022,
- Structural Repair Spec & Details: Main Structure Metalwork Repairs, 20223 SR04 T2, received 15/12/2022,
- Structural Repair Spec & Details: Gates, Abutments & Drainage, 20223 SR05 T2, received 15/12/2022,
- Schedule repair & Refurbishment Works, Job No. 20223, received 15/12/2022,
- Design & Access Statement including Heritage Statement, received 15/12/2022,
- for which permission is hereby granted or which are subsequently submitted to

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

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

3. Prior to the application of any painted finish, the colour of the paint finish to the following elements shall be supplied and agreed in writing by the Council;

- the deck surface,
- steel bracing and supporting structure,
- stonework to abutment piers,
- the balustrade,
- the lamp standards,
- hooped entrance railings,
- the low entrance railings.

The works shall then be completed in accordance with these approved details, and there after retained.

Reason: To maintain the character of the building and its setting.

4. Prior to the replacement of the entrance railings, evidence that they are beyond practical repair shall be provided to the Council together with the extent of the replacement proposed. Large scale details of the like for like replacement railings, including height, material, section sizes, detailing and finish to be supplied and agreed in writing the Council. The works shall then be carried out in accordance with these approved details.

Reason: To maintain the character of the building and its setting.

Informatives:

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

2. *Due to the close proximity of nearby residential properties and given the level of work proposed it is requested that the repair & refurbishment works, hereby permitted, shall only take place between the hours of:*

- 07:30 and 18:00 Mondays to Friday
- 08:00 and 13:00 Saturdays
- No time on Sundays or bank holidays.

The meeting concluded at 4.30pm.

.....
Chairman

PLANNING COMMITTEE NORTH

Title of Report:

East Suffolk Enforcement Action – Case Update

Meeting Date

8 March 2022

Report Author and Tel No

Mia Glass
01502 523081

Is the report Open or Exempt?

Open

REPORT

The attached is a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has either been sanctioned under delegated powers or through the Committee up until 18 February 2022. At present there are 10 such cases.

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

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

RECOMMENDATION

That the report concerning Outstanding Enforcement matters up to 18 February 2022 be received.

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
EN08/0264 & ENF/2013/0191	15/01/2010	North	Pine Lodge Caravan Park, Hazels Lane, Hinton	Erection of a building and new vehicular access; Change of use of the land to a touring caravan site (Exemption Certificate revoked) and use of land for the site of a mobile home for gypsy/traveller use. Various unauthorised utility buildings for use on caravan site.	<ul style="list-style-type: none"> • 15/10/2010 - EN served • 08/02/2010 - Appeal received • 10/11/2010 - Appeal dismissed • 25/06/2013 - Three Planning applications received • 06/11/2013 – The three applications refused at Planning Committee. • 13/12/2013 - Appeal Lodged • 21/03/2014 – EN's served and become effective on 24/04/2014/ 04/07/2014 - Appeal Start date - Appeal to be dealt with by Hearing • 31/01/2015 – New planning appeal received for refusal of Application DC/13/3708 • 03/02/2015 – Appeal Decision – Two notices quashed for the avoidance of doubt, two notices upheld. Compliance time on notice relating to mobile home has been extended from 12 months to 18 months. • 10/11/2015 – Informal hearing held 	31/03/2022

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> 01/03/2016 – Planning Appeal dismissed 04/08/2016 – Site re-visited three of four Notices have not been complied with. Trial date set for 21/04/2017 Two charges relating to the mobile home, steps and hardstanding, the owner pleaded guilty to these to charges and was fined £1000 for failing to comply with the Enforcement Notice plus £600 in costs. The Council has requested that the mobile home along with steps, hardstanding and access be removed by 16/06/2017. 19/06/2017 – Site re-visited, no compliance with the Enforcement Notice. 14/11/2017 – Full Injunction granted for the removal of the mobile home and steps. 21/11/2017 – Mobile home and steps removed from site. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> Review site regarding day block and access after decision notice released for enforcement notice served in connection with unauthorised occupancy /use of barn. 27/06/2018 – Compliance visit conducted to check on whether the 2010. 06/07/2018 – Legal advice being sought. 10/09/2018 – Site revisited to check for compliance with Notices. 11/09/2018 – Case referred back to Legal Department for further action to be considered. 11/10/2018 – Court hearing at the High Court in relation to the steps remain on the 2014 Enforcement Notice/ Injunction granted. Two months for compliance (11/12/2018). 01/11/2018 – Court Hearing at the High Court in relation to the 2010 Enforcement Notice. Injunctive 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>remedy sought. Verbal update to be given.</p> <ul style="list-style-type: none"> • Injunction granted. Three months given for compliance with Enforcement Notices served in 2010. • 13/12/2018 – Site visit undertaken in regards to Injunction served for 2014 Notice. No compliance. Passed back to Legal for further action. • 04/02/2019 –Site visit undertaken to check on compliance with Injunction served on 01/11/2018 • 26/02/2019 – case passed to Legal for further action to be considered. Update to be given at Planning Committee • High Court hearing 27/03/2019, the case was adjourned until the 03/04/2019 • 03/04/2019 - Officers attended the High Court, a warrant was issued due to non-attendance and failure to provide medical evidence explaining the non- 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>attendance as was required in the Order of 27/03/2019.</p> <ul style="list-style-type: none"> • 11/04/2019 – Officers returned to the High Court, the case was adjourned until 7 May 2019. • 07/05/2019 – Officers returned to the High Court. A three month suspended sentence for 12 months was given and the owner was required to comply with the Notices by 03/09/2019. • 05/09/2019 – Site visit undertaken; file passed to Legal Department for further action. • Court date arranged for 28/11/2019. • 28/11/2019 - Officers returned to the High Court. A new three month suspended sentence for 12 months was given and the owner was required to comply in full with the Injunctions and the Order of the Judge by 31/01/2020 • Site visited. Case currently with the Council's Legal Team for assessment. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> Charging orders have been placed on the land to recover costs. 	
EN/09/0305	18/07/2013	South	Park Farm, Chapel Road, Bucklesham	Storage of caravans	<ul style="list-style-type: none"> Authorisation granted to serve Enforcement Notice. 13/09/2013 -Enforcement Notice served. 11/03/2014 – Appeal determined – EN upheld Compliance period extended to 4 months 11/07/2014 – Final compliance date 05/09/2014 – Planning application for change of use received 21/07/2015 – Application to be reported to Planning Committee for determination 14/09/2015 – site visited, caravans still in situ, letter sent to owner requesting their removal by 30/10/2015 11/02/2016 – Site visited, caravans still in situ. Legal advice sought as to further action. 09/08/2016 – Site re-visited, some caravans re-moved but 20 still in situ. Advice to be sought. 	July 2023

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • Further enforcement action to be put on hold and site to be monitored • Review in January 2019 • 29/01/2019 – Legal advice sought; letter sent to site owner. • 18/02/2019 – contact received from site owner. • 04/04/2019 – Further enforcement action to be placed on hold and monitored. • Review in April 2021. • 13/04/2021 – Letter sent to owner to establish current situation • Given until the end of June to either comply or supply the Council with any other information • Case being reviewed. • 22/05/2021 – contact received from site owner. Case reviewed • Due to the receipt of confidential information formal action has been placed on hold. • 06/07/2021 – Further enforcement action to be placed on hold and monitored, not expedient at 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					present to pursue. Review in two years.	
ENF/2014/0104	16/08/2016	South	Top Street, Martlesham	Storage of vehicles	<ul style="list-style-type: none"> • 23/11/2016 – Authorisation granted to serve an Enforcement Notice • 22/03/2017 – Enforcement Notice served. Notice takes effect on 26/04/2017. Compliance period is 4 months. • 17/07/2017 – Enforcement Notice withdrawn and to be re-served • 11/10/2017 – Notice re-served, effective on 13/11/2017 – 3 months for compliance • 23/02/2018 – Site visited. No compliance with Enforcement Notice. Case to be referred to Legal Department for further action. • Notice withdrawn • 09/07/2018 – Notice reserved, compliance date 3 months from 06/08/2018 (expires 06/11/2018) 	28/05/2022

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • 01/10/2018 – PINS has refused to accept Appeal as received after the time limit. • Time for compliance is by 06/12/2018 • Site visit to be completed after the 06/12/2018 to check for compliance with the Notice • 07/12/2018 – Site visit completed, no compliance, case passed to Legal for further action. • 17/01/2019 – Committee updated that Enforcement Notice has been withdrawn and will be re-served following advice from Counsel. • 21/02/2019 – Authorisation granted by Committee to serve an Enforcement Notice. Counsel has advised that the Council give 30 days for the site to be cleared before the Notice is served. • 01/04/2019 – Enforcement Notice served. • 28/05/2019 – Enforcement Appeal has been submitted to the Planning Inspectorate. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • Start date has now been received, Statements are due by 12/12/2019. • Awaiting Planning Inspectorate Decision • Appeal Dismissed with variations. Compliance by 20 January 2021 • Site visit due at end of January 2021. • 24/02/2021 – Visit conducted, some compliance, extension agreed until 24/05/2021 • 03/06/2021 – site re visited, no compliance, case passed to Legal Department for further action to be considered. • Legal action being considered. • Case to be heard at Court on 15/10/2021 • Court Case adjourned until 12/11/2021 • Court case adjourned for trial on 24/01/2022 • Court case adjourned until 01/02/2022 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> Owners and Tenant pleaded guilty to the charges and were fined £2000 and £1000 respectively plus costs. The majority of the site has now been cleared with the rest to be done by mid May 2022. 	
ENF/2016/0292	11/08/2016	South	Houseboat Friendship, New Quay Lane, Melton	Change of use of land	<ul style="list-style-type: none"> 11/08/2016 – Authorisation granted to serve Enforcement Notice with an 8 year compliance period. Enforcement Notice to be drafted Enforcement Notice served on 20/10/2016, Notice effective on 24/11/ 2016 – 8 year compliance period (expires 24/11/2024). 	24/11/2024
ENF/2017/0170	21/07/2017	North	Land Adj to Oak Spring, The Street, Darsham	Installation on land of residential mobile home, erection of a structure, stationing of containers and portacabins	<ul style="list-style-type: none"> 16/11/2017 – Authorisation given to serve EN. 22/02/2018 – EN issued. Notice comes into effect on 30/03/2018 and has a 4 month compliance period Appeal submitted. Awaiting Start date 	31/03/2022

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • Appeal started, final comments due by 08/02/2019. • Waiting for decision from Planning Inspectorate. • 17/10/2019 – Appeal Decision issued by PINS. Enforcement Notice relating to the Use of the land quashed and to be re-issued as soon as possible, Notice relating to the operational development was upheld with an amendment. • 13/11/2019 – EN served in relation to the residential use of the site. Compliance by 13/04/2020 • Site visited. Case conference to be held • Appeal received in relation to the EN for the residential use • Appeal started. Statement submitted for 16th June 2020 • Awaiting Planning Inspectorate Decision • Appeal dismissed with some amendments. Compliance by 11/12/2020 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • Site visit to be undertaken after 11/12/20 • Site visited, no compliance with Enforcement Notices, case passed to Legal Department for further action. • Further visit to be done on 25/03/2021. • Site visit completed, Notices not complied with, file passed to Legal services for further action. 	
ENF/2015/0279 /DEV	05/09/2018	North	Land at Dam Lane Kessingland	Erection of outbuildings and wooden jetties, fencing and gates over 1 metre adjacent to highway and engineering operations amounting to the formation of a lake and soil bunds.	<ul style="list-style-type: none"> • Initial complaint logged by parish on 22/09/2015 • Case was reopened following further information on the 08/12/2016/ • Retrospective app received 01/03/2017. • Following delays in information requested, on 20/06/2018, Cate Buck, Senior Planning and Enforcement Officer, took over the case, she communicated and met with 	31/05/2022

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>the owner on several occasions.</p> <ul style="list-style-type: none"> • Notice sever by recorded delivery 05/09/2018. • Appeal has been submitted. Awaiting Start date. • Start letter received from the Planning Inspectorate. Statement due by 30/07/19. • Awaiting Planning Inspectorate Decision • Appeal dismissed. Compliance with both Notices by 05/08/2020 • Further legal advice being sought in relation to the buildings and fencing. Extension of time given until 30/04/21 for removal of the lake and reverting the land back to agricultural use due to Licence being required for removal of protected species. • Court hearing in relation to structures and fencing/gates 03/03/2021 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • Case adjourned until 05/07/2021 for trial. Further visit due after 30/04/21 to check for compliance with steps relating to lake removal. • Further visit conducted on 04/05/2021 to check for compliance on Notice relating to the lake. No compliance. Case being reviewed. • 05/07/2021 – Court hearing, owner was found guilty of two charges and had already pleaded guilty to one offence. Fined £550 and £700 costs • 12/07/2021 – Letter sent to owner giving until the 10th August 2021 for the structures to be removed • Site visited on 13/08/21 all structures removed from the site. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2018/0543 /DEV	24/05/2019	North	Land at North Denes Caravan Park The Ravine Lowestoft	Without planning permission operational development involving the laying of caravan bases, the construction of a roadway, the installation of a pumping station with settlement tank and the laying out of pipe works in the course of which waste material have been excavated from the site and deposited on the surface.	<ul style="list-style-type: none"> • Temporary Stop Notice Served 02/05/2019 and ceases 30/05/2019 • Enforcement Notice served 24/05/2019, comes into effect on 28/06/2019 • Stop Notice Served 25/05/2019 comes into effect 28/05/2019. • Appeal has been submitted. Awaiting Start date. • Appeal to be dealt with as a Hearing. Deadline for Statements 03/08/2020 • Awaiting date of hearing from Planning Inspectorate. • Hearing date set for 02/02/2021. • Hearing adjourned until 09/03/2021 • Hearing adjourned again until 21/04/2021 as was not completed on 09/03/2021. • Awaiting Decision • Appeal dismissed and partial costs to the Council 	31/03/2022

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • Compliance with Notice by 18/08/2021 • Extension of time granted for compliance until 31/10/21. • Further extension granted until 15/11/2021. • Site visited on 18/11/21 – no works undertaken, case to be referred to legal department for further action to be considered. • Certificate of Lawful Use (Proposed) application submitted. 	
ENF/2018/0090 /DEV	10/12/2019	South	Dairy Farm Cottage, Sutton Hoo	Erection of a summer house	<ul style="list-style-type: none"> • Enforcement Notice served 10/12/2019 • Awaiting site visit to check on compliance • Site visit undertaken, summer house still in situ. Further action to be considered. • Property has now changed hands. Contact with new owner to be established. 	31/03/2022

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • Officers are now in contact with the new owners and are discussing a way forward. • Six weeks given for summerhouse, decking and steps to be removed. • New planning application has been submitted. Case on hold until determined. • Planning permission has been granted for retention of the decking element. Removal of summerhouse and steps have been conditioned. • Summerhouse to be removed by 10th June 2021 • Site visit to be undertaken. • 16/09/2021 – Site visited, summerhouse still in situ, letter sent requiring removal. • New Planning application submitted for retention of summerhouse. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2019/0307 /COND	21/10/2021	North	The Southwold Flower Company, Land at Wangford Rd/Reydon Lane, Reydon	Breach of conditions, 2, 4 and 8 of Planning Permission DC/18/0335/FUL	<ul style="list-style-type: none"> 21/10/2021 – Enforcement Notice served. Date effective 25/11/2021. 3/5 months for compliance, requiring the building to be converted to be in full compliance with the permission within 5 months. To cease all retail sales from the site and to submit a scheme of landscaping within 3 months. Appeal submitted. Waiting for start date from the Planning Inspectorate. Appeal notice received. Statement due to Planning Inspectorate by 21/01/2022. Awaiting Planning Inspectorate Decision 	25/02/2022 and 25/04/2022
ENF/21/0441/S EC215	03/02/2022	North	28 Brick Kiln Avenue, Beccles	Untidy site	<ul style="list-style-type: none"> S215 (Land adversely affecting amenity of Neighbourhood) Notice served 07/02/2022 	11/06/2022

Committee Report

Planning Committee North - 8 March 2022

Application no DC/21/5015/FUL

Location

15 - 18 Milton Road East
Lowestoft
Suffolk
NR32 1NT

Expiry date 4 January 2022

Application type Full Application

Applicant East Suffolk Council

Parish Lowestoft

Proposal Development of six 2 bed dwellings after demolition of existing building

Case Officer Iain Robertson

07827 956946

iain.robertson@eastsuffolk.gov.uk

1. Summary

- 1.1. Planning permission is sought for the demolition of the existing single storey office building, which has been vacant since 2019, and the construction of 6 x 2-bedroom properties with associated parking and outdoor amenity space. The properties will form part of the Councils housing portfolio and will be available for affordable rent.
- 1.2. Data extracted from the Housing Needs Register on 8th October 2021 identifies a total of 50 applicants, in need of a 2-bed home, with a local connection to the Lowestoft area. The need for 2-bed homes for smaller families is well documented within the district, with a further 107 applicants requesting 2-bed homes but considered adequately housed currently. The site was identified as an opportunity to address this need by delivering 6, much needed 2-bedroom homes.
- 1.3. The subject site for this application lies within the settlement boundary of Lowestoft, in a highly sustainable location within the Town centre in a primarily residential area which is within walking distance of everyday services and facilities. This building has very little

architectural merit and it is considered that demolition and redevelopment will improve this aspect of Milton Road East.

- 1.4. The application is before members as East Suffolk Council are both the applicant and landowner.
- 1.5. The proposed development is in accordance with the Local Plan and the application is recommended for Approval.

2. Site Description

- 2.1. Milton Road East runs along the northern boundary of the site, there are four single storey retail units directly opposite with terraced housing situated perpendicular to these on Tennyson Road and Arnold Street. To the west of the site, Milton Road East continues until its junction with Katwijk Way where there is a mixture of terrace housing, office conversions and the former Lowestoft Hospital located on the corner of Tennyson Road.
- 2.2. The former Lowestoft Hospital site is allocated for comprehensive residential redevelopment through allocation Policy WLP2.8.
- 2.3. The site is within the Town Centre Boundary as highlighted on the Policies maps and is situated in close proximity to but outside of the North Lowestoft Conservation Area.

3. Proposal

- 3.1. The proposal is for a terrace of 6 x 2-bedroom properties constructed of buff brick with slate appearance tiles; the building would be of traditional form but with contemporary detailing. Car parking for plots 1 - 5 would be in front of the properties, off road car parking is not feasible for plot 1 given its corner location. The properties would be sustainably constructed using micro-generation technology such as PV panels and air-source heat pumps. EV charging points will be provided for plots 1 - 5, with cycle storage facilities for all dwellings.

4. Consultations/comments

- 4.1. Two representations have been received, one of objection and one of comment, raising the following matters:

Objection:

- Overlooking and loss of privacy due to proximity of properties

Comment:

- Impact on gable end of 33 Police Station Road from demolition of attached building.

Parish/Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	16 November 2021	1 December 2021
Summary of comments: The Town Council's Planning Committee considered this application at a meeting on 30 November 2021. It was agreed to recommend approval of the application subject to the installation of electric charging points at the parking spaces designated within the plans.		

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	16 November 2021	25 January 2022
Summary of comments: Holding objection. Proximity of plot 2 parking to junction and lack of visibility to plot 1 parking space.		

Non statutory consultees

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	16 November 2021	No response
Summary of comments: No comment received.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	16 November 2021	17 November 2021
Summary of comments: No objection subject to Contaminated land (CL) conditions requiring CL investigation and remediation where necessary. Also, EV charging points to improve air quality.		

Consultee	Date consulted	Date reply received
Waveney Norse - Property and Facilities	16 November 2021	No response
Summary of comments: No comment received.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	16 November 2021	No response
Summary of comments: No comment received.		

5. Publicity

Site notices

General Site Notice

Reason for site notice:

New Dwelling

Date posted: 29 November 2021

Expiry date: 20 December 2021

6. Planning policy

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”.
- 6.2. The National Planning Policy Framework (NPPF) (2021) and National Planning Policy Guidance (NPPG) are material considerations.
- 6.3. The East Suffolk Council (Waveney) Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:
 - WLP1.1 - Scale and Location of Growth
 - WLP1.2 - Settlement Boundaries
 - WLP1.3 - Infrastructure
 - WLP8.1 - Housing Mix
 - WLP8.2 - Affordable Housing
 - WLP8.18 - New Town Centre Use Development
 - WLP8.21 - Sustainable Transport
 - WLP8.29 - Design
 - WLP8.32 - Housing Density and Design

7. Planning Considerations

Principle of development

- 7.1. Policy WLP1.2 defines settlement boundaries and restricts the development of new residential, employment and retail use outside of settlement boundaries.

- 7.2. The site is situated within the Town centre boundary. To help support the vitality and viability of town centres the National Planning Policy Framework states that local plans should define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres, and set policies that make clear which uses will be permitted in such locations. Town Centre Boundaries and Primary Shopping Areas are defined by Policy WLP8.18
- 7.3. The site is outside of the primary or secondary shopping frontages. There is no protection for commercial uses such as this in these locations and therefore the principle of residential use of the site is therefore considered to be suitable.

Design

- 7.4. Policy WLP8.29 of the Local Plan requires that development proposals will be expected to demonstrate high quality design which reflects local distinctiveness; demonstrating a clear understanding of the form and character of the built, historic and natural environment and use this understanding to complement local character and distinctiveness. Paragraph 126 of the NPPF highlights that good design is a key aspect of sustainable development.
- 7.5. Proposals should respond to local context and the form of surrounding buildings in relation to the overall scale and character, layout, site coverage and height and massing of existing buildings. The relationship between buildings and spaces and the wider street scene or townscape is important and proposals should make use of materials and detailing appropriate to the local vernacular. Innovative design will be strongly supported where it meets the criteria of this policy.
- 7.6. Policy WLP8.32 "Housing Density and Design" highlights that development proposals shall make best use of the site in a manner that protects or enhances the distinctiveness and character of the area and takes into account the physical environment of the site and surrounds.
- 7.7. In this case it is considered that the density of the proposal is acceptable and is characteristic of the density of the surrounding area which is predominantly made up of terraced properties.
- 7.8. To the west the terraced properties are often bay fronted, with small front gardens that are enclosed with low walls or railings. Parking predominantly takes place within the highway. Closer to the development site are smaller terraced properties built directly onto the pavement edge.
- 7.9. This development takes design characteristics from the surrounding built development using vernacular form and materials but details the properties in a contemporary way taking into account site constraints. Buff brick and slate appearance tiles are proposed which are characteristic of the properties to the west, the bay features of these properties are indicated through the use of a modern engineering brick, the lack of a physical bay is partly down to space for frontage parking, this approach has been used on the Police Station Road frontage also to provide more interest to this gable end. A bay window is shown on the western gable where there is space to do so.

- 7.10. The original proposal for side boundary treatments to be of timber fencing with concrete gravel boards has been replaced with brick walls, providing continuity with the appearance of the main properties which would provide a high-quality finish to these visible side boundaries.
- 7.11. Off street parking has been provided on the majority of the plots due to the limited availability in the vicinity, this has led to the properties being set back further than others but is unavoidable, and this frontage parking provision has the benefit of enabling EV charging points which would be more difficult with only on-street provision.
- 7.12. Overall, the design of the proposal is considered to be acceptable and would be an enhancement to the surrounding area and would accord with Policies WLP8.29 and WLP8.32.

Amenity

- 7.13. Policy WLP8.29 expects that development proposals will protect the amenity of the wider environment, neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development.
- 7.14. The existing building is only single storey in height but abuts the gardens of 33 Police Station Road and 3 County Villas. The properties as proposed would be of two storey height but set further back than the existing with a 1.8m fence on the rear boundary. The lesser height of the fence in place of the existing building would reduce the immediate impact from a high wall on their northern boundaries but overall, a two-storey building will have a greater impact on the occupiers of these properties and others in close proximity.
- 7.15. This impact would mainly be from the potential for overlooking from the rear bedroom windows. These have been designed in such a way as to minimise the impact from overlooking due to the high-level position of the window in main area of the room. Furthermore, due to the relationship of these existing properties to one another there is already overlooking from first floor windows to garden areas.
- 7.16. In terms of the amenity of future occupiers the proposals offer residential units that exceed minimum space standards and will offer a good level of amenity in terms of natural light to rooms. Garden space of a suitable proportion to the dwellings is provided to the rear, where there is also provision for refuse and cycle storage.
- 7.17. The proposal is therefore considered to comply with the requirements of Policy WLP8.29.

Highways

- 7.18. Suffolk County Council Highways Authority provided a formal comment on the original layout plan of which a holding objection was registered. Two areas of concern were identified; firstly, that the parking space for plot 2 was too close to the junction with Police Station Road as it was within 10 metres of the junction creating a hazard when reversing onto the highway. Secondly, the parking provision for Plot 1 would emerge between two walls which would not provide any pedestrian inter-visibility.

- 7.19. The most recently submitted layout plan moves the footprint of the building westwards allowing the parking space to plot 2 to be positioned further from the junction. Whilst an alternative parking layout was proposed for plot 1 this would have resulted in the parking space taking up the majority of the garden area for the property and in any case would have required a gate to be located in close proximity to the highways, which would have resulted in an equally hazardous layout. In these circumstances it was considered that the best outcome for plot 1 was for no off-road parking to be provided for this plot.
- 7.20. Although the initial holding objection has not been formally removed, SCC Highways Authority have indicated that this would be preferable subject to adequate cycle storage provision. The site is situated approximately 50 metres from the shopping area on London Road North and 600 metres from the railway station. Officers are of the view that future occupiers would be aware of the lack of off-street parking and would not necessarily require a car due to the town centre location. Arguably in a site this sustainably located, it would be possible to have a scheme with no on-site parking provision, but the proposal makes the best use of the site to provide as much safe on-site parking as possible in the context.
- 7.21. As previously mentioned, covered and secure cycle storage will be provided to ensure that other more sustainable transport options are available to occupiers as is encouraged by Policy WLP8.21.
- 7.22. It is therefore considered that this proposal would not have an unacceptable impact on highway safety and would therefore comply with the requirements of Paragraph 111 of the NPPF.

Other matters

Heritage:

- 7.23. The proposals would not harm the setting of the North Lowestoft Conservation Area and would meet the requirements of Policy WLP8.39 of the Local Plan, S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF.

Ecology:

- 7.24. Due to the previously developed nature of the site, it is not considered that an Ecology assessment is required. The opportunity to provide some landscaping, where there is currently only hard surfacing, would lead to a slight enhancement to Biodiversity and would accord with Policy WLP8.34 of the Local Plan and should be secured through conditions.

RAMS:

- 7.25. The site is situated within the zone of Influence (ZOI) of European protected sites. In this area increased residential development will result in likely significant effects. As set out in the strategy, evidence shows that there is a 13 km Zone of Influence (ZOI) around the relevant Habitat Sites in the Suffolk Coast area (this includes East Suffolk, Ipswich Borough and Babergh and Mid Suffolk Council areas).

- 7.26. The appropriate contribution to the RAMS project has been made which allows for a strategic approach to mitigating the in-combination effects of development on these designated areas and allows mitigation to be delivered across the project area.
- 7.27. The proposals would therefore accord with Policy WLP8.34 of the Local Plan.

8. Conclusion

- 8.1. The proposed development is of an appropriate design, scale and density which will make the best use of the site in a manner that protects and enhances the distinctiveness and character of the area and takes into account the physical environment of the site and surrounds.
- 8.2. The impact of the proposal on the amenity of occupiers of properties to the rear is considered to be acceptable.
- 8.3. The amendments made to the proposal in terms of the layout for parking are considered to be acceptable, given the context of the site, and would not give rise to unacceptable impacts on highway safety.
- 8.4. Growing populations and housing need, particularly the affordability of housing are societal key issues identified within the Local Plan. The proposal will provide an important contribution to the Council's housing stock which would go some way to meeting the demand for 2-bedroom properties needed accommodate smaller families with a local connection to Lowestoft as identified by the Housing Needs Register.
- 8.5. The proposal is considered to accord with Local Plan Policies identified within this report and the objectives of sustainable development with in the NPPF.

9. Recommendation

- 9.1. Approve - Subject to conditions detailed below.

10. Conditions:

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

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

- 2. The development hereby permitted shall be completed in all respects strictly in accordance with Drawing No. 1740 01 Rev F, 03 Rev B and 04 Rev E received on 23 February 2022, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

4. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a site investigation consisting of the following components has been submitted to, and approved in writing by, the local planning authority:

a) An intrusive/Phase 2 investigation(s), to include:

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

All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including: BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM).

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

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

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

The RMS must be prepared by a competent person and conform to current guidance and best practice, including the Land Contamination Risk Management (LCRM).

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

6. Prior to any occupation or use of the approved development the RMS approved under condition 5 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

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

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

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM)) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

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

Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

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

9. The use shall not commence until the area(s) within the site shown on Drawing No. 1740 01 Rev E for the purposes of manoeuvring and parking of vehicles has been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking 2019 where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

10. Prior to first occupation the EV charging point as shown on Drawing No. 1740 01 Rev E shall be provided and shall be retained thereafter.

Reason: To ensure the provision for charging of electric vehicles in accordance with Suffolk Guidance for Parking (2019) and to promote sustainable transport methods.

11. The use shall not commence until area(s) within the site shown on Drawing No. 1740 01 Rev E for the purposes of secure cycle storage has been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for secure cycle storage are provided in accordance with Suffolk Guidance for Parking 2019 to promote sustainable travel.

12. The areas to be provided for the storage and presentation of refuse and recycling bins as shown on Drawing No. 1740 01 Rev E shall be provided in their entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

13. Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the accesses are first used and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway.

14. Prior to construction above slab level full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Reason: To ensure the provision of amenity afforded by appropriate landscape design and maximise the long-term biodiversity value of the landscaping.

15. The landscaping scheme shall be completed in the autumn (October -December) planting season following completion of the last building shell, or such other date as may be agreed in writing with the Local Planning Authority. Any trees or plants which die during the first 3 years shall be replaced during the next planting season.

Reason To ensure a satisfactory appearance within the landscape

Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. The applicant is advised that the proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business premises. For details of the address charges please see our website www.eastsuffolk.gov.uk/planning/street-naming-and-numbering or email llpg@eastsuffolk.gov.uk
3. Note: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

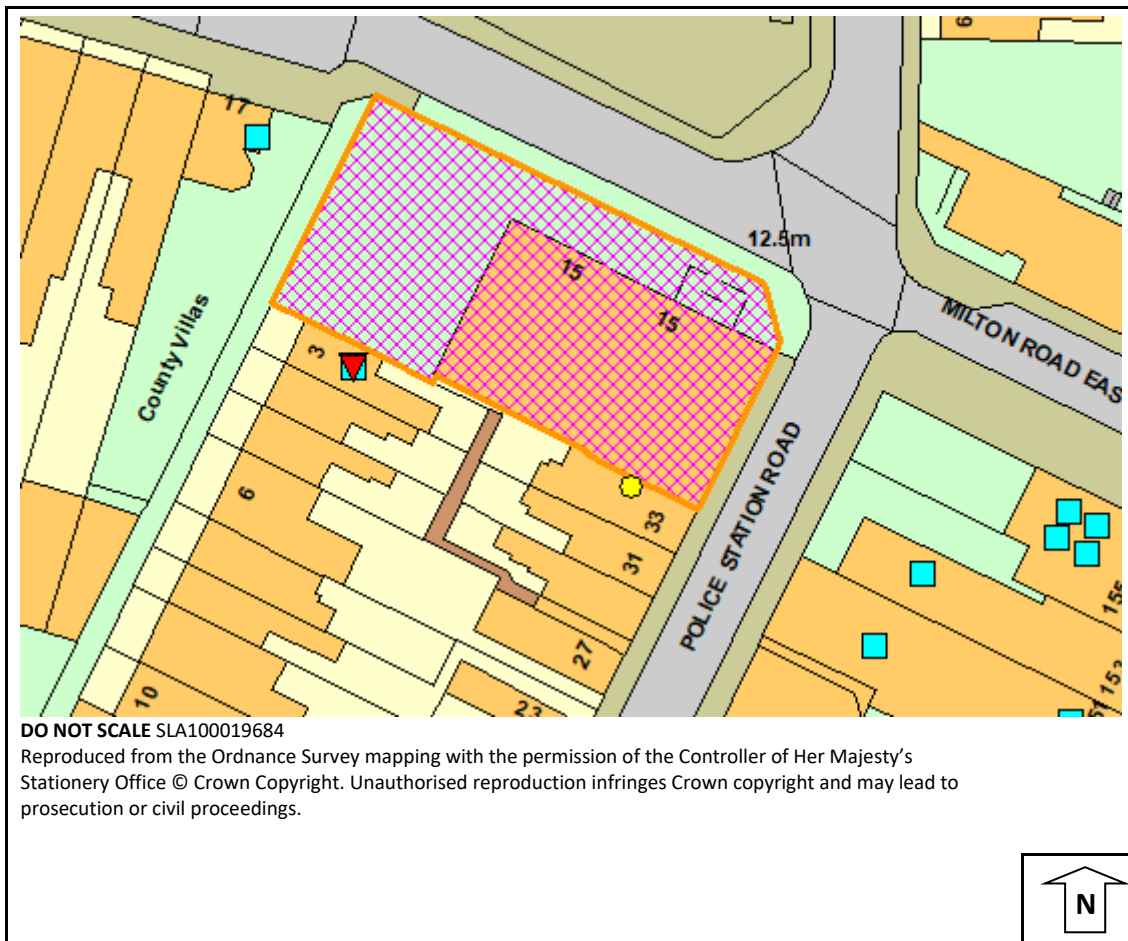
The County Council's East Area Manager must be contacted on Telephone: 01728 652400. Further information can be found at: www.suffolk.gov.uk/environment-and-transport/highways/dropped-kerbs-vehicular-accesses/

A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.





Background Papers

See application reference DC/21/5015/FUL on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee North - 8 March 2022

Application no DC/21/5332/FUL

Location

The Lugger
13 Linden Close
Aldeburgh
Suffolk
IP15 5JL

Expiry date 15 February 2022

Application type Full Application

Applicant Mr Wayne Francis

Parish Aldeburgh

Proposal Use of proposed annex approved under DC/21/3363/FUL to also be used for holiday let.

Case Officer Steve Milligan
07867 158060
steve.milligan@eastsuffolk.gov.uk

1. Summary

- 1.1 This is a full planning application for the conversion of existing double garage for use as an annexe for elderly relatives and for holiday letting use at The Lugger, 13 Linden Close, Aldeburgh.
- 1.2 The unit lies within the settlement boundary of Aldeburgh. Use as an annexe was consented in December 2021.
- 1.3 Tourist use is generally supported by policies SCLP6.3 and SCLP6.5. There is not considered to be adverse impact upon the locality or the amenity of neighbours. Parking provision is adequate. The scheme will provide some modest tourist accommodation with minor economic benefits.
- 1.4 Subject to receipt of a RAMS payment it is considered that the use is acceptable and can be supported.

- 1.5 The application was referred to the Scheme of Delegation Referral Panel in February 2021 as an objection has been received from Aldeburgh Town Council. The Referral Panel determined that the application be presented to the Planning Committee.

2. Site Description

- 2.1 The application property is a single storey dwelling with detached garage that lies within an estate of properties that dates from the later 20th century. It lies within the settlement boundary of Aldeburgh and within the Suffolk Coasts and Heaths AONB. The property lies within EA Floodzone 1 (the lowest risk area). There is a neighbour No 11 to the south with 1.8m close boarded fencing along the boundary.
- 2.2 The garage building is detached and lies on the southern side of the property. Planning permission was given in December 2021 for conversion of the garage for use as a one bedroomed annexe for elderly relatives, ref DC/21/3363/FUL. The conversion involved the addition of a window and door into the south elevation and glazing into the original garage door openings in the eastern side of the building. This scheme remains extant but at the time of writing this report, it has not been commenced.

3. Proposal

- 3.1 This is a full planning application for the conversion of existing double garage for use as an annexe for elderly relatives and for holiday letting use.
- 3.2 The conversion works and accommodation remain unchanged from the scheme consented under DC/21/3363/FUL. It is however proposed to use the annexe for holiday letting use when not in annexe use.

4. Third Party Representations

- 4.1 No third party representations have been received.

5. Consultees

5.1 Parish/Town Council

Consultee	Date consulted	Date reply received
Aldeburgh Town Council	10 January 2022	18 January 2022
Summary of comments: ATC Planning Committee OBJECTS to this application. Previous application DC/21/3363/FUL recommended for familial use only.		

5.2 Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	10 January 2022	21 January 2022
Summary of comments: This proposal is unlikely to have any impact on the highway network in terms of vehicle volume or highway safety. Therefore, the Highway Authority does not wish to restrict the grant of permission.		

5.3 Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Economic Development	10 January 2022	25 January 2022
Summary of comments: No comments.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	10 January 2022	No response
Summary of comments:		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	10 January 2022	10 January 2022
Summary of comments: Condition recommended regarding discovery of unexpected contamination.		

5.4 Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 12 January 2022

Expiry date: 2 February 2022

6. Planning policy

SCLP3.2 - Settlement Hierarchy (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

SCLP5.13 - Residential Annexes (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP6.3 - Tourism Development within the AONB and Heritage Coast (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP6.5 - New Tourist Accommodation (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP7.2 - Parking Proposals and Standards (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP12.26 - Strategy for Aldeburgh (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

National Planning Policy Framework 2021 (NPPF)

7. Planning Considerations

- 7.1 Tourist use is generally supported by policies SCLP6.3 and SCLP6.5. The level of use is modest, is provided through conversion of an existing building, lies within the settlement boundary of a Market Town, and with no significant adverse impact upon the AONB or neighbours. There is sufficient parking to the front of the property for both house and annexe/letting unit.
- 7.2 The Suffolk Coast Tourism Strategy 2013-2023 advocates support for sustainable tourism, it also emphasises the need to maximise the appeal, quality and popularity of the countryside, and the market and coastal towns to encourage more off season visits for a range of activities. It is considered that the principle of development is supported in this instance.
- 7.3 Residential Annexes are the subject of Local Plan policy SCLP5.13: Residential Annexes. The annex is smaller in scale and clearly ancillary to the host dwelling; the proposal does not involve the physical separation of the residential curtilage; no separate access is required; the annex is well related to the host dwelling; there is sufficient off-road parking; and there is no significant adverse effect on the landscape or visual amenity. Annexe use was consented under DC/21/3363/FUL.
- 7.4 The door to the annexe/holiday unit is proposed to be on the southern side of the building and a new window. The level of activity from a one bedroomed annexe/holiday unit should not result in a level of disturbance to the neighbour so as to fall contrary to SCLP11.2 and justify refusal of planning permission and the existing fence will maintain privacy of the neighbour.

- 7.5 There is a generous area to the front of the property that is able to accommodate parking for at least three cars, which is sufficient to comply with Suffolk Guidance for Parking. No objections are raised by the Highway Authority.
- 7.6 The site is within the Suffolk Coast RAMS Zone of Influence (Zone B - within 13km of the Minsmere-Walberswick SPA; Minsmere-Walberswick Ramsar Site; Minsmere to Walberswick Heaths and Marshes SAC; the Alde-Ore Estuary SPA; the Alde-Ore Estuary Ramsar Site; the Alde-Ore and Butley Estuaries SAC; the Orfordness-Shingle Street SAC and the Sandlings SPA) and as the unit is a self-contained unit of holiday accommodation, a financial contribution to the scheme (or equivalent mitigation identified via a Habitats Regulations Assessment (HRA)) is required in order to mitigate in-combination recreational disturbance impacts on habitats sites (European designated sites). The contribution is required prior to the grant of planning permission.

8. Conclusion

- 8.1 The unit lies within the settlement boundary of Aldeburgh. Use as an annexe was consented in December 2021.
- 8.2 Tourist use is generally supported by policies SCLP6.3 and SCLP6.5. There is not considered to be adverse impact upon the locality or the amenity of neighbours. Parking provision is adequate.
- 8.3 The objection from the Town Council does not specify why they object to the current application other than it is not the annexe for family use consented originally. Given the policy support, adequacy of parking and limited impact on the amenity of neighbours from this small unit, there are no demonstrable reasons to refuse planning permission for tourist use.
- 8.4 The application is recommended for approval (subject to receipt of RAMS payment).

9. Recommendation

- 9.1 Authority to Approve subject to receipt of RAMS payment.

Conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.
Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.
2. The development hereby permitted shall be completed in all respects strictly in accordance with drawing no. 15 153 - 100 received 26.11.2021.
Reason: For the avoidance of doubt as to what has been considered and approved.

3. The accommodation may be occupied either for purposes incidental to the use of the dwellinghouse (13 Linden Close) or for occupation by a relative or dependant of the householder or his or her spouse; or may be used as holiday letting accommodation and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or any Order revoking or re-enacting the said Order). The duration of occupation by any one person, or persons for holiday use shall not exceed a period of 56 days in total in any calendar year, unless the Local Planning Authority agrees in writing to any variation. The owners/operators of the holiday unit hereby permitted shall maintain an up-to-date register of all lettings, which shall include the names and addresses of all those persons occupying the unit during each individual letting. The said register shall be made available at all reasonable times to the Local Planning Authority.
Reason: To ensure the development is occupied only as bona-fide holiday accommodation or as an annexe to the principal residence, having regard to planning policies, tourism objectives and to ensure the use and parking area remains 13 Linden Close.

4. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. No further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.
An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM)) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.
Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.
Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

5. The use shall not commence until details of the areas to be provided for the manoeuvring, parking of vehicles, including secure cycle storage, has been submitted to and approved in writing by the local planning authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.
Reason: To ensure that sufficient space for the on site parking of vehicles is provided in accordance with Local Plan Policy SCLP7.2 and in the interests of sustainability.

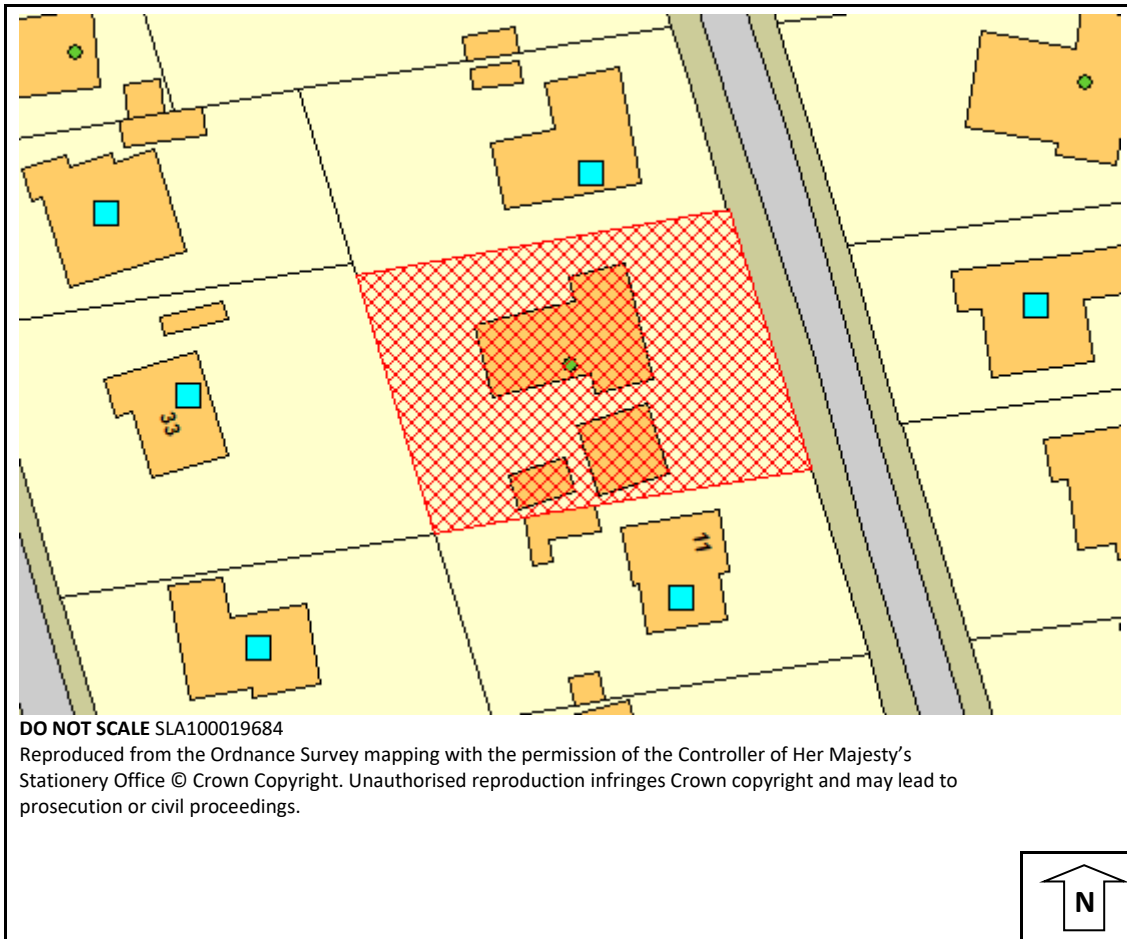
Informatives:

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





Background Papers

See application reference DC/21/5332/FUL on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee North – 8 March 2022

Application no DC/21/2369/FUL

Location

73 Beccles Road
Bungay
Suffolk
NR35 1HT

Expiry date 13 July 2021
Application type Full Application
Applicant Wendy and John Machon

Parish Bungay
Proposal Construction of new dwelling and associated works
Case Officer Joe Blackmore
07887 454208
Joe.Blackmore@eastsuffolk.gov.uk

1. Summary

- 1.1 This application seeks permission for a new dwelling and associated works on land at 73 Beccles Road, Bungay. The design and layout of development has been amended during the application process in response to officer feedback. As set out in the considerations section of this report, the proposal accords with the Development Plan as an acceptable form of infill development and is recommended for approval.
- 1.2 The application has been referred to the Planning Committee through the Referral Panel, as the officer recommendation to approve is contrary to the views of Bungay Town Council.

2. Consultees

Consultee	Date consulted	Date reply received
Bungay Town Council	24 May 2021	11 June 2021
<p>Summary of comments:</p> <p><i>At the Bungay Town Council Planning, Environment & Highways Committee Meeting held on 10th June 2021 -</i></p> <p><i>It was proposed by AD, seconded by GH, and RESOLVED that these plans are recommended for REFUSAL with the following comments :</i></p> <ul style="list-style-type: none"> <i>o A healthy Beech tree is being cut down whereas this could be accommodated within the plans if the property was re-positioned on the site.</i> <i>o If the tree is cut down it should be replaced by a tree of equal quality.</i> <i>o There is no provision for an Electric Car Charging Point.</i> <i>o 5 houses already share this access point onto the highway and there is no pavement on this side of the road.</i> <i>o No details on the application as to how 'Green' the building is.</i> <i>o The proposed building is out of character with the street scene and out of keeping with other properties.</i> <i>o The proposed building is on the edge of the Flood Plain, which is not mentioned in the application, and this further development will exasperate the situation.</i> <i>o The application says that the building is on Developed Land & a Brownfield site , which is not the case,</i> <i>o Overdevelopment of the site.</i> 		

Consultee	Date consulted	Date reply received
SCC Highways Department	24 May 2021	7 June 2021
<p>Summary of comments:</p> <p>No objections; conditions recommended.</p>		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	24 May 2021	8 June 2021
<p>Summary of comments:</p> <p>We have no objection to this development subject to compliance with our requirements, consent is given to the development on the condition that a water connection for the new dwelling is made onto our Company network for revenue purposes.</p>		

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	24 May 2021	No response

Summary of comments:
No comments received.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	24 May 2021	24 June 2021

Summary of comments:

The applicant has submitted a Land Contamination Questionnaire together with an internet environmental search, neither of which provide any reasons to suspect that contamination is present or needs to be considered any further. As such, based on the information submitted, it would appear that there needs to be no further assessment of contamination at this stage. However, I would advise the LPA to apply a planning condition requiring the reporting of any potential contamination encountered during construction

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	8 June 2021	12 July 2021

Summary of comments:

This site is tucked away from the road side and there are many trees and hedges screening the site from roadside and neighbours. Along the boundary and driveway to No. 69 is an existing Beech hedge with a couple of semi mature trees in the garden of No. 73 1 x Horse Chestnut, 1 x Sycamore 1 x small Oak and 1x young Beech, a young Copper Beech and young poor quality Larch. The young Beech, Copper Beech and Larch will need to be removed to allow this proposed development. The young Beech is very close to power lines, and the Copper Beech / Larch are located within the site close to proposed bungalow. These 3 trees have limited 'amenity value' and their loss would not be noticed within existing street scene. Whilst it is a shame to lose trees, in this instance there are many trees / hedges on site and within the adjacent properties. Drawing No. 2159.2a also show 7 new trees, with 4 being in the frontage of the site to replace these 3.

Consultee	Date consulted	Date reply received
Broads Authority	18 November 2021	29 November 2021

Summary of comments:

I write further to the above proposal. I can confirm that the Broads Authority does not have any comments to make regarding this consultation.

Re-consultation consultees (following receipt of amended plans)

Consultee	Date consulted	Date reply received
Bungay Town Council	18 November 2021	9 December 2021

Summary of comments:

Bungay Town Council's previous comments stand

The proposed design is even less in-keeping with the surrounding than the previous submission and no considering have been made of the Town Council's comments

No evidence of flood amelioration in the design. The development is within 200 m of flood zone 2 of the EA's flood map and directly 359 m from the R Waveney.

Bungay Town Council would not support this application.

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	18 November 2021	No response

Summary of comments:

See previous comments.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	18 November 2021	No response

Summary of comments:

See previous comments.

Consultee	Date consulted	Date reply received
SCC Highways Department	18 November 2021	23 November 2021

Summary of comments:

No objections; conditions recommended.

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	18 November 2021	30 November 2021

Summary of comments:

Previous comments apply.

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	18 November 2021	No response

Summary of comments:

No comments received.

3. Site notices

General Site Notice

Reason for site notice: New Dwelling

Date posted: 7 June 2021

Expiry date: 28 June 2021

4. Planning Policy and Policy Background

National Planning Policy Framework 2021 (NPPF)

WLP7.1 - Rural Settlement Hierarchy and Housing Growth (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP1.2 - Settlement Boundaries (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.7 - Small Scale Residential Development in the Countryside (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.21 - Sustainable Transport (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

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

WLP8.33 - Residential Gardens and Urban Infilling (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.34 - Biodiversity and Geodiversity (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

5. Site Description

- 5.1 73 Beccles Road is located to the north side of the road and comprises a large plot with extensive gardens to the rear (north) and side (southwest). The host dwelling is a modest bungalow of red brick dating from the early to mid-twentieth century. The site is accessed via a private drive off Beccles Road, and this drive serves a small group of dwellings on a curvilinear building line.
- 5.2 To the north of 73 Beccles Road is the boundary with the Broads Authority area. To the south of the site is an area of grassland used as a caravan site. To the east and west of the site are residential dwellings of a mixed character. The area has a pleasant, verdant character due to the well-established hedgerows and many mature trees – this vegetation provides a significant amount of screening whereby many of the properties accessed off the private drive are not visible from Beccles Road.
- 5.3 The Bungay settlement boundary (as drawn on the Local Plan policies maps) defines two separate - but closely related - areas. The site falls within that gap between the defined settlement boundaries and represents one of seven dwellings that are clustered together in that location. Whilst there is that clear break between the drawn settlement boundaries when read on a map, the experience of the site in its context is that it forms part of the

residential area of the town, and it is really the undeveloped gap to the south of Beccles Road that has a more rural character and provides the clear legible gap between the defined settlement boundaries.

- 5.4 The site is sustainably located with a footway to the south side of Beccles Road allowing access on foot to both areas of Bungay to the east and west. Kents Lane to the south side of Beccles Road runs in a south easterly direction connecting up with the B1062.

6. Proposed Development

- 6.1 The proposal would utilise the existing driveway for the bungalow at No.73. The proposed dwelling would be positioned to the southwest of the existing bungalow, with a staggered footprint and majority of the accommodation all at ground floor level. The central block would be one-and-a-half storeys with an en-suite master bedroom at upper floor level. The plans show a two-bedroom dwelling, but the home office could easily be used as a third bedroom. The attached double garage would provide two secure/covered parking spaces, in addition to the external parking/turning area serving both the proposed and existing dwelling.

7. Third Party Representations

- 7.1 One letter of objection that raises the following key concerns :

- The revised plans are not in keeping with the surrounding area (two double fronted bungalows dating from around 1930). The original plan was more sympathetic.
- This building design would be more suited to an individual plot and not nestled between two traditional brick and tile bungalows
- There is now three windows overlooking our property (front and back garden).
- The proposed building is very close to our boundary.
- Our property is lower than the existing dwelling at 73 Beccles road and this new dwelling on the site has a higher roofline than both 69 and 73.
- Our caravan park to the south of our property is used all year round and not used 'occasionally' as stated.
- It would be more suitable for a bungalow (not chalet) to be planned for this site.

8. Planning Considerations

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires decision taking to be in accordance with the Development Plan unless material considerations indicate otherwise. The key policies are listed in section four of this report.
- 8.2 For planning purposes, the site is located in the countryside because it is outside the defined settlement boundaries for Bungay as detailed on the Local Plan policies maps. That being

said, in general terms the site is very closely related to the Town and is sustainably located. The gap between the drawn settlement boundaries is more about the undeveloped open area to the south of Beccles Road, which forms an important gap between the two main built-up areas of the Town. Development of the proposed site would cause no coalescence between the two distinct areas of the town.

- 8.3 Policy WLP8.7 - Small Scale Residential Development in the Countryside sets out that small scale residential development in the Countryside of up to three dwellings will be permitted where:
- The site constitutes a clearly identifiable gap within a built-up area of a settlement within the Countryside;
 - There are existing residential properties on two sides of the site; and
 - The development does not extend further into the undeveloped Countryside than the existing extent of the built-up area surrounding the site.
- 8.4 The site falls within a cluster of seven dwellings that are located in the 'countryside'; it represents a clearly identifiable gap within that group with residential properties on two sides; and this limited infill opportunity would not extend further into the undeveloped countryside than the existing extent of the built-up surrounding area. Accordingly, and although the site being a 'countryside' location is not all that obvious on-the-ground, it would meet the policy requirements of WLP8.7. The principle of development is therefore in accordance with the Local Plan.
- 8.5 The scheme has been quite considerably amended in response to officer feedback. At the site visit officers noted the change in levels with the dwelling at 69 Beccles Road on lower ground than the application site. There is also a prevailing character of fairly low building heights, and the original dwelling design was deemed, by officers, to be too large for that context. The officer feedback was for a bungalow to be designed; however, the applicant's architect has put forward a chalet style dwelling with mono-pitched roofs and a contemporary aesthetic. The topographical survey work and accompanying context plan shows that this dwelling is of an appropriate scale, because its height will relate well to the size of adjacent dwellings. The contemporary form and materials are acceptable in a context of a mix of architectural styles and designs.
- 8.6 The layout of development essentially continues the curvilinear building line and represents a logical infill plot as part of the group. The existing dwelling at 73 would maintain a very large rear garden and the shared parking turning area will function acceptably for both dwellings, new and old. It is acknowledged that the private garden area to the rear of the new dwelling would be limited, however the moderate area of garden to the front and side of it would provide attractive amenity space, even if not particularly private.
- 8.7 A key concern for officers at the site visit was the tree loss associated with the proposed development. Specialist advice from the Arboriculture and Landscape Officer (following her site visit) clarified that:

"This site is tucked away from the road side and there are many trees and hedges screening the site from roadside and neighbours. Along the boundary and driveway to No. 69 is an existing Beech hedge with a couple of semi mature trees in the garden of No. 73 1 x Horse Chestnut, 1 x

Sycamore 1 x small Oak and 1x young Beech, a young Copper Beech and young poor quality Larch.

The young Beech, Copper Beech and Larch will need to be removed to allow this proposed development. The young Beech is very close to power lines, and the Copper Beech / Larch are located within the site close to proposed bungalow. These 3 trees have limited 'amenity value' and their loss would not be noticed within existing street scene.

Whilst it is a shame to lose trees, in this instance there are many trees / hedges on site and within the adjacent properties. Drawing No. 2159.2a also show 7 new trees, with 4 being in the frontage of the site to replace these 3."

- 8.8 The loss of existing trees on site is something that could happen without consent being required from the LPA and, whilst unfortunate, there is no prospect of serving a Tree Preservation Order on those three trees given the feedback from the Arboriculture and Landscape Officer. The main boundary hedge and mature trees would be retained, and the well vegetated wider context would remain, partially screening the development but more importantly preserving the verdant character of the group. A planning condition would be necessary, however, to secure a site wide landscaping strategy inclusive of new tree planting. A further condition is necessary to secure the timely implementation of that landscaping, and its retention (and replanting where necessary) for a period of five years.
- 8.9 The immediate neighbour at No.69 has objected to the design of the proposed development, stating that it is not in keeping with the brick and tile bungalows adjacent. It is acknowledged that the proposal is a different appearance to those two dwellings, but the important context is that dwellings within the group are of a design that very much reflects their time. For example, consented infill development at No.77 is of a contemporary form, and not a traditional bungalow built of brick and tile. In the context the important design feature is scale – i.e., height relative to neighbouring dwellings, and the amended scheme is acceptable in that regard.
- 8.10 In amenity terms, the amended design sees a chalet dwelling of appropriate scale that is acceptably located in terms of position relative to neighbouring dwellings. The neighbour at No.69 identifies some concern with overlooking from the two west facing upper floor windows (serving the bedroom). Officers share that concern and a condition restricting those windows to obscure glazed and non-opening is necessary to protect neighbour amenity. The south facing main window to the bedroom will look onto the front of the site and ensure adequate light and ventilation to the bedroom.
- 8.11 Given the narrow width of the private drive and that it is essentially an unmade track, it would be necessary to require a concise construction management plan by condition, particularly to ensure that contractor vehicles and deliveries are properly managed, along with any storage of materials – this should all take place within the site or land at No.73 to reduce any disruption during the construction phase.
- 8.12 For the reasons set out, the design, layout, and amenity aspects of the proposed development are all acceptable in accordance with WLP8.29 (Design).
- 8.13 The Town Council raise concerns about flood risk. However, this site is located within a low-risk flood area (flood zone one) and the proposed dwelling is a sufficient distance (over 20 metres) from a main river to the west whereby there is no requirement to consult the

Environment Agency or seek a site-specific Flood Risk Assessment. There is no conflict with policy WLP8.24 (Flood Risk).

- 8.14 The site utilises the existing vehicle access of Beccles Road which has good visibility in both directions. The proposal will provide adequate parking for both the new and existing dwellings, along with areas to manoeuvre vehicles on site. The County Highways Authority have considered the scheme and raise no objections, but recommend a series of conditions including:
- Area within the site for manoeuvring and parking of vehicles to be provided prior to occupation of the new dwelling, and those area retained and used only for that purpose.
 - Details of electric vehicle charging points to be submitted and approved by the LPA.
 - Bin presentation and storage area to be provided before occupation of the new dwelling and retained for that purpose.
- 8.15 Officers agree with all of those conditions which are necessary and proportionate. The EV charging point details by condition will address one of the concerns raised by the Town Council in their objection.
- 8.16 With conditions applied there are no highways safety or sustainable transport issues, and the scheme accords with WLP8.21 of the Local Plan.
- 8.17 The site falls outside of the Conservation Area and there are no designated heritage assets such as listed buildings affected by this scheme. Accordingly, there are no heritage considerations relevant to the proposal.
- 8.18 The site falls outside the Zone of Influence of any protected Habitats Sites; therefore, a Suffolk (Coast) RAMS contribution is not required, and it is not necessary to undertake an Appropriate Assessment of the scheme.

9. Conclusion

- 9.1 The scheme accords with the Development Plan and there are no other material considerations that would indicate for a decision other than approval. The matters raised by the Town Council have been carefully considered, but the principle of development is supported by the Local Plan, and the amended design is acceptable for the site.
- 9.2 During the course of the application, officers became aware that the applicant does not own the entirety of the private drive connecting No.73 to Beccles Road. That does not prevent a planning application being submitted and considered on merit, but it does mean the applicant has a legal obligation to complete the appropriate ownership certificate on the application form and serve the relevant notices on affected landowners. The applicant has been made aware of this and, through their agent, they are in now in the process of serving the relevant notices as required. This is a legal and administrative task that does not influence the planning considerations, but it must be undertaken prior to any decision notice being issued. Accordingly, the officer recommendation is one of authority to approve, subject to this process being properly completed. To reassure Members, all of the properties accessed off of the private drive were formally consulted by letter on this application, so they will be aware of it and have had the opportunity to comment.

10. Recommendation

- 10.1 Authority to Approve; subject to the updated ownership certificate being completed and relevant notices being served, by the applicant.

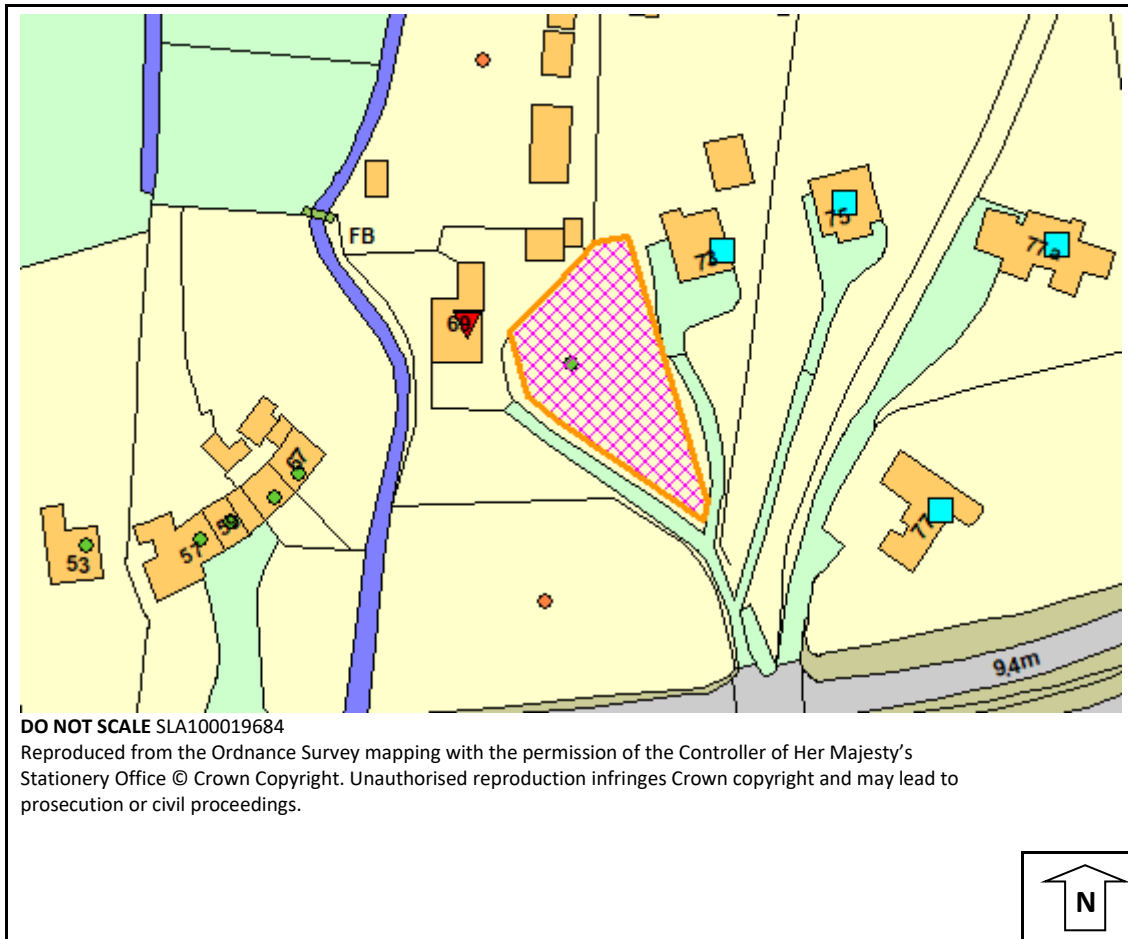
11. Conditions (summarised)

1. Three-year time limit.
2. Development in accordance with approved plans.
3. Materials/finishes to be submitted and agreed.
4. Area within the site for manoeuvring and parking of vehicles to be provided prior to occupation of the new dwelling, and those area retained and used only for that purpose.
5. Details of electric vehicle charging points to be submitted and approved by the LPA.
6. Bin presentation and storage area to be provided before occupation of the new dwelling and retained for that purpose.
7. Scheme of hard and soft landscaping to be submitted and approved pre-commencement.
8. Landscaping implemented at first available planting season and maintained for five years.
9. West facing bedroom windows to be obscure glazed and non-opening.
10. Standard condition requiring action of unexpected contamination encountered.
11. Construction management plan to be submitted, approved, and then adhered to.





12. Background Papers

See application reference DC/21/2369/FUL on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee North - 8 March 2022

Application no DC/22/0151/FUL

Location

Water Lane Leisure Centre
Water Lane
Lowestoft
Suffolk
NR32 2NH

Expiry date 10 March 2022
Application type Full Application
Applicant East Suffolk Council

Parish Lowestoft

Proposal Various external works:-

1. The existing bin store on the side of the existing building is to be relocated to the north edge of the site next to the existing GRP substation and enclosed in 1.8m high timber featheredge boarding with access gates to facilitate the ingress and egress of the bins
2. The existing gravel margin to the squash area is to be removed and replaced with a tarmacadam surface.
3. A new additional bike rack facility will be installed to the front building entrance area
4. One of the existing bike racks will receive a new canopy such as the example shown on drawing 002A
5. The south edge of the site will be relandscaped subject to planning approval and condition.

Case Officer Matthew Gee
07901 517856
matthew.gee@eastsoffolk.gov.uk

1. Summary

- 1.1. Planning permission is sought for an array of works, comprising: relocation of the bin store, replacement of existing gravel margin around courts with tarmac, erection of new bike rack and upgrade of existing bike store, and landscaping works to the southern boundary. The proposed works are considered to respect the character and appearance of the area and would provide additional facilities and upgrades to the site to allow it to continue successful operation. The proposal is therefore considered compliant with local and national planning policy, and as such it is recommended that planning permission be granted.
- 1.2. The application has been submitted by the Local Authority, and therefore it is referred to direct to Planning Committee for consideration

2. Site Description

- 2.1. The application site is located within the settlement boundary for Lowestoft and comprises Water Lane Leisure Centre covering an area of approximately 1.49 hectares. The centre comprises a detached building, with general parking and cycle storage located to the south. The site is bounded by the Great Eastern Linear Park and Church Road to the north, is accessed from Water Lane to the east, there is a Children's Centre and housing to the south, and Lowestoft Sixth Form and College Campus to the west.

3. Proposal

- 3.1. Planning permission is sought for various external works to the Leisure Centre including:
 - I. Relocating the existing bin store on the side of the building to the northern edge of the site next to the existing GRP substation. The store will be enclosed by a 1.8m high timber featheredged boarding,
 - II. The removal of the existing gravel margin around the squash area and replacement with a tarmacadam surface,
 - III. The erection of a new additional bike rack facility to the front building entrance area,
 - IV. The erection of a new canopy existing bike racks,
 - V. Re-landscaping of the south edge of the site, with the temp site entrance removed and kerb line reinstated, removal of existing foliage with area re-turfed and new landscaped planted, and a timber knee rail will be installed.

4. Consultees

Third Party Representations

- 4.1. No third-party representations have been received at the time of writing, if any are received in the remaining consultation period then these will be conveyed to members via the update paper.

Parish/Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	31 January 2022	15 February 2021
Summary of comments: The Town Council's Planning Committee considered this application at a meeting on 15 February 2022. It was agreed to recommend approval of the application.		

Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	31 January 2022	No response
Summary of comments: No comments received at time of writing; update will be provided via the update paper		

5. Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 3 February 2022

Expiry date: 24 February 2022

6. Planning policy

- 6.1 WLP8.22 - Built Community Services and Facilities - Waveney Local Plan, Adopted March 2019)
- 6.2 WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- 6.3 National Planning Policy Framework 2021

7. Planning Considerations

Principle

- 8.1 The proposed works are in connection with the operation of the centre, as well as the provision of improved facilities and visual appearance. Therefore, subject to the proposals being respectful of the character and appearance of the area and site and having no adverse impact it is considered that the principle is acceptable.

Bin Storage relocation

- 8.2 The proposal includes relocating the existing bin store on the side of the building to the northern edge of the site next to the existing GRP substation and enclosing it with 1.8m high timber featheredged boarding and associated gates for access. The proposed structure is not considered to appear at odds with the character and appearance of the

area, and whilst it will be visible from the adjacent public footpaths and partially from the road it is considered that it would partially blend into the area and cause no harm.

Cycle Storage

- 8.3 The proposal includes the introduction of 10 no stainless steel hoops for cycles at the front of the front of the building, as well as the introduction of a new canopy on an existing cycle hoops/bike rack towards the front of the building. The proposed additional cycle rack as well as the introduction of a canopy above an existing rack is not considered to have any adverse impacts on the character and appearance of the area. Neither will it have any adverse amenity or highway safety implications. It will however provide additional cycle storage on site, as well as improvement of existing facilities to provide a higher quality and useable storage area. This is all a positive for promoting sustainable transport and reducing reliance on cars.

Re-landscaping

- 8.4 The proposal also includes the removal of the existing landscaping along the southern boundary adjacent to the children's centre and replacement with new turf and planting. The existing area has recently been used as part of the compound for construction at the adjacent college as well as a temporary site entrance for the construction site. Therefore, sections of landscaping have already been removed from the area, and whilst there is no need for the removal of the remaining it is considered that any new landscaping to the area would be an improvement. No precise detail on landscaping have been provided, and therefore to ensure that it is of a satisfactory appearance and suitable species it is considered necessary to impose a landscaping condition. It is also not considered that the proposed re-landscaping would have any adverse impacts on amenity.

9. Conclusion

- 9.1 In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

10 Recommendation

- 10.1 It is recommended that planning permission be granted subject to conditions.

11. Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with:
 - Location and Existing Site Plans, 001 Rev A, received 14/01/2022
 - Proposed Plans, 001 Rev A, received 14/01/2022

for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. Prior to the removal of the existing landscaping to the southern boundary as shown on drawing 002 A, a hard and soft landscaping scheme for the area shall be submitted to and approved, in writing, by the Local Planning Authority. These details shall include proposed means of enclosures; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation programme.

The approved proposed landscaping works shall then be completed within 6 months of the removal of the existing landscaping. Any trees or plants which die during the first 3 years shall be replaced during the next planting season.

Reason: In the interests of visual amenity and the character and appearance of the area.

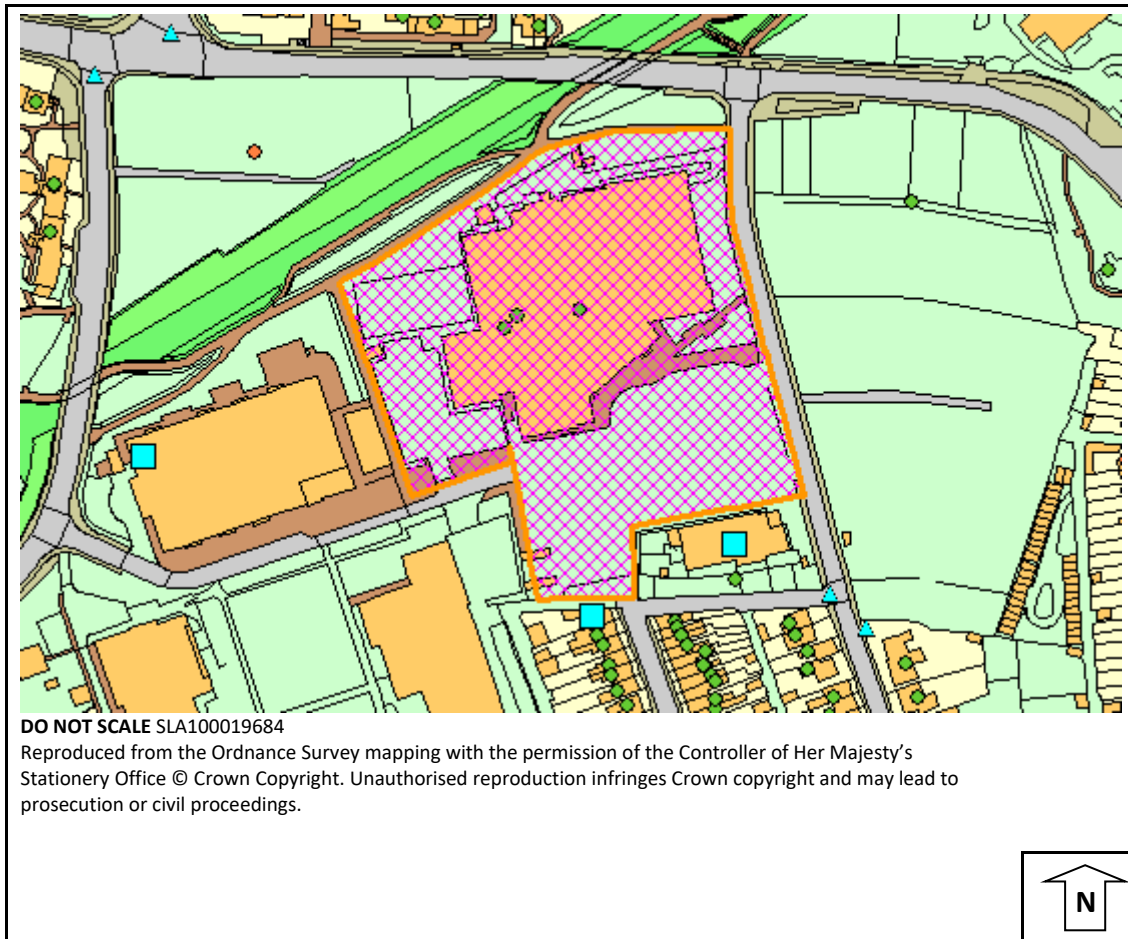
Informatives:

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





Background Papers

See application reference DC/22/0151/FUL on [Public Access](#)

Map



Key

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