



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

Strategic Planning Committee

Members:

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

Members are invited to a **Meeting of the Strategic Planning Committee**
to be held on **Monday, 8 March 2021 at 10:30am**

This meeting will be conducted remotely, pursuant to the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

The meeting will be facilitated using the Zoom video conferencing system and broadcast via the East Suffolk Council YouTube channel
at <https://youtu.be/ovKUo796RnA>

An Agenda is set out below.

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|-----------|---|----------------|
| 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. | |
| 3a | Minutes - December 2020
To confirm as a correct record the Minutes of the Meeting held on 14 December 2020 | 1 - 7 |
| 3b | Minutes - January 2021
To confirm as a correct record the Minutes of the Extraordinary Meeting held on 20 January 2021 | 8 - 29 |
| 4 | Nationally Significant Infrastructure Projects
To receive a presentation on Nationally Significant Infrastructure Projects within East Suffolk from the Deputy Leader and Cabinet Member with responsibility for Economic Development | |
| 5 | Planning Enforcement Report ES/0691
Report of the Cabinet Member with responsibility for Planning and Coastal Management | 30 - 32 |
| 6 | Development Management Performance Report ES/0693
Report of the Cabinet Member with responsibility for Planning and Coastal Management | 33 - 35 |
| 7 | Planning Appeals Report ES/0690
Report of the Cabinet Member with responsibility for Planning and Coastal Management | 36 - 62 |
| 8 | Planning Policy and Delivery Update ES/0692
Report of the Cabinet Member with responsibility for Planning and Coastal Management | 63 - 67 |
| 9 | Strategic Planning Committee's Forward Work Programme
To consider the Committee's Forward Work Programme | |

There are no Exempt or Confidential items for this Agenda.

Close



Stephen Baker, Chief Executive

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Minutes of a Meeting of the **Strategic Planning Committee** held remotely via Zoom on **Monday, 14 December 2020 at 10.30am**

Members of the Committee present:

Councillor Melissa Allen, Councillor Paul Ashdown, Councillor Stuart Bird, Councillor Jocelyn Bond, Councillor Norman Brooks, Councillor Jenny Ceresa, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Graham Elliott, Councillor Tony Fryatt, Councillor Andree Gee, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Malcolm Pitchers, Councillor David Ritchie, Councillor Craig Rivett, Councillor Kay Yule

Other Members present:

Councillor Peter Byatt, Councillor Ed Thompson

Officers present: Liz Beighton (Planning Manager - Development Management), Sarah Carter (Democratic Services Officer), Caroline Clamp (Assistant Planner - Policy and Delivery), Matt Makin (Democratic Services Officer), Adam Nicholls (Principal Planner - Policy and Delivery), Desi Reed (Planning Policy and Delivery Manager), Philip Ridley (Head of Planning and Coastal Management)

1 Election of a Chairman

On the proposition of Councillor McCallum, seconded by Councillor Ritchie, it was

RESOLVED

That Councillor Ashdown be elected Chairman for the 2020/21 Municipal Year.

2 Election of a Vice-Chairman

On the proposition of Councillor Ashdown, seconded by Councillor Ritchie, it was

RESOLVED

That Councillor McCallum be elected Vice-Chairman for the 20120/21 Municipal Year.

3 Apologies for Absence and Substitutions

Apologies for absence were received from Councillors Blundell and Deacon.

Councillor Byatt attended the meeting as a substitute for Councillor Deacon.

4 Declarations of Interest

There were no Declarations of Interest.

5 Minutes

RESOLVED

That the Minutes of the Meeting held on 14 September 2020 be confirmed as a correct record and signed by the Chairman.

6 Judicial Challenges of Planning Decisions - Review and Lessons Learnt

The Cabinet Member for Planning and Coastal Management introduced report ES/0594 which confirmed that the Council had successfully defended four legal challenges during 2020 against planning decisions the Council had made.

The Cabinet Member for Planning and Coastal Management explained that when an application was refused, the applicant had the right of appeal to the Planning Inspector. If planning permission was granted, objectors would not have the right of appeal. There were no third party rights of appeal but if an applicant thought the Council had not followed the necessary procedures, they could consider seeking a Judicial Review. Three of the four recent cases went to full hearings in the High Court. The Council had been successful in defending all four Judicial Reviews but there were costs involved for the Council to employ Counsel as well as the officers' time. This was all part of the democratic process and scrutiny for the Council. Members were able to read the judges' reports as appended to the report.

The Head of Planning and Coastal Management advised that it was a team effort defending these challenges, with support from Legal and Environmental Health as well as planning colleagues. In each case, there had been detailed interrogation of the reports, YouTube videos and minutes, each of which had been reviewed with significant detail by the claimants and the Court. It was a credit to the officers and Planning Committees that they had been vindicated in that they enacted the required procedures in the decision making. The Strategic Planning Committee (SPC) provided a forum which had not previously existed to review these decisions. It was important to reflect on some elements of the judgements, as necessary, to put in place any necessary improvements to procedures.

With regard to the Bawdsey Manor case, in his review of the case, the judge noted that the site visit undertaken had enabled the Planning Committee to clearly identify potential impacts of the proposal on the ground and the Planning Authority had been able to balance competing issues. One aspect of this challenge was raised with regard to the Update Sheet which Members received 24 hours prior to their Committee meeting. It was important to note that committee reports were drafted two weeks prior to a meeting and in that time, additional information sometimes came forward. That additional information was presented on the Update Sheet for the

Committee and the public when it was published on the Council's website. As presented at Planning Committee North the previous week, Members needed to read the Update Sheet prior to the meeting and the Chairman sought assurances that the document had been read. If appropriate, a meeting might need to adjourn for five minutes to ensure the submissions had been fully read.

In conclusion, the Head of Planning and Coastal Management was pleased that each of the matters had been found in favour of the Council. There were learning points moving forward which would help further develop robust training plans for the Committee and officers.

Members commented on and asked specific questions relating to:

- If criticism was due to the Council's wrong doing.
- Planning decisions at local level not being judged.
- The importance of undertaking site visits.
- Costs involved and officer time.

The Head of Planning and Coastal Management advised that the Council had not acted wrongly but care needed to be taken in presenting information in the Update Sheet for Committees. Site visits, when undertaken, played an important part for Members to enable them to be completely aware of balancing all relevant planning matters. He confirmed the well known principle that legal challenges were not challenging the decision but how it was arrived at. The estimated cost of engaging legal Counsel was around £70,000 as detailed in paragraph 3.3 in the report and that amount had not taken into account the cost of officers' time.

The Cabinet Member moved the recommendation and having been duly seconded, it was unanimously

RESOLVED

That the contents of the report be noted and that, to ensure the Council continues to make sound planning decisions, the matters raised in section 2 of the report, following dialogue with the Cabinet Member and Planning Committee Chairman, be incorporated in to the training plans for Officers and Members.

7 Enforcement Performance Report - July to September 2020

The Committee received report ES/0596 which provided information on the performance of the Enforcement Section covering the period July to September 2020.

The Planning Manager advised that no formal enforcement notes had been served during that period. However, there were a higher number of enforcement cases during the Covid lockdown, the majority of which had been closed due to no breach of planning conditions.

Following a proposal which was duly seconded, to accept the report, it was

RESOLVED

That the report concerning Enforcement Team statistics be received and noted.

8 Development Management Performance Report

The Cabinet Member for Planning and Coastal Management introduced report ES/0597 which related to the planning performance of the Development Management Team in terms of timescales for determining planning applications. He was pleased to note that the department was ahead of both national and local indicators, with the exception of other applications. In that indicator, the Council was at 88.6% ahead of the national target but just short of the 90% stretched target. The Cabinet Member congratulated the Planning Manager and her Team for their good performance.

The Planning Manager updated Members with regard to paragraph 2.1 in the report which showed the figures for Q2 not Q1. There was an increase in the numbers of Other Developments, and those relating to household applications might be due to people reviewing how they lived and worked with so many more people working from home under Covid19.

The Planning Manager expressed thanks to her Team for the performance and she advised that four new members of staff would be joining the Team at the start of 2021; three assistants and one trainee planner. That would provide additional resources in the department and free up some capacity of the planning officers to pick up the more complex applications.

The Chairman invited questions.

Members commented on the good standard that was being provided even with the effects of lockdown, not working from the offices and what lessons had been learnt. The Council's hand had been forced into holding remote meetings and concerns were expressed about social isolation and the effects of not being able to see other people in the offices.

The Planning Manager advised that they had undertaken some re-evaluation on how they worked and there were additional burdens of having to undertake health and safety checks for site visits.

The Head of Planning and Coastal Management advised that the Covid pandemic had resulted in additional work pressures and, nationally, lessons were being learnt. For example, there had been a 50% uplift in enforcement in Essex. The technology had been available to allow remote meetings to take place and using various forms of IT had been a quick response because of the need. Broadcasting the Council's meetings had opened up accessibility to the public too. He confirmed that mental wellbeing procedures were in place and all line managers were speaking to their Teams on a regular basis. It was important for all to switch off their laptops to ensure real breaks were taken at appropriate times.

There being no further debate, it was

RESOLVED

That the content of the Development Management Performance report be noted.

9 Planning Appeals

The Cabinet Member for Planning and Coastal Management presented report ES/0595 which provided an update on all appeal decisions received from the Planning Inspectorate between 25 August and 30 November 2020.

The Cabinet Member highlighted the fact that very few planning refusals were appealed and of those that had, 67.7% of appeals had been dismissed with 33.3% being allowed, good figures which were slightly better than the national average. He reminded Members that there had been changes in both local and national policies and the Inspectors had to take into consideration the policy in place at the time they made their decision. Some had been lost on matters of design. The Cabinet Member expressed thanks to the Team and he advised that he was in fact judging the Quality of Place awards later in the month.

The Planning Manager confirmed she would pass on thanks to the officers and confirmed that they were maintaining a strong record in the determination of applications, as well as being robust in defending reasons for refusal. There were no areas of concern raised in any of the appeals. The majority of decisions which had been allowed were on the grounds of a difference of opinion on design and were not in relation to any significant applications.

Rendlesham had been determined by public inquiry and two other appeals via the hearing process. The Planning Manager referred to paragraph 2.9 in the report and the fact that two decisions had provided the Council with some clarification of the new policy on clusters contained in the Suffolk Coastal Local Plan and learning points going forward.

The Committee raised no specific questions and it was unanimously

RESOLVED

That the content of the report relating to Planning Appeals be noted.

10 Annual Monitoring Report 2019/20

The Cabinet Member for Planning and Coastal Management introduced report ES/0598 which provided details of the Annual Monitoring Report (ARM) which the Council was legally required to produce each year. The report provided progress against the Local Plans and covered the year up to 31 March 2020. In view of the Covid19 pandemic, there was likely to be many differences when compared to next year's report. The document was a most useful record, being produced each year, and gave a valuable overview of the Council's work. He thanked all the officers for their hard work and made particular reference to Caroline Clamp and Robbie Cook for collating the information and producing such a good design.

The Principal Planner provided an overview of the Annual Monitoring Report which was produced each year to show progress on producing and implementing Local Plans and provided monitoring information against a number of indicators. The presentation covered the following:

Local Plans

- in place since September 2020

Neighbourhood Plans

- progress on areas designated and plan examinations
- one plan for Mutford made in December 2019

Employment Land

- floorspace including increases and losses
- new floorspace created in the enterprise Zone

Town Centre

- vacancy rates, in numbers not percentages
- struggles against online shopping and under Covid

Housing

- completions
- affordable housing completion
- plots for self or custom build
- housing supply land
- housing delivery test results
- dwellings with planning permission
- housing affordability ratio overall 7.85

Climate Change

- renewable energy
- applications granted in coastal change management area
- 7 relocation plots for houses lost due to coastal erosion
- no planning applications approved against Environment Agency advice

Health and Wellbeing

- life expectancy
- physical activity
- obesity
- anxiety, happiness and life satisfaction

Publishing Data on the website

- what is available
- search facilities
- map features

Members thanked the officer for an very informative presentation and there being no further discussion, it was unanimously

RESOLVED

1. That the East Suffolk Authority Monitoring Report covering the period 1 April 2019 to 31 March 2020 be published by the Council.
2. That the Cabinet Member for Planning and Coastal Management, in conjunction with the Head of Planning and Coastal Management, be given delegated authority to make minor typographical or presentational changes to the document.

11 Strategic Planning Committee's Forward Work Programme

The Committee noted its Forward Work Programme.

The Democratic Services Officer advised that there was an addition to the document since its publication; Members had been notified that there was to be an Extraordinary Strategic Planning Committee meeting on Wednesday, 21 January 2021 to consider a planning application in relation to Sizewell B. That meeting was to start at the earlier time of 9.30am.

Members commented on the number of changes being proposed with regard to planning matters and their need to understand the proposals coming forward including those in the recent White Paper.

The Head of Planning and Coastal Management advised that there was the use Classes Order, converting town centre buildings into residential, Judicial Reviews and an Energy White Paper had just been published. As a result, it was likely that there would be further questions and briefings and training would be provided to Members. A comment was made that it would be beneficial for such sessions to be for the whole Council. The Head of Planning and Coastal Management confirmed he would be consulting with the Cabinet Member to work out the content of these sessions and it was important to work with the Town and Parish Councils and developers to ensure proper engagement. The Cabinet Member advised that some proposed changes were out for consultation and everyone would be kept up to date according to what the Government legislated.

There being no further amendments, Members agreed to note the Forward Work Programme as updated.

The meeting concluded at 11.44am.

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Chairman

Minutes of an Extraordinary Meeting of the **Strategic Planning Committee** held via Zoom, on
Wednesday, 20 January 2021 at 9:30 am

Members of the Committee present:

Councillor Melissa Allen, Councillor Paul Ashdown, Councillor Stuart Bird, Councillor Chris Blundell, Councillor Jocelyn Bond, Councillor Norman Brooks, Councillor Jenny Ceresa, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Mike Deacon, Councillor Graham Elliott, Councillor Andree Gee, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Malcolm Pitchers, Councillor David Ritchie, Councillor Craig Rivett

Other Members present:

Councillor Peter Byatt, Councillor TJ Haworth-Culf, Councillor James Mallinder, Councillor Rachel Smith-Lyte

Officers present:

Liz Beighton (Planning Manager), Sarah Carter (Democratic Services Officer), Lisa Chandler (Energy Projects Manager), Matt Makin (Democratic Services Officer), Sue Meeken (Political Group Support Officer (Labour)), Nick Newton (Arboricultural & Landscape Manager), Philip Ridley (Head of Planning and Coastal Management)

1 Apologies for Absence and Substitutions

Apologies for absence were received from Councillor Tony Fryatt; Councillor Maurice Cook attended as his substitute.

2 Declarations of Interest

Councillor Tony Cooper declared a Local Non-Pecuniary Interest in item 5 of the agenda as both the Ward Member for Aldeburgh and Leiston and as a member of Leiston cum Sizewell Town Council.

Councillor Craig Rivett declared a Local Non-Pecuniary Interest in item 5 of the agenda as the Cabinet Member with responsibility for Economic Development.

3 Declarations of Lobbying and Responses to Lobbying

Councillors Paul Ashdown, Melissa Allen, Stuart Bird, Chris Blundell, Jocelyn Bond, Norman Brooks, Jenny Ceresa, Maurice Cook, Linda Coulam, Graham Elliott, Andree Gee, Debbie McCallum, Malcolm Pitchers, David Ritchie and Craig Rivett all declared that they had been lobbied by email on item 5 of the agenda and had not responded to any emails.

Councillor Tony Cooper declared that he had been lobbied by email on item 5 of the agenda and had responded to some emails.

Councillors Mike Deacon and Colin Hedgley both declared that they had been lobbied by email on item 5 of the agenda and had acknowledged receipt of emails only.

Councillor T-J Haworth-Culf, who was attending the meeting as Ward Member for Aldeburgh and Leiston, declared that she had been lobbied by email on item 5 of the agenda and had acknowledged receipt of emails only.

4 Fees and Charges Schedule - Planning and Building Control

The Committee received report **ES/0631** of the Cabinet Member with responsibility for Planning and Coastal Management.

The Cabinet Member introduced the report, which confirmed the details of the proposed fees and charges schedule to be applied to planning and building control matters from 2021 in terms of statutory and discretionary fees that had been agreed by the Cabinet. The report noted that in particular that it was proposed to update and replace the existing pre-application charging schedule and also outlined additional services that were to be offered to customers engaging with the service.

The Cabinet Member invited the Planning Manager to address the Committee.

The Planning Manager explained that officers had looked to rationalise and revisit pre-application charges following discussions with applicants and agents over the current schedule, which did not have an equilibrium between charges for different sizes of development; this had the unintended effect of putting off smaller developments.

The Planning Manager said that the new schedule would cover more of the services offered by the Planning service including policy fees, planning support and information and would tie in with the Building Control service.

The Committee was advised that the document contained all the fees and services offered by Planning and Building Control. Fees and response times had been revisited and the Planning Manager outlined the reduction in response times for simpler householder planning application and permitted development rights enquiries from 28 days to 5-10 days.

The Chairman invited questions to the Cabinet Member and the officers.

There being no further questions, the Chairman invited the Committee to debate the report.

Members of the Committee commented on the clarity of the document and thanked officers for their hard work in producing it.

The Cabinet Member with responsibility for Planning and Coastal Management advised the Committee that if it endorsed the document, it would be placed on the East Suffolk Council website and take effect immediately.

There being no further debate the Chairman moved to the recommendation to note and endorse the document, as set out in the report.

On the proposition of Councillor Ritchie, seconded by Councillor McCallum it was by unanimous vote

RESOLVED

That the Fees and Charges document for services offered by the Planning and Building Control service be noted and endorsed.

5 DC/20/4646/FUL - Sizewell B Power Station Complex and Adjoining Land, Sizewell Power Station Road, Sizewell, Leiston, IP16 4UR

The Committee received report **ES/0630** of the Head of Planning and Coastal Management, which related to planning application DC/20/4646/FUL.

The hybrid application sought outline planning permission, with all matters reserved, for up to 9,500 square metres Gross External Area (GEA) to provide administration, storage, welfare and canteen facilities and a visitor centre of up to 1,000 square metres GEA.

Full planning permission was sought for demolition of some existing structures and redevelopment to include a training centre and interim visitor centre, an outage store, laydown area, car and cycle parking, landscaping, associated infrastructure (including utilities, plant and highway works), tree felling and other relevant works.

The application was before the Committee as the redevelopment, although submitted separately from proposals for a new nuclear power station, was necessary as the existing Sizewell B buildings were on land proposed to be developed as part of a new nuclear power station, Sizewell C. The site was identified in the National Policy Statement EN-6 as a potentially suitable site for the deployment of a new nuclear power station. Although EN-6 was subject to review, it remained in force until such time as it was replaced, as most recently confirmed in the Energy White Paper (December 2020).

Given the strategic nature of the proposal, the scale of the development proposed, and the importance of nuclear generating energy to East Suffolk, it had been determined that the application should be considered and determined by the Strategic Planning Committee.

When introducing the item, the Chairman referred to the large number of representations and consultation responses received on the application, several of which stated that the proposal should be considered as part of the Sizewell C DCO proposal that was with the Planning Inspectorate.

The Chairman highlighted that this concern was raised with the previous planning application for the proposals to relocate facilities at Sizewell B in 2019, which was determined by the Committee. The 2019 application was subject to a lengthy judicial review process; however, the legal claim was dismissed by the High Court in October

2020 and an application for permission to appeal that decision was rejected by the Court of Appeal in November 2020.

The Chairman said that this validated the decision-making processes of this Committee and referred to the detailed explanation at pages 85 and 86 of the report which explained that why, as with the 2019 application, this new application could be determined by the Committee.

The Committee received a presentation on the application from the Energy Projects Manager, who was acting as the case officer for the application.

The Energy Projects Manager drew the Committee's attention to the update sheet that had been published on 19 January 2021 which made a minor amendment to paragraph 8.2.2 of the report and noted two additional representations received since the report had been written; the representations received outlined similar concerns as the ones set out in the report.

The Energy Projects Manager also noted that members of the Committee had been approached via email by both Together Against Sizewell C (TASC) and a private individual; the Energy Projects Manager stated that the email from TASC had not been sent to officers and the email from the private individual had been received after the cut-off period to be included in the update sheet, as set out in the East Suffolk Council Constitution.

The site's location was outlined; Sizewell B Power Station Complex was located on the coast at Sizewell and was adjacent to the town of Leiston. The power station had been in operation since 1995 and members of the Committee had visited the application site on 2 September 2019 and viewed the operational site, Pillbox Field and Coronation Wood.

The Energy Projects Manager explained that a second site visit had not been proposed due to site visits only being permitted during the COVID-19 pandemic if considered essential; the membership of the Strategic Planning Committee had not changed since the previous site visit and the changes proposed by the new application could clearly be demonstrated via photographs so it had been considered that a site visit was not essential on this occasion.

The Committee received aerial views of the Sizewell Power estate, demonstrating the application site's relationship with the Sizewell A and B sites and the Galloper and Gabbard substations, as well as the location of the former Coronation Wood site. The existing site plan was also displayed.

The Committee was shown a summary of the changes proposed from the approved planning permission (application DC/19/1637/FUL) detailed in the report. The Energy Projects Manager said that the key areas of change were the removal of car parking from Pillbox Field and the removal of one storey from the training centre through a redesign of the building. Other elements of the scheme had also been able to be revised as a result of the laydown area being located on part of the Sizewell A site.

A comparison of the original and proposed plans was displayed. Pillbox Field was now only proposed for landscaping and the laydown area would now be located on part of the Sizewell A site. The existing Sizewell B car park to the north of the site would be used for outage parking and a new operational car park would be created.

The proposed site plan was detailed, including the use of the former Coronation Wood site, the location of the administration and training buildings and the access to car parking zones. A demolition plan was outlined that showed the buildings to the north of the site proposed for demolition. The areas containing Sizewell B facilities to be relocated for the potential Sizewell C development were also highlighted.

Further detail was provided on the proposed development areas for the former Coronation Wood site including its relationship with the proposed laydown area.

Photographs taken from the roof of the ESB of the former Coronation Wood Site looking south and south west were displayed. Felling had taken place in line with the extant planning permission; one tree remained as it contained a known bat roost and the applicant was in the process of seeking a bat mitigation licence from Natural England to fell this tree. The Energy Projects Manager highlighted the remaining tree belt adjacent to the site.

A block plan, elevations and a computer-generated visualisation for the proposed training centre was displayed.

Parameter plans for the administration and visitor centres, part of the outline planning permission sought, were displayed. The Committee was advised that these plans would be discussed in more detail with the applicant and a more detailed submission would be made under Approval of Reserved Matters applications.

The Committee received an aerial view of Pillbox Field, as well as a drawing showing the extant planning permission on the field. The Energy Projects Manager confirmed that planting on the field had already started to replace the trees lost on the former Coronation Wood site at a 10:1 ratio. The Council's Arboricultural and Landscape Manager had been involved in discharging the replanting condition on Pillbox Field to ensure an appropriate planting mix on the site. The Committee was also shown photographs of the planting that had taken place so far.

Elevations for the proposed outage store were displayed; the design remained unchanged externally from the 2019 consent, however internal changes had been made a basement area was no longer proposed.

An aerial view of the land on the Sizewell A site proposed for the laydown area was displayed. The land was the site of the former National Grid building for Sizewell A; the applicant was negotiating with the Nuclear Decommissioning Authority for use of this land and it was expected that the land would become available within the required timescale.

The details of the proposed car parking were outlined; the replacement car park would provide 579 spaces and the existing west car park would be used for outage parking. A

computer generated visualisation of the proposed new car park and its landscape design was displayed.

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

The Chairman invited questions to the officers.

The reduction of the training centre from two storeys to one storey was confirmed to result in a small increase to the footprint of the building, approximately two metres. In response to a question on the proposed condition to submit Approval of Reserved Matters applications, the Energy Projects Manager advised that the applicant wanted to discharge any planning permission as soon as possible as construction was estimated to take four and a half years, so it was expected that further applications for reserved matters would be made much sooner than the three-year time limit.

It was confirmed that Councillor Tony Cooper would continue to be the liaison for any developments on the site and further updates would be provided to the Committee at future meetings.

The Energy Projects Manager said that in the event the DCO application for Sizewell C was refused, the development would not be reversed but conditions were proposed to ensure that the land to the north of Sizewell B would be landscaped and brought back to AONB standard.

The Arboricultural and Landscape Manager advised that a mix of trees, shrubs and woodland edge scrub suited to the soil and character of Pillbox Field were being planted, including species such as pine, oak and spindle. Pine species more resistant to red band needle blight had been selected due to the problems in the area with the disease.

In response to question on the situation should the application be refused, the Energy Projects Manager explained that the applicant would still be able to proceed with constructing the extant planning consent, which they had started to do. This would result in a training centre building that would be taller and parking being developed on Pillbox Field; it was the view of officers that it would be more detrimental to the AONB to build out the approved scheme and that any new consent would include a Section 106 Agreement that would ensure that Pillbox Field would not be developed for car parking.

Officers were content that the proposed mitigation met the needs of the surrounding villages.

It was confirmed that the new application did not propose a new access for Pillbox Field; a condition for a pedestrian crossing point at Sizewell Gap Road remained.

The Energy Projects Manager reassured the Committee that it was legally obliged to determine the application before it and was content in that position following the High Court ruling on the 2019 application.

The comments of the Internal Drainage Board, regarding its consent being given prior to determination, would be dealt with by condition.

The Energy Projects Manager explained that although there was a possibility of the land on the Sizewell A site not coming forward, the Nuclear Decommissioning Authority was keen to enable development of former Magnox sites such as Sizewell A and it was hoped that a deal could be reached between the Nuclear Decommissioning Authority and the applicant and if necessary the Council would step in to express its support for the use of the land. The Energy Projects Manager considered that it was not necessary for the Council to do so at this stage and that the applicant had assured her that legal processes were being pursued to transfer land from one nuclear site to another. The fallback position, should the land not become available, was the Section 106 Agreement to prevent car parking being built out on Pillbox Field.

In response to a question on the timescales for visualisation of planting, the Arboricultural and Landscape Manager noted the difficult planting conditions at Pillbox Field; the applicant remained confident that successful growth could be achieved. Between 300-500 millimetres of growth per year could be expected and between five and seven metres of growth was expected over a 12-year period.

The Chairman invited Ms Kirtley, an objector to the application, to address the Committee.

Ms Kirtley confirmed that she was speaking on behalf of Together Against Sizewell C (TASC) in objection to the application.

Ms Kirtley noted that Coronation Wood had been felled despite significant objections and considered that East Suffolk Council had prematurely approved its destruction to make way for Sizewell C, which was still uncertain. Ms Kirtley said that in EDF Energy's haste to fell Coronation Wood, it had failed to obtain a bat mitigation licence and may not have taken steps to protect small mammals in the wood.

The inclusion of the western access road was considered by TASC to be little to do with the relocation of Sizewell B facilities and was to give access to the Sizewell C site, given there was already road access to Sizewell B. Ms Kirtley was concerned that the creation of the western access road would result in significant heavy traffic movements and place a massive burden on Sizewell Gap Road, which was the single point of access for Sizewell beach and surrounding amenities. Ms Kirtley suggested that, should the western access road be approved, a condition be added to restrict its use for Sizewell B only.

Ms Kirtley expressed concern about earthworks being moved to the Sizewell C site and the flood risk this would create; Ms Kirtley added that soil should not be put on the site without a properly managed translocation procedure for local wildlife.

Ms Kirtley confirmed that TASC was of the opinion that the application should be considered as part of the Sizewell C DCO application process.

The Chairman invited questions to Ms Kirtley.

In response to a question on the comparison between the proposed development and the extant consent Ms Kirtley said that although it was pleasing to see that the car park had been removed from Pillbox Field and that the area would be replanted, TASC continued to have concerns about the negative impacts of the development.

The Chairman invited Mr Jones, agent for the applicant, to address the Committee.

Mr Jones described the application as being of significant importance as it would allow for the earlier relocation of facilities at Sizewell B than if EDF Energy waited until the conclusion of the DCO application process. Mr Jones noted the extant planning consent in place and the work already undertaken; Coronation Wood had been mostly felled and replacement planting had already begun on Pillbox Field. 2,500 native trees had been chosen for planting that were suited for the conditions and there would be a tenfold increase on what had been lost at Coronation Wood.

Mr Jones said that the proposed scheme had been amended to bring in elements such as a less visible training centre in the AONB and the use of land on the Sizewell A site for the laydown area. Mr Jones stated that doing so allowed for a different way of relocating facilities at Sizewell B and that the outage car parking would no longer be located on Pillbox Field.

Mr Jones highlighted that the elements of work already undertaken under the extant planning consent did not differ in the new application and that the applicant was committed to signing a Section 106 Agreement to prohibit any further work under the existing planning permission once work begins on the new scheme.

The Chairman invited questions to Mr Jones.

Mr Jones explained that the proposed western access road would allow vehicles to access the car parking at the north of the site and would provide straightforward access to both the operational and outage car parks. The western access road was at the lowest elevation of the former Coronation Wood site and would be relatively well screened with planting and retained vegetation. Mr Jones said that the existing access road did link through to the north of the site but did not connect through to the car parks in an appropriate way for the number of vehicles that would access them.

Mr Jones confirmed that the officer recommendation included a condition for future landscaping details and a landscape management plan, which was also included in the extant planning consent, that would need to be signed off by the Council to ensure effective management of the planting at Pillbox Field. Mr Jones said that the layout of the planting had been chosen to ensure that there was no planting immediately south of the pillbox to retain the existing sight lines.

In response to a question on the felling of Coronation Wood prior to the obtaining of a bat mitigation licence, Mr Jones confirmed that a single tree containing a bat roost, and adjacent vegetation, had not been felled and that a cordon had been set up around the area. Mr Jones confirmed that an ecological clerk of works had been appointed and that the tree had been climbed and it had been confirmed that no bats were using the roost. The remaining vegetation would remain in place until the bat mitigation licence was issued.

Mr Jones reiterated the planting being undertaken at Pillbox Field to mitigate the trees lost at Coronation Wood and considered that a conservative estimate of a 90% takeup of new planting was not unreasonable.

Mr Jones confirmed that a transport assessment had been undertaken which had concluded that there would be no severe impact on Sizewell Gap Road as a result of the development. There would be a cap on the number of Heavy Goods Vehicle movements per day during the construction period and the application proposed a number of ways to reduce the impact of the development on the highways including a Construction Management Plan and a travel plan to encourage car sharing.

Mr Jones did not consider that the recent challenges to the economy would affect the progression of the development.

In response to a question on the relocating of earthworks from the former Coronation Wood site to the potential Sizewell C site, Mr Jones explained that this was a result of works to level the former site. The earthworks were being temporarily relocated to the north of Sizewell B and this resulted in an 80 centimetre rise in levels on land within Flood Zone 3a, which would increase flooding during a 1 in 200 year event by approximately three millimetres. Should the DCO application for Sizewell C be approved, the soil would be used as part of that development.

Mr Jones noted the significant amount of land across the Sizewell power estate managed by EDF Energy and highlighted the positive comments from the Arboricultural and Landscape Officer regarding this management.

The Chairman invited Councillor T-J Haworth-Culf, Ward Member for Sizewell, to address the application.

Councillor Haworth-Culf noted that she had been lobbied extensively by email about this application; she was supportive of green energy but considered that it needed to be implemented correctly.

Councillor Haworth-Culf advised that many residents did not feel that they were being listened to by East Suffolk Council and that they relied on the Council to listen to them and take on their views. Councillor Haworth-Culf said that many residents had commented that there was no point having the AONB if it was going to be destroyed by energy projects.

The main concerns raised by Councillor Haworth-Culf related to tourism, access, light, environment and mental health, and she highlighted that residents in Sizewell considered that the application should be part of the DCO application process. Councillor Haworth-Culf said that no amount of mitigation or compensation would adequately fix the problems that would be caused by the development.

Councillor Haworth-Culf said that residents wanted to know that their correspondence was being read and that their views were understood.

The positive impact of the development on the economy and job creation was acknowledged by Councillor Haworth-Culf but considered that the former Coronation Wood site looked awful and could not understand why felling had been started before the bat mitigation licence was granted.

Councillor Haworth-Culf welcomed that Councillor Cooper would continue to be the community liaison.

The Chairman sought clarification from officers regarding the felling of Coronation Wood prior to a bat mitigation licence being granted. The Energy Projects Manager confirmed that the licence application was with Natural England, who hoped to consider it as soon as possible.

The Chairman invited questions to Councillor Haworth-Culf.

When asked if the application was better or worse than the extant planning consent on the site, Councillor Haworth-Culf said that residents welcomed some improvement but still considered there was too much missing information to make a full decision on the development.

The Chairman invited the Committee to debate the application that was before it.

A member of the Committee, who was also Ward Member for Sizewell, said she understood the tremendously difficult position the Council was in when determining this application; she advised that in representing her constituents she had received numerous letters in objection to developments at the Sizewell power estate.

The Member considered that questions about the proposed development remained unanswered and suggested that this was perhaps indicative of answers not being possible and raised concerns about the development of greenfield land when brownfield land was available. The Member also noted that the review of National Policy Statement EN-6 had been delayed.

The Member concluded her statement by stating that she could not vote in favour of the application as although it was a slight improvement on the extant planning consent it was still not good enough and, in her opinion, should be part of the DCO application process.

Another member of the Committee, who was also Ward Member for Sizewell, stated that the Committee was required to consider the application that was before it and make its decision based on material planning considerations. The Member noted that the application was similar to what had already been approved on this site and this application had been upheld by the courts. The Member was in support of the application and highlighted that Pillbox Field would now be left as a green area with a 10:1 ratio of planting of trees to replace those lost on the Coronation Wood site; he highlighted that Leiston cum Sizewell Town Council had not objected to the application and noted the comments of those bodies consulted on the application.

A member of the Committee considered that planning law could not only be applied when favourable and that the application needed to be looked at objectionably and

and dispassionately; he highlighted that the Council was able to determine the application under planning legislation and it would not be appropriate for it to be considered under the National Significant Infrastructure Projects (NSIP) provisions. The Member said it was clear that the new application was preferable to what had already been approved on the site and that the use of land on the Sizewell A site allowed Pillbox Field to remain as a green area. The Member highlighted that, should the DCO application for Sizewell C be approved, the relocation of facilities at Sizewell B could reduce construction time by up to two years.

It was noted by a member of the Committee that although the loss of Coronation Wood was sad, the process was an evolution and that the habitat was changing rather than being destroyed. The Member said that the tree planting at Pillbox Field would be beneficial and local wildlife would adapt.

Another member of the Committee stated that he had a mixed view on the wider development of the Sizewell power estate. He acknowledged the need for energy generation but was unsure if nuclear power was the only way to meet this need. The Member considered that if this application and the Sizewell C development went ahead it would have a detrimental impact on the AONB and the local community; he was also not confident that the land would not be restored to AONB status should Sizewell C not go ahead. The Member was of the view that the application should be part of the DCO application process and said he would not be supporting the application.

The application was described as "putting the cart before the horse" by a member of the Committee, who was disappointed that the application was not part of the DCO application process. The Member said he would have voted against this application if it was the first one on the site, but acknowledged that if the application was not approved the extant planning consent would result in a development that was not as preferable as the one proposed. The Member stated that he could not support the application but would not oppose it.

Another member of the Committee echoed the concerns of the previous speaker and said that she would be supporting the application but continued to have reservations about the ecological implications of the development.

A member of the Committee highlighted that the Committee was not determining the DCO application but the planning application that was before it; he considered that the application contained clear improvements over what had been approved and had addressed the weaknesses in the original application. The Member did not consider there were material planning grounds on which to refuse the application and signalled that he would be voting in favour of it.

Another member of the Committee considered both the report and presentation to have been thorough and considered that the new application provided benefits in a reduced height of the training centre and the removal of the outage car parking from Pillbox Field, and contained contingencies to restore the area to AONB standard should Sizewell C not go ahead. The Member was satisfied with the answers and comments from the applicant on planting at Pillbox Field and was supportive of the application.

Several other members of the Committee spoke in support of the application highlighting the similarities with the approved application, the improvement on the extant planning consent, the removal of parking from Pillbox Field and the additional tree planting there, the improved environmental impact and the economic benefit.

There being no further debate the Chairman moved to the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report.

On the proposition of Councillor McCallum, seconded by Councillor Ritchie it was by a majority vote

RESOLVED

That **AUTHORITY TO APPROVE** the application be delegated to the Head of Planning and Coastal Management subject to the signing of a section 106 legal agreement requiring a payment in relation to minor residual impacts on the AONB and ensuring the parking on Pillbox Field approved under DC/19/1637/FUL is not constructed alongside this consent, and the inclusion of appropriate conditions including those detailed below:

1. FULL AND OUTLINE:

The full and outline development to which this permission relates shall be begun no later than:

(a) the expiration of three years from the date of this planning permission,

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

2. OUTLINE:

The relevant part of the development as hereby permitted shall not commence until the Reserved Matters of the relevant part of the development have been submitted to and approved in writing by the Local Planning Authority and that part of the development shall be carried out and completed in all respects in material compliance with the details so approved before the building(s) are occupied.

Such details shall include:-

- i) Layout;
- ii) Scale;
- iii) Appearance; and
- iv) Landscaping.

Development within the Outline Area shall be carried out and completed in all respects in material compliance with the details so approved.

Reason: These details are required to ensure that a satisfactory development is achieved.

3. FULL AND OUTLINE:

The development shall be carried out in material compliance with the following approved drawing(s) and/or document(s):

Site wide drawings:

- Existing Site Layout Plan SZC-RF0000-XX-000-DRW-100045 Rev.01
- Proposed Site Layout Plan SZC-RF0000-XX-DRW-100046 Rev.01
- Proposed Demolition Plan SZC-RF0000-XX-000DRW-100047 Rev.1

Full component drawings:

- Proposed Outage Store Block Plan SZC-RF0000-XX-000-DRW-100048 Rev.01
- Proposed Outage Store Roof Plan SZC-RF0000-XX-000-DRW-100054 Rev.01
- Proposed Outage Store North Elevation SZC-RF0000-XX-000-DRW-100057 Rev.01
- Proposed Outage Store South Elevation SZC-RF0000-XX-000-DRW-100058 Rev.01
- Proposed Outage Store East Elevation SZC-RF0000-XX-000-DRW-100059 Rev.01
- Proposed Outage Store West Elevation SZC-RF0000-XX-000-DRW-100060 Rev.01
- Proposed Training Centre Block Plan SZC-RF0000-XX-000-DRW-100061 Rev.01
- Proposed Training Centre Roof Plan SZC-RF0000-XX-000-DRW-100065 Rev.01
- Proposed Training Centre North and South Elevations SZC-RF0000-XX-000-DRW-100067 Rev.01
- Proposed Training Centre East and West Elevations SZC-RF0000-XX-000-DRW100068 Rev.01
- Coronation Wood Development Area Proposed Site Plan SZC-RF0000-XX-000-DRW-100070 Rev.01
- Proposed Car Parking Plan SZC-RF0000-XX-000-DRW-100073 Rev.01
- Outage Laydown Area SZC-RF0000-XX-000-DRW-100078 Rev.01
- Proposed Coronation Wood Development Area Landscape Plan – SZCRF0000-XX-DRW-100083 Rev.01
- Proposed Coronation Wood Tree Removal Plan - SZC-RF0000-XX-DRW100085 Rev.01
- Pillbox Field Proposed Landscape Plan - SZC-RF0000-XX-DRW-100088 Rev.01
- Landscape Restoration Plan SZC-RF0000-XX-000-DRW-100087 Rev. 01

Outline component drawings:

- Coronation Wood Development Area Proposed Site Plan SZC-RF0000-XX-000-DRW-100070 Rev.01
- Proposed Visitor Centre Parameter Siting and Height Plan SZC-RF0000-XX000-DRW-100075 Rev.01
- Proposed Administration Building Parameter Siting and Height Plan SZCRF0000-XX-000-DRW-100080 Rev.01
- Proposed Outline Development Zone Parameter Siting Plan SZC-RF0000-XX000-DRW-100077 Rev.01

Supporting documents:

- Design and Access Statement;
- Arboricultural Impact Assessment;
- Arboricultural Method Statement;
- Environmental Statement;
- Shadow Habitats Regulations Assessment;
- Transport Statement; and
- Woodland Management Plan

Reason: For the avoidance of doubt and in the interests of proper planning.

4. FULL AND OUTLINE:

Prior to the commencement of development (other than the Permitted Preparatory Works as defined in Informative 1), a scheme containing the details set out in (i) to (v) below shall be submitted to and approved by the Council.

- (i) The siting, design and external appearance of temporary buildings and structures to be erected and used during the period of construction of the development;
- (ii) Details of vehicular circulation roads, parking, hard-standing, loading and unloading facilities and turning facilities required during the construction of the development;
- (iii) Details of ground levels and heights of all permanent buildings and structures together with cross-sections through the site showing existing and proposed ground levels;
- (iv) Details of the colour, materials and surface finish in respect of vehicular circulation roads, parking, hard standing, loading and unloading facilities and turning facilities on site; and
- (v) Phasing of work.

Reason: To enable the Council to exercise reasonable and proper control over the design and appearance of the Development.

5. FULL AND OUTLINE

Prior to the above ground construction of any building or structure (other than Permitted Preparatory Works as defined in Informative 1), details of the colour, materials and surface finish in respect of that building or structure shall be submitted to and approved by the Council.

The Development shall thereafter be carried out only in accordance with the approved details.

Reason: To enable the Council to exercise reasonable and proper control over the design and appearance of the Development.

6. FULL AND OUTLINE:

Artificial lighting shall only be installed and used in accordance with the approved scheme in accordance with a detailed Lighting Plan to be submitted for approval in writing by the Local Planning Authority in tandem with details for each phase of development. No lighting scheme is to be implemented without the approval of the Local Planning Authority.

Reason: To limit the impact of light spillage during construction on the surrounding environment including the impact on nocturnal species such as bats.

7. FULL AND OUTLINE:

Other than in an emergency or when construction activities are required to be continuous, or if otherwise agreed by the Local Planning Authority, no heavy goods vehicle traffic, plant, machinery or earth moving equipment associated with the construction of the development shall enter or leave the site on any Sunday or Bank Holiday. On any other day, no such heavy goods vehicle traffic, plant, machinery, or equipment shall enter or leave the site except between the hours of 08:00 and 18:00 Monday to Friday and between the hours of 09:00 and 16:00 on Saturdays other than:

- i) When continuous periods of construction operations are required such as concrete pouring and steel works or;
- ii) For the delivery of abnormal loads to the site or;
- iii) Cases of emergency; or
- iv) If otherwise agreed by the Local Planning Authority.

When such operations or deliveries are required outside of these hours, the Local Planning Authority will be notified at least 36 hours in advance.

Reason: In order to safeguard the amenity of local residents.

8. FULL AND OUTLINE:

All activities associated with the construction of the development shall be carried out in accordance with BS 5228 Parts 1 and 2: 2009+A1:2014 Noise and Vibration Control on Open Sites.

Reason: To enable reasonable and proper control to be exercised over noise during construction activity and in order to safeguard the amenity of local residents.

9. FULL AND OUTLINE:

Prior to the commencement of the relevant part of the development (other than the Permitted Preparatory Works as defined in Informative 1), a schedule of plant items to be used in that part of the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To enable reasonable and proper control to be exercised over noise during construction activity and in order to safeguard the amenity of local residents.

10. FULL AND OUTLINE:

External construction work associated with the development shall not take place on the site at any time on any Sunday or Bank Holiday unless continuous periods of construction operations are required such as concrete pouring or erection of steel. On any other day, no external construction work associated with the development shall take place except between the hours of 07:00 and 19:00, unless continuous periods of construction operations are required such as concrete pouring or erection of steel.

When such operations or deliveries are required outside of these hours, the Local Planning Authority will be notified at least 36 hours in advance.

Reason: To enable reasonable and proper control to be exercised over noise during construction activity and in order to safeguard the amenity of local residents.

11. FULL AND OUTLINE:

The commencement of the relevant part of the development shall not take place until there has been submitted to and approved in writing by the Local Planning Authority, a scheme for the monitoring of noise and vibration generated during the construction of the relevant part of the Development.

The scheme shall:

- (i) specify the measurement locations from which noise and vibration will be monitored and the maximum permitted levels at each such monitoring location; and
- (ii) make provision for such noise and vibration measurements to be taken as soon as possible following requests by the Local Planning Authority and such measurements shall be given to the Local Planning Authority as soon as they are available.

Levels specified in the approved scheme, shall not be exceeded, unless otherwise approved in writing by the Local Planning Authority or in an emergency. In

any instance where the noise levels approved are exceeded because of an emergency then the Local Planning Authority shall be provided with a written statement as soon as possible following the relevant exceedance and such statement shall detail the nature of the emergency and the reason why the noise levels could not be observed.

Reason: To enable reasonable and proper control to be exercised over noise during construction activity and in order to safeguard the amenity of local residents.

12. FULL AND OUTLINE:

Prior to the above ground construction of the relevant part of the development (other than Permitted Preparatory Works as identified in Informative 1) a landscape plan including the details set out in (i) to (vii) below shall be submitted to and approved by the Local Planning Authority.

- i) Planting;
- ii) Management of existing and new planted areas;
- iii) Restoration of areas affected by construction works;
- iv) Details of the height, type, size and species of the shrubs and trees to be planted;
- v) Details of the measures to be taken to create new flora and fauna habitats and of the management of such new habitats;
- vi) Phasing of works included in the scheme; and
- vii) Details of protective fencing.

The approved plan shall be implemented within the first available planting season after the commencement of above ground construction of the relevant part of the development and appropriately managed and maintained for a minimum period of 5 years, any plant or tree dying within that 5 year timeframe will be replaced.

Reason: To ensure proper landscaping for the development and for the protection of semi natural habitats within the development site boundary.

13. FULL AND OUTLINE:

Prior to the commencement of the relevant part of the development (other than Permitted Preparatory Works as defined in Informative 1) a suitably qualified person must have:

- (i) carried out an investigation to assess the degree of ground contamination of the site and identify any resulting need for remedial measures;
- and
- (ii) submitted a written report of the investigation's findings to the Local Planning Authority.

Reason: To ensure that contaminated waste found on the site is disposed of properly.

14. FULL AND OUTLINE:

Contaminated material arising from the construction of the relevant part of the development shall be treated on the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, in consultation with the Environment Agency, or shall be disposed of to licensed disposal facilities subject to such variations to the approved scheme as have been approved in writing by the Local Planning Authority.

Reason: To ensure that contaminated waste found on the site is disposed of properly.

15. FULL AND OUTLINE:

Prior to the commencement of the relevant part of the development (other than Permitted Preparatory Works as defined in Informative 1) a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the relevant part of the development and infiltration testing, must be submitted to and approved in writing by the Local Planning Authority, in consultation with the Environment Agency and Lead Local Flood Authority. The scheme shall be implemented, maintained and managed in accordance with the approved details.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

16. FULL AND OUTLINE:

In the event that Sizewell C Nuclear Power Station is not permitted by the Secretary of State, or not implemented within five years of the development consent order being issued, a scheme of restoration in accordance with details first submitted to and agreed in writing by the Local Planning Authority will occur at the areas previously vacated by Sizewell B buildings and not to be re-used.

The scheme shall be submitted to and approved in writing within 18 months of the date of the final decision by the Secretary of State to refuse consent for the Sizewell C Nuclear Power Station (or, if later, the date that any legal challenge to such decision is finally resolved).

All restorative works shall be carried out in accordance with a Restoration Scheme, including a timeframe for the restoration works, in accordance with details first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that development does not occur unnecessarily and to protect the environment.

17. FULL and OUTLINE:

Before the construction of any elements of the hereby approved built development are commenced, a detailed Construction and Environmental Management Plan (CEMP), based on the outline CEMP, shall be submitted to and approved in writing by the Local Planning Authority. Construction of the built elements of the proposal (full and outline) shall not be carried out other than in accordance with the approved plan.

The Construction and Environmental Management Plan shall include the following matters:

- a) parking and turning for vehicles of site personnel, operatives and visitors;
- b) loading and unloading of plant and materials;
- c) piling techniques;
- d) storage of plant and materials;
- e) provision and use of wheel washing facilities;

- f) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works;
- g) site working and delivery times;
- h) a communications plan to inform local residents of the program of works;
- i) provision of boundary hoarding and lighting;
- j) details of proposed means of dust suppression;
- k) details of measures to prevent mud from vehicles leaving the site during construction;
- l) haul routes for construction traffic on the highway network;
- m) monitoring and review mechanisms;
- n) details of delivery times to the site during the construction phase (to avoid peak deliveries passing through Stratford St Andrew and Farnham at peak periods);
- o) ecological mitigation measures in relation to noise, vibration, and visual disturbance;
- p) the presence on site of an ecological clerk of works when particularly sensitive areas within the site are being developed (an agreed list of areas can be agreed with the Local Planning Authority for avoidance of doubt);
- q) ecological mitigation measures in relation to impacts from light disturbance;
- r) additional survey work (to ensure that the mitigation is appropriate to conditions at the time of constructions - primarily in relation to outline elements) as required in consultation with the Local Planning Authority;
- s) a revised methodology for relocation of reptiles within the development area;
- t) provision of biodiversity net gain measures at appropriate time scales during the construction works;
- u) vehicle emissions and non-road mobile machinery (NRMM) emissions to be minimised by incorporating best practice control and management measures;
- and
- v) Restriction of site access for members of the public.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase, and to ensure the development is carried out in a considerate manner with regards to human and ecological receptors.

18. FULL AND OUTLINE:

No part of the construction works (other than Permitted Preparatory Works as defined in Informative 1) shall commence until emergency plans relating to the construction have been submitted to and agreed in writing by the Local Planning Authority. Radiation emergency plans cover the EDF Energy Sizewell B Operators emergency plan and SCC Off Site Emergency Plan issued under Radiation (Emergency Preparedness and Public Information) Regulations. Wider civil contingency arrangements cover Suffolk Resilience Forum emergency plans for identified risks e.g. flooding, that might affect the construction site and any associated infrastructure.

Reason: To ensure the ongoing nuclear safety of the Sizewell B site.

19. FULL AND OUTLINE:

The emergency plans, as required under Condition 18, shall be carried out as approved in relation to the relevant part of the relevant works, unless otherwise agreed after consultation through the Sizewell Emergency Planning Consultative Committee or Suffolk Resilience Forum as appropriate.

Reason: To ensure the ongoing nuclear safety of the Sizewell B site.

20. FULL AND OUTLINE:

No development shall commence until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording.
- b. The programme for post investigation assessment.
- c. Provision to be made for analysis of the site investigation and recording.
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
- e. Provision to be made for archive deposition of the analysis and records of the site investigation.
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The site investigation shall be completed prior to the commencement of development (other than the Permitted Preparatory Works), or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP 11.7 of the Suffolk Coastal Local Plan 2020 and the NPPF.

21. FULL AND OUTLINE:

None of the buildings hereby approved shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition [20] and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP 11.7 of the Suffolk Coastal Local Plan 2020 and the NPPF.

22. FULL AND OUTLINE:

The development hereby permitted shall not be occupied until details of all Sustainable 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 that the Sustainable Drainage System has been implemented as permitted and that 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 2010 in order to enable the proper management of flood risk with the county of Suffolk
<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/floodrisk-asset-register/>

23. FULL AND OUTLINE:

No development shall commence (other than Permitted Preparatory Works as defined in Informative 1) 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 (including demolition and site clearance operations) 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:

A) 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 or groundwater.

24. FULL:

As detailed in Chapter 8.7 of the Environmental Statement, a photographic recording of the buildings to be demolished is to be carried out prior to any demolition works on site, this record is to be made available to the Local Planning Authority and lodged with the Suffolk Records Office if required.

Reason: To detail the history of the Sizewell B nuclear power station and to maintain a record of original buildings on the site.

25. FULL:

Within three months of construction commencing (other than Permitted Preparatory Works as defined in Informative 1) a new unmanned safe crossing point is to be provided on Sizewell Gap Road at the junction with Sandy Lane, in a location and to a design to be agreed with the Local Planning Authority in conjunction with the Local Highway Authority.

Reason: In the interest of highway safety to ensure that pedestrians, cyclist and horse riders can safely cross Sizewell Gap Road.

Informatives:

1. Definition to be used in relation to the conditions detailed above (where noted):

"Permitted Preparatory Works" means:

- a. Felling of trees and grubbing out roots;
- b. Exposing of utility services within the site;
- c. Surveys and geotechnical surveys; and
- d. Provision for temporary contractors' facilities necessary for (1) to (4) above within the site.

2. BS 3998: 2010

The applicant should note that the work hereby permitted should be carried out in accordance with good practice as set out in the 'British Standard Recommendation for Tree Work' BS 3998: 2010, or arboricultural techniques where it can be demonstrated to be in the interests of good arboricultural practice.

3. Protected Species:

The applicant should note that under the Wildlife and Countryside Act (1981) (as amended) and the Conservation of Habitats and Species Regulations (2017) (as amended), it is an offence to damage or destroy active bird nests; disturb, kill or injure bats or disturb, damage or destroy their roosts and similar protections exist for other protected species. You should note that work hereby granted consent does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that nesting birds, bats and other protected species will be impacted. Likewise, badgers are protected under the Protection of Badgers Act (1992) and if disturbance is likely, a licence may be required from Natural England before any work is undertaken.

4. Under the Environmental Permitting Regulations 2016 for England and Wales you may need an environmental permit for flood risk activities if you want to undertake work in, under, over or within 8 metres of a fluvial main river, flood defence structure or culvert or within 16m of a tidal main river, flood defence structure or culvert. Works beyond 8 or 16 m within the Flood Zone may also require a permit. This is set out in the flood risk activity meaning below. Please note an allowed activity is an activity which has been granted planning permission.

(g) Any activity (other than an allowed activity) on a flood plain that is-

(i) more than 8 metres from a non-tidal main river or more than 16 metres from a tidal main river, or

(ii) more than 8 metres from any flood defence structure or culvert on a non-tidal main river or more than 16 metres from any flood defence structure or culvert on a tidal main river; which is likely to divert or obstruct floodwaters, to damage any river control works or to affect drainage.

Application forms and further information can be found at:

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

5. Pollution Prevention

i. Given the potential for polluting substances to be stored on the Outage Laydown Area consideration should be given to a valve or penstock in the surface water system that serves this area. In the event of a spillage this would provide a valuable last line of defence in preventing a pollution incident and enabling containment and retrieval of the spillage.

The meeting concluded at 11:28 am

.....
Chairman

STRATEGIC PLANNING COMMITTEE

Monday, 8 March 2021

PLANNING ENFORCEMENT REPORT

EXECUTIVE SUMMARY

To provide information on the performance of the enforcement section

Is the report Open or Exempt?	Open
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Wards Affected:	All
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Cabinet Member:	Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management
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Supporting Officer:	Cate Buck Senior Enforcement Officer Cate.buck@east Suffolk.gov.uk
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1. INTRODUCTION

- 1.1 Following the adoption of the new Local Enforcement Plan in March 2019 and the formation of the new East Suffolk Council section it was decided that a report be presented on a quarterly basis from August 2019.
- 1.2 Between October and December 2020, no Enforcement Notices were served. Both the enforcement team and development management team have maintained enforcement work during the Covid-19 pandemic and continued to actively deal with matters in accordance with the Council's adopted Enforcement Plan. Site visits have continued in a covid secure manner but the department has been righty and properly assessing all cases in light of difficulties during covid to ensure compliance and considering appropriate timescales where appropriate.

Cases Received and Closed October to December 2020

Month	Cases Received	Cases Closed
October	37	41
November	53	48
December	36	29

*Please note all new complaints are logged, site visited and then triaged in accord with the appropriate risk assessment.

Reasons for Closure

Reason	October	November	December
No Breach	16	14	16
Compliance/use ceased	17	17	7
Planning Permission Granted	6	11	3
Permitted Development	0	0	0
Immune/Lawful	0	0	0
Duplicate file	0	0	0
Withdrawn	0	1	0
Not Expedient	2	5	3

Time taken to close cases

Time taken to close cases	Cases Closed in October	Cases Closed in November	Cases Closed in December
1-10 days	7	7	1
11-20 days	6	6	10
21-30 days	2	1	2

31-40 days	5	2	1
41 + Days	21	32	15
Total	41	48	29

Enforcement Notices Served October to December 2020

Type of Notice	Address	Breach	Compliance period
NIL	NIL	NIL	NIL

2 REASON FOR RECOMMENDATION

2.1 This report is for information only.

RECOMMENDATION

That the report concerning Enforcement Team statistics be received.

APPENDICES – None

BACKGROUND PAPERS – None



STRATEGIC PLANNING COMMITTEE

Monday, 8 March 2021

DEVELOPMENT MANAGEMENT PERFORMANCE REPORT

EXECUTIVE SUMMARY

This report provides an update on the planning performance of the Development Management Team in terms of the timescales for determining planning applications.

Is the report Open or Exempt?	Open
Wards Affected:	All
Cabinet Member:	Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management
Supporting Officer:	Liz Beighton Planning Manager 07775 406370 liz.beighton@eastsoffolk.gov.uk

1 INTRODUCTION

- 1.1 This report provides details on the determination timescales for all planning applications at East Suffolk Council when tested against the government set timescales as well as the East Suffolk Council stretched targets.
- 1.2 The Key Performance Indicators (KPIs) are reported on a quarterly basis and included within the East Suffolk Council performance report and tested against the Council's Business Plan.

2 PERFORMANCE STATISTICS

- 2.1 The breakdown for Q3 (October 2020 to 31 December 2020) is reported as follows:

	Q3 Percentage	Q3 Total	Targets
Major Development	85%	11/13	60% national 65% stretched
Minor Development	76%	106/139	65% national 75% stretched
Other Development	92%	430/466	80% national 90% stretched

- 2.2 The rolling statistics for the reporting year are as follows:

	Q1 – Q3 Percentage	Q1 – Q3 Total	Targets
Major Development	86%	24/28	60% national 65% stretched
Minor Development	83%	365/441	65% national 75% stretched
Other Development	90%	1159/1283	80% national 90% stretched

- 2.3 The following table is a comparison with the end of Q3 (rolling figures) in the 2019/2020 rolling year.

	Q1 – Q3 Combined Percentage	Q1 – Q3 Combined Total	Targets
Major Development	84%	47/55	60% national 65% stretched
Minor Development	74%	323/438	65% national 75% stretched
Other Development	88%	1126/1277	80% national 90% stretched

- 2.4 The figures for Q3 of the financial year are promising and show a continued intent to issue decisions in a timely manner. The national performance indicators and the stretched East Suffolk Council performance indicators have been met in all categories.
- 2.5 All members of the Development Management Team continue to work from home but undertake site visits in a Covid secure manner. All meetings are held virtually, and the figures presented to Members demonstrates that the pandemic has not had a negative effect on either the quality of timeliness of decision making albeit there are a number of challenges which have been faced. In January 2021, the team welcomed four new additions to the team who have integrated extremely well and already making quality decisions for the benefit of our customers.
- 2.6 When comparing with the same three quarters from the previous year (2019/2020), Members will note that performance has increased across all sectors and with the exception of major

planning applications the numbers of applications received is similar to that of last year, which is positive considering the effects that Covid-19 has had on the economy. The Development Management Team have also been appropriately using the extension of time mechanism to ensure that appropriate discussions can take place with applicants/other parties to secure high quality sustainable developments.

- 2.7 Of all decisions made, 584 were delegated decisions with the remainder being determined by the Planning Committee.
- 2.8 The Council maintains a high approval rate across all types of applications and proactively look to support development where policy permits and work proactively with applicants and agents to secure appropriate schemes. With regards to Q3 statistics, of the major applications the approval rate was 92% (12/13 applications), minor applications had an approval rate of 85% (118/139 applications) and with the other applications the approval rate was 95% (445/466 applications).
- 2.9 Where applications are refused Officers seek to defend those refusals strongly. Members will note the separate appeals report on the agenda which demonstrates confidence that applications are being refused correctly and those decisions are for the most part upheld at appeal. Members will note that in respect of the same quarter the Council defended 75% of all planning appeals which is significantly higher than the national average.
- 2.8 Officers continue to work proactively with agents to promote the pre-application service to seek to ensure that where applications are submitted they have the right level of information accompanying them to enable swift decisions on applications to be made. The planning service has recently updated both the Local Validation Requirements and also the Fees and Charges Schedule giving greater confidence to all customers on what information is required to support an application and also the benefits of engaging with the council prior to formal submission.

3 REASON FOR RECOMMENDATION

- 3.1 This report is for information only.

RECOMMENDATION

That the contents of the report be noted.

APPENDICES – None

BACKGROUND PAPERS – None



STRATEGIC PLANNING COMMITTEE

Monday, 8 March 2021

PLANNING APPEALS REPORT

EXECUTIVE SUMMARY

This report provides an update on all appeal decisions received from the Planning Inspectorate between 1 December 2020 and 12 February 2021.

Is the report Open or Exempt?	Open
Wards Affected:	All Wards in East Suffolk
Cabinet Member:	Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management
Supporting Officer:	Liz Beighton Planning Manager 01394 444778 Liz.beighton@eastssuffolk.gov.uk

1 INTRODUCTION

- 1.1 This report provides a summary on all appeal decisions received from the Planning Inspectorate between the 1 December 2020 and 12 February 2021,

2 APPEAL DECISIONS

- 2.1 A total of 28 planning appeals, two appeals relating to certificate of lawful use applications, one enforcement appeal and one appeal against increased construction hours have been received from the Planning Inspectorate since the 1 December 2020 following a refusal of planning permission from East Suffolk Council.
- 2.2 A summary of all the appeals received is appended to this report. The summary contains 31 decision notices in total.
- 2.3 The Planning Inspectorate monitor appeal success rates at Local Authorities and therefore it is important to ensure that the Council is robust on appeals, rigorously defending reasons for refusal. Appeal decisions also provide a clear benchmark for how policy is to be interpreted and applications considered.
- 2.4 Very few planning refusals are appealed (approximately 20%) and nationally on average there is a 42% success rate for major applications, 27.25% success rate for minor applications and 39.25% success rate for householder applications. Taken as a whole that means that slightly over 36% (or 1 in 3) of app planning appeals are successful.
- 2.5 All bar one of the appeal decisions related to applications which were delegated decisions determined by the Head of Planning and Coastal Management. The one committee item relates to a dismissed appeal at 32 The Thoroughfare in Woodbridge, and Members will note that a subsequent application was received to deal with the reason for refusal which was subsequently approved via delegated means.
- 2.6 Of the planning appeals 21 of the decisions were dismissed (75%) and seven of the decisions were allowed (25%) by the Planning Inspectorate. These statistics show that the Council's success rate in defending appeals is above the national average and provides confidence that the Council is able to robustly defend against unacceptable development and has a suite of policies available to assist defence. The summaries of the appeals include a section on key issues and any lessons which could be learnt.
- 2.7 There are no significant issues arising with the planning appeals which have been allowed, with the Inspector reaching a different conclusion to the Council on matters primarily relating to design and appearance. On the contrary, of the planning appeals which have been dismissed there is strong support for recently adopted policies across both Local Plans in particular with regard to development beyond the settlement boundary, application of the cluster policy and support for commercial premises. Additionally, there is also a useful appeal decision in respect of a Class Q application and the level of work required to enable the existing structure to be converted into a residential use.
- 2.8 Regarding the enforcement notice appeal, this relates to the provision of an external stairlift to a property in Queens Head Lane in Woodridge with the enforcement notice being successfully upheld.
- 2.9 There were two appeals decisions (heard via a Hearing) in relation to the refusal of a certificate of lawful (existing use) at one site at Mill Road in Badingham. In both instances the

decisions were allowed with the Inspector concluding that the evidence provided by the applicant was sufficient to grant the certificate. In respect of these appeals, the applicants were also awarded costs in their favour with the Inspector noting that the Council should have requested an extension of time to resolve the perceived deficiencies in information which would have negated the need for a second CLE (certificate of lawful use – existing) application which incurred additional cost and time to the applicant.

- 2.10 The Council also received a decision in respect of a request to increase the construction hours on a residential development beyond those stipulated in the Construction Management Plan. The Inspector allowed the application reaching a different view to the Council on the harm to amenity which would occur with increased hours, approving in accordance with the governments post covid 19 recovery plan for the construction industry.

3 REASON FOR RECOMMENDATION

- 3.1 This report is for information only.

RECOMMENDATION

That the contents of the report be noted.

APPENDICES

Appendix A

Appeals Decisions Received

BACKGROUND PAPERS – None

APPENDIX A

The following appeals have been received. The full reports are available on the Council's website using the unique application reference.

Certificate of Lawful Use Appeals

Application number	DC/19/0622/CLE
Appeal number	APP/J3530/X/19/3228391 (1 of 3)
Site	The Stables, Mill Road, Badingham, IP13 8LF
Description of development	Non-commercial use for stabling of four horses and ancillary storage. (As agreed at the Appeal Hearing on 20 October 2020)
Committee / delegated	Delegated
Appeal decision date	17 December 2020
Appeal decision	Allowed
Main issues	Whether or not the use of the building for non-commercial use for stabling of four horses and ancillary storage is lawful
Summary of decision	<p>The statutory declarations and evidence provided are given significant weight in considering the use of the building. From these the Inspector was satisfied that the building had been erected in 1988 and had been used for the keeping of horses since that time for a continuous period until at least October 2018. The Council had conceded on appeals APP/J3530/X/19/3228391 and APP/X3540/X/19/3236963 in respect of the certificates prior to the hearing as it was felt that the evidence provided through the applications and appeals was sufficient to grant the certificate.</p> <p>The appellant also made a cost claim, the decision in respect of this is within the costs section of this report.</p>
Learning point / actions	The applicant had sought an extension of time to provide additional information, which would have prevented a second application for a certificate of lawfulness. The clarification on matters raised could have been resolved within the initial application, without incurring additional costs to the appellant or Council by agreeing an extension of time.

Application number	DC/19/2786/CLE
Appeal number	APP/X3540/X/19/3236963 (2 of 3)
Site	The Stables, Mill Road, Badingham, IP13 8LF
Description of development	Non-commercial use for stabling of four horses and ancillary storage. (As agreed at the Appeal Hearing on 20 October 2020)
Committee / delegated	Delegated
Appeal decision date	17 December 2020
Appeal decision	Allowed
Main issues	Whether or not the use of the building for non-commercial use for stabling of four horses and ancillary storage is lawful.
Summary of decision	<p>The statutory declarations and evidence provided are given significant weight in considering the use of the building. From these the Inspector was satisfied that the building had been erected in 1988 and had been used for the keeping of horses since that time for a continuous period until at least October 2018. The Council had conceded on appeals APP/J3530/X/19/3228391 and APP/X3540/X/19/3236963 in respect of</p>

	<p>the certificates prior to the hearing as it was felt that the evidence provided through the applications and appeals was sufficient to grant the certificate.</p> <p>The appellant also made a cost claim, the decision in respect of this is within the costs section of this report.</p>
Learning point / actions	<p>The applicant had sought an extension of time to provide additional information, which would have prevented a second application for a certificate of lawfulness. The clarification on matters raised could have been resolved within the initial application without incurring additional costs to the appellant or Council by agreeing an extension of time.</p>

Planning Appeals

Application number	DC/18/3932/ROC
Appeal number	APP/X3540/W/20/3252717
Site	Whitearch Park, Main Road, Benhall, P17 1NA
Description of development	Removal of conditions of condition 7(holiday occupancy restriction on units numbers 12-17) and 8 (holiday occupancy restriction on Units numbered 1-11) of DC/12/2521 - Change of use from Touring Caravan Park with Permission for 21 residential units to holiday/residential village with 18 additional Units, with improved access and entrance wall.
Committee / delegated	Delegated
Appeal decision date	10 February 2021
Appeal decision	Dismissed
Main issues	<p>The main issues were identified as:</p> <ul style="list-style-type: none"> • whether the proposal in this location would result in a sustainable form of development having regard to the spatial strategy in the development plan, access to services, facilities, and sustainable transport options; • whether the holiday lets are no longer viable and whether the loss of tourist accommodation would be acceptable, and • the effect on the living conditions of future occupants of the proposed units in respect of privacy and amenity space.
Summary of decision	<p>The decision recognised the location of the site within the countryside for the purposes of planning policy, and that in effect the proposed removal of the occupancy conditions would enable the units to be used for residential purposes rather than as holiday lets. It concluded that the proposal was contrary to Suffolk Coastal Local Plan Policies SCLP5.16, SCLP3.3 SCLP5.3, because it would result in residential development in the countryside that would not meet any of the circumstances for dwellings in the countryside defined within those policies, and thus the inspector concluded it represented an unsustainable form of development.</p> <p>In terms of the whether the holiday lets are no longer viable, the Inspector concluded that the application did not meet the requirements of Policy SCLP6.6 which indicates existing tourist accommodation will be protected. The inspector highlighted that the policy only permits such</p>

	<p>change of use in exceptional circumstances where it can be fully and satisfactory demonstrated that there is no current or future demand for the tourist accommodation, and that marketing evidence must be provided that demonstrates the premises have been marketed for a sustained period of at least 12 months in accordance with Appendix E of the Local Plan. No marketing evidence was submitted and there was no evidence that the holiday lets are no longer viable or that there is no current or future demand.</p> <p>In terms of the effect on living conditions, the Inspector did not agree with the Local Planning Authorities assessment, on the basis that the units could potentially be of any form provided they met the definition of a caravan rather than being restricted to a particular specification of cabin.</p> <p>In terms of the argument the appellants agent sought to make that the units could provide affordable homes or homes for older persons the Inspector did not agree. They concurred with the Local Planning Authorities argument that the removal of the conditions would enable the units to be unrestricted open market units and therefore they could be purchased/let by as holiday homes etc rather than providing affordable homes or home for older persons, so the social benefit would be reduced.</p> <p>The Inspector also considered that a previous appeal decision referred to by the appellants agent, did not form a precedent sufficient to allow the appeal as that case related to a site in Mid Suffolk and the particular site circumstances would have been different.</p>
Learning point / actions	<p>This appeal confirms the application of our local planning policies in terms of the requirements upon applicants to undertake marketing and provide evidence of lack of viability when seeking to change holiday lets to full dwellings.</p>

Application number	DC/19/4326/FUL
Appeal number	APP/X3540/W/20/3246134 (3 of 3)
Site	The Stables, Mill Road, Badingham, IP13 8LF
Description of development	The change of use and conversion of rural building to a dwelling (including removal of existing residential caravan upon grant of permission)
Committee / delegated	Delegated
Appeal decision date	17 December 2020
Appeal decision	Allowed
Main issues	The main issue in relation to this appeal is whether the proposed conversion of the building to a dwelling is acceptable, having regard to local and national planning policy.
Summary of decision	The application was determined under the former Core Strategy, however the Local Plan 41 had been adopted by the Appeal Hearing on the

	<p>20 October 2020. Under Core Strategy Policy DM13, it was considered that the building was not redundant, as still used for stables and that it had no architectural or historic merit to warrant retention. The appellant stated that the building was superfluous to their needs, therefore no longer required for horses or other purpose, of which the Inspector considers the proposal to accord with SCLP5.5a. SCLP5.5 does not require the building to be a heritage asset to warrant retention, however does require it to have a positive impact on the landscape. The Inspector found that the existing building had a neutral impact on the landscape, therefore complied with SCLP5.5b, which would be improved further by its conversion (SCLP5.5d). For these reasons, the Inspector considered that the proposal complied with paragraph 79(c) of the Framework and LP Policies 5.3, 5.5, 10.1, 10.4 and 11.1.</p> <p>However, did agree that certain permitted development rights should be removed to ensure that there was no harm to the landscape as a result of the development, in addition to conditions for details of hard and soft landscaping.</p>
Learning point / actions	None (see comments in respect of CLE appeals)

Application number	DC/19/1589/FUL
Appeal number	APP/X3540/W/19/3242698
Site	Rear of 21 Birds Lane, Lowestoft
Description of development	Construction of a four storey dwelling with three storey each end and construction of another two, four storey dwellings, comprising nine residential units in total.
Committee / delegated	Delegated
Appeal decision date	16 December 2020
Appeal decision	Dismissed
Main issues	<ul style="list-style-type: none"> • whether the proposed housing mix is acceptable having regard to development plan policy; • the effect of the proposal on the character and appearance of the area; • the effect of the proposal on the living conditions of the occupiers of neighbouring properties with particular regard to outlook; and • whether the proposed development would be in a suitable location with regard to local and national policies relating to flood risk.
Summary of decision	<p>In respect of housing mix, the Inspector noted conflict with Policy WLP8.2 and in the absence of any evidence to the contrary considered that there would not be a sufficient mix of property sizes to meet identified local needs.</p> <p>The scale, arrangement and plot sizes was not harmonious with the surrounding area and be unsympathetic to the existing built environment. Their height and fenestration pattern would be at odds</p>

	<p>with dwellings on adjacent roads. Additional landscaping proposed by the applicant would not mitigate the harm identified.</p> <p>Although the properties would be some 27-50m distance away from rear elevations of neighbouring properties, the significant height, proximity and massing would result in the proposal appearing unacceptably overbearing and visually intrusive when viewed from neighbouring gardens.</p> <p>With regards to flood risk, the Inspector concluded that the sequential test was not adequately undertaken and without appropriate testing, it was concluded that the principle of development is acceptable. Concern was also raised over the design of the dwellings in terms of flood risk.</p> <p>The modest contribution to the supply of housing of nine dwellings in an accessible location and the sustainable construction methods were not considered of sufficient weight to overcome the harms which have been identified.</p>
Learning point / actions	<p>With regards to the exception test on flooding, if evidence is such that there are suitable alternative winfall sites that the applicant should consider first, these details need to support any appeal documentation. In the absence of such details the Inspector was not in a position to consider them.</p> <p>Furthermore, concerns over highways were not translated into a reason for refusal and therefore not considered by the Inspector.</p>

Application number	DC/19/1907/FUL
Appeal number	APP/X3540/W/19/3236974
Site	14 Marine Parade Walk, Felixstowe
Description of development	Loft Conversion/ Extension with first floor balcony to rear elevation.
Committee / delegated	Delegated
Appeal decision date	20 January 2021
Appeal decision	Dismissed
Main issues	<ol style="list-style-type: none"> 1. The character and appearance of the host property and wider area; 2. Flood risk; and 3. The living conditions of neighbouring occupiers, with specific regard to privacy.
Summary of decision	<p>The appeal property forms a significant part of the overall composition of a block by acting as a subservient link of simple form between the more deliberately prominent and bold 2.5 storey housing to the south and three storey apartments to the north, both of which are strongly characterised by their large gables fronting onto the Promenade.</p> <p>The introduction of a gable in the roof space of the appeal building, with accompanying double-doors and balcony, would obliterate its simple form and give it a much more imposing appearance, wholly out of character with its important visual role as a subservient link building</p>

	<p>between the two bolder architectural forms connected to it on both sides. The introduction of glazed balcony screening and grey windows, as well as the widening of the existing double-doors at first floor level, would compound these issues. The proposed balcony to the rear of the terrace, whilst modest in scale, would introduce new materials and finishes that would also detract from the simple palette of existing materials on the terrace.</p> <p>The site falls within Flood Zone Two but the application did not include a site-specific flood risk assessment as required by the adopted development plan and NPPF, even for minor 'householder' development.</p> <p>While no harm was found in respect of the main issue relating to living conditions, it was otherwise concluded that the harm identified in respect of the main issues relating to character & appearance and flood risk were sufficient to justify dismissal of the appeal.</p>
Learning point / actions	<ul style="list-style-type: none"> - The benefits to the appellant of easier maintenance do not outweigh the harm that would be caused to the wider terrace. - The fact that the terrace is not listed or in a conservation area does not remove the need for the development to be of a high-quality design or justification for identified harm. - Despite the proposal being a minor development and the site benefitting from substantial sea defences, failure to include a site-specific flood risk assessment meant the application conflicts with Policy SCLP9.5 of the Local Plan Paragraphs 163 and 164 of the Framework, and the PPG on flood risk.

Application number	DC/19/2271/OUT
Appeal number	APP/X3540/W/19/3242029
Site	Old Glebe House, Westerfield
Description of development	Erection of eight dwellings with garages
Committee / delegated	Delegated
Appeal decision date	12 January 2021
Appeal decision	Dismissed
Main issues	Principle of residential development in the countryside, impact on character and appearance of the area and of closing green gap between settlements, impact on the setting of Listed Buildings.
Summary of decision	It was accepted that the Council had a five year housing land supply and therefore the tilted balance was not engaged. The public benefits of the scheme were considered including increase in the supply of housing, locational sustainability close to the station and with good public transport links and footways and cycle routes into Ipswich and the provision of open space and a wildlife enhancement area however these were not considered sufficient to outweigh the overall departure from local plan policies, harm to the setting of heritage assets and harm to the character and appearance of the area.
Learning point / actions	Some positive weight was given to the sustainable location of the site given its proximity to the station and on a route with a bus service and footway/cycling facilities despite its location outside of the settlement

	<p>boundary.</p> <p>The potential open space was also considered as a potential benefit to enable public views of the Listed Buildings.</p>
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Application number	DC/19/3556/FUL
Appeal number	APP/X3540/W/20/3252629
Site	Green Banks, Thorington
Description of development	Proposed demolition of existing bungalow (Greenbanks) and erection of five new dwellings comprising three detached bungalows and two semi-detached houses.
Committee / delegated	Delegated
Appeal decision date	4 January 2021
Appeal decision	Dismissed
Main issues	The effect of the proposed access arrangement on highway safety.
Summary of decision	<p>The appellant made the argument that, because there was space within the existing site for the parking of ten vehicles, that the new access would not be used any more intensively than the proposal for five dwellings. The Inspector disagreed with this, accepting the Council's position, and concluded that the new access would be used more intensively than the existing one.</p> <p>The application/appeal was supported by speed survey data evidencing that vehicles often travelled faster than the 30mph limit in the area of the appeal site. The proposed new access would have substandard visibility splays. The appellant argued that clear visibility was only needed to the centre of the highway, rather than the nearside edge. The Council, supported by SCC Highways Authority, resisted this argument and evidenced why it was necessary to get clear visibility to the edge of the highway to deal with wider vehicles, and motorists that have travelled across the centre line (of the narrow road) – for example, to pass a cyclist or pedestrian. The Inspector accepted the Council's position and dismissed the appeal on the grounds that the scheme would have an unacceptable impact on highways safety.</p>
Learning point / actions	The appellant submitted an amended access layout, during the appeal, to try and overcome the refusal reason. The Inspector accepted the Council's argument that to consider an amended scheme during appeal would be prejudicial to the positions of the Council and interested parties. A useful decision to reinforce that an appellant cannot use the appeals process to evolve a development proposal and that the appeal must be determined on the same details considered by all parties at application stage.

Application number	DC/19/4688/VOC
Appeal number	APP/X3540/W/20/3249474
Site	The Barn, Ugli Nurseries, Mill Road, Newbourne, IP12 4NP
Description of development	Variation of Condition No.2 of DC/19/2574/FUL - Retrospective Application - Retention of building for use as holiday accommodation - Occupancy restriction
Committee / delegated	Delegated
Appeal decision date	14 December 2020
Appeal decision	Allowed

Main issues	Whether the removal of the '56 day' holiday occupancy condition would support the tourism objectives of the Local Plan.
Summary of decision	The Inspector concluded that the proposed condition to allow a closed period would ensure that the building wasn't occupied as permanent residential accommodation which wouldn't be supported by the Local Plan. Although longer term visitors may spend less in the local economy than shorter term visitors, there is still an economic benefit. The proposed variation in wording of the condition would provide for short term tourist accommodation should the demand be there and therefore supported the aims of the policy.
Learning point / actions	Providing there is some restriction on occupancy of holiday accommodation such that it cannot be occupied permanently, there are benefits to the local tourist economy.

Application number	DC/19/4699/FUL
Appeal number	APP/X3540/W/20/3246692
Site	The Bungalow, Lower Road, Westerfield, near Ipswich, Suffolk IP6 9AR
Description of development	The development proposed is construction of a detached chalet style bungalow and cartlodge outbuildings (including off road car parking) to severance plot.
Committee / delegated	Delegated
Appeal decision date	13 January 2021
Appeal decision	Dismissed
Main issues	(i) the effect of the proposed development on the character and appearance of the area and; (ii) the effect of the proposed development on the living conditions of the occupiers of The Bungalow and Laburnum Cottage with regard to noise and disturbance.
Summary of decision	<p>The site rises to the rear and as a consequence of its scale and position and given the absence of tandem development within this row of dwellings, the proposal would appear significantly at odds with the prevailing linear pattern of development. It would be visible from the street and from neighbouring dwellings, from where it would be read as a prominent and discordant feature. The close proximity of the new dwelling to both the rear (north east) and side (south east) boundaries would result in the property appearing cramped within the site. The Inspector concluded that the proposal would cause unacceptable harm to the character and appearance of the area and therefore, it would conflict with LP Policies SCLP5.2 and SCLP5.7 which seek to ensure that development would not result in harm to the street scene or character of the area.</p> <p>The access drive, running past the donor house, would likely give rise to a serious adverse effect by way of noise and disturbance to the occupiers of The Bungalow, as such the proposal was found in conflict with LP Policy SCLP5.7</p>
Learning point / actions	<p>The inspector notes that just because a dwelling could be accommodated within the space does not of itself mean that its form would be satisfactory.</p> <p>The presence of the existing built form does not in itself justify the replacement of such buildings with a new residential unit.</p>

Application number	DC/19/4795/FUL
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Appeal number	AP/X3540/W/20/3257094
Site	Part rear garden of 113 Bedingfield Crescent, Halesworth, IP19 8EH
Description of development	The development proposed is construction of a one-bedroom single storey property on plot of land to rear of 113 Bedingfield Crescent
Committee / delegated	Delegated (07 February 2020)
Appeal decision date	08 December 2020
Appeal decision	Dismissed
Main issues	<ul style="list-style-type: none"> - The effect of the development on the character and appearance of the site and the surrounding areas - The effect of the site on the living conditions of the existing and future occupiers of the land, with particular regard to the provision of outdoor amenity space - Whether safe and suitable access can be achieved for all users and:- - The effect of the proposal on Suffolk European sites
Summary of decision	<p>With regard to the impact on the character and appearance of the area, the appeal site occupied a section of the garden of 113 Bedingfield crescent situated on the corner of this road and Kennedy Avenue. The inspector concluded that the introduction of a dwelling in this location and the reduction in the garden area for No 113 would erode the spaciousness of the site and appear cramped and incongruous when compared to the more generous spacing of other dwellings in the vicinity, particularly around junctions. This incongruity and reduction in spaciousness would, in this instance, amount to substantial harm, the benefits of the scheme would not outweigh the harm identified.</p> <p>Other matters:</p> <p>In terms of the level of amenity space to available to the existing and proposed dwellings, the inspector concluded that due to the modest size of the dwellings this would be sufficient and proportionately sized.</p> <p>The inspector concluded that extended length of dropped kerb that this access would create would not result in material harm to the safety of highway users and that safe and suitable access can be achieved.</p> <p>RAMS was not considered further as the appeal was being dismissed</p>
Learning point / actions	None of note

Application number	DC/19/4851/OUT
Appeal number	APP/X3540/W/20/3249337
Site	The Oaks, Playford Road, Rushmere St Andrew, IP5 1DW
Description of development	Demolition of existing bungalow and erection of three new dwellings.
Committee / delegated	Delegated
Appeal decision date	24 December 2020
Appeal decision	Dismissed
Main issues	The main issue is whether the proposal would be in an appropriate location, with particular regard to the spatial strategy in the

	development plan and the character and appearance of the area.
Summary of decision	The application sought to apply with the 'Cluster Policy' (SCLP5.4) of the Local Plan. The appeal decision confirms that dwellings within Rushmere St Andrew's Settlement Boundary do not form part of the cluster, as they are not within the countryside. It was considered that the site was disconnected from the settlement, despite the physical distance to the settlement. Additionally, beyond the site was open countryside, thus resulting in the proposal being in an extension of the built form into the countryside. The Inspector considered that the proposal would not have any wider adverse impact on the landscape, as there was a good level of existing screening, additionally no highways concerns were raised. Nonetheless, it was considered that the proposal would not be in an appropriate location as it would be at odds with and harmfully undermine the integrity of the spatial strategy, in conflict with LP Policies SCLP3.3, SCLP5.3 and SCLP5.4.
Learning point / actions	None

Application number	DC/20/0107/OUT
Appeal number	APP/X3540/W/20/3252328
Site	Kersey Croft Kennels, Strugglers Lane, Witnesham IP6 9HS
Description of development	The development proposed is 3 new dwellings to replace existing kennel buildings.
Committee / delegated	Delegated
Appeal decision date	24 December 2020
Appeal decision	Dismissed
Main issues	The main issue is whether the proposal would be in an appropriate location, with particular regard to the spatial strategy in the development plan and accessibility to services, facilities and sustainable transport options.
Summary of decision	<p>The proposal failed to comply with all of SCLP5.4 criteria as such the Inspector found them to be in conflict with policies SCLP202 and SCLP5.3.</p> <p>The nature of Strugglers Lane, in that it is a narrow road without a footpath or lighting, was discussed and the Inspector concluded that it was not a suitable road to advocate walking and cycling. This was used to demonstrate that the site is not located within a sustainable location.</p>
Learning point / actions	<p>This decision discussed SCLP5.4 in relation to the site's potential as a cluster.</p> <p>The Inspector notes that the LP is up to date and thus so too is the spatial strategy. Accordingly, the conflict with the spatial strategy is a matter of considerable weight against the appeal scheme.</p>

Application number	DC/20/0520/PN3
Appeal number	APP/X3540/W/20/3255996
Site	Greenside Farm, St Margaret, South Elmham
Description of development	The development proposed is change of use of an agricultural building to a single dwelling house with associated curtilage to provide access, parking and amenity space as indicated on the accompanying plans and drawings.

Committee / delegated	Delegated
Appeal decision date	2 December 2020
Appeal decision	Allowed
Main issues	The main issue is whether or not the proposal is permitted development having regard to Schedule 2, Part 3, Class Q(a) of the Order.
Summary of decision	<p>In this case the appellant has made it plain that this application seeks the change of use of the building with respect to Class Q(a) only and that permission for the works would be covered under a separate planning application for the building operations which accompanied the proposal.</p> <p>The validity of this approach was contested by the Council because of the clear likelihood that extensive building works would be necessary to convert the building to enable the change of use. However, the inspector noted that there was nothing in the GPDO that explicitly precludes prior approval applications being made for change of use only under Class Q(a) in these circumstances.</p> <p>The inspector commented that notwithstanding the content of the Council's reasons for refusal, any assessment of building operations reasonably necessary to convert the building, and whether or not such works would fall within the scope of a conversion, lie outside of my remit in this case as they are simply not proposed and cannot be considered as part of the proposal.</p> <p>The Inspector considered that the Council has erred in considering building works at this point, because they cannot be advanced or considered under an application pursuant to Class Q(a) of the GPDO.</p> <p>The inspector did provide some useful commentary on the likelihood of the change of use being implemented in this instance and that a prior approval incapable of implementation was highly unlikely to be a 'fall-back position. If significant works were required amounting to a rebuild to function as a dwelling, then class Q(a) could not be engaged.</p> <p>It was noted that the appellant may make an application for prior approval under Class Q(b) of the GPDO, or, as they have done, submit a planning application to convert the buildings to dwellings.</p> <p>The outcome of that appeal is awaited</p>
Learning point / actions	It is clear from this decision that regardless of the quality of the building subject of the change of use under Class Q (a) as long as the relevant aspects of Q.1 and Q.2 can be complied with permitted development rights for the change of use apply.

Application number	DC/20/0604/FUL
Appeal number	APP/X3540/W/20/3251334
Site	Somerleyton Road, Lowestoft
Description of development	Construction of House, Fences, Materials, Parking
Committee / delegated	Delegated
Appeal decision date	7 December 2020
Appeal decision	Dismissed

Main issues	Whether the proposal would provide acceptable living conditions for future occupiers with regards to privacy The effects of the proposal on European sites.
Summary of decision	Under the existing arrangements for No 32, although overlooking by No 30 is present, there are areas of that garden which provide private space away from the direct view of No 30. The appeal proposal would result in the subdivision of the existing garden of No 32. The areas of garden which would remain capable of providing acceptable levels of privacy for their users, would be situated toward the rear of the original plot. These areas would be associated with No32. The proposed dwelling would have its external space in close proximity to No 30 and would be overlooked. This would not be an acceptable arrangement in the view of the Inspector. With regards the second matter this was not considered by the Inspector as he found harm elsewhere with the proposal.
Learning point / actions	None of note.

Application number	DC/20/0616/FUL
Appeal number	APP/X3540/W/20/3251671
Site	Seventeen Acres Barn, East Lane, Bawdsey, IP12 3AR
Description of development	The demolition of side wings and conversion of barn to a dwelling, erection of associated cartlodge, lifting of concrete apron and associated landscaping.
Committee / delegated	Delegated
Appeal decision date	3 December 2020
Appeal decision	Dismissed
Main issues	The principle of the proposed development The effect of the proposed development on the character and appearance of the area.
Summary of decision	Where only the metal frame of the original building was retained the Inspector considered that the works would be substantial and rather than truly convert the building into a dwelling, they seemed more as a scheme to build a dwelling that happens to incorporate a skeletal part of the original building. Whilst it was noted that there are other substantial residential properties in the locality, the inspector found that the proposed development would still enclose what is a substantial area of open and flat land that relates noticeably and thus contributes positively to the local, largely uninterrupted, agrarian landscape. The introduction of other domestic features such as a detached garage, large areas of manicured garden and a driveway would exacerbate how the scheme would jar with its surroundings. In this case the appeal scheme was found to have a harmful effect on the character of the landscape, and, by virtue of that fact, the conversion would accordingly fail to enhance the immediate setting of the area. The area of curtilage land would be large and whilst this is not an uncommon feature of other buildings close by, it would in and of itself represent a noticeable urbanisation of the area, when also factoring in

	<p>how the land around the converted building would be used and function. These adverse effects would be, given the quality and importance of the local area in character and landscape terms, significant.</p> <p>The inspector felt the appeal building would be far from isolated for the purposes of the Framework. It is adjacent other dwellings and a short distance from the edge of Bawdsey, a small rural village which comprises a cluster of dwellings and a school amongst other things. Since the appeal building and thus any subsequent dwelling would not be isolated, I do not therefore find the circumstances of paragraph 79 relevant to the appeal scheme.</p>
Learning point / actions	<p>The inspector discussed the interpretations on redundancy for the purposes of planning where it was found that redundant means superfluous, no longer needed or useful. Whilst it may be a factor in some cases therefore, this is not to necessarily say that in every case a building has to be unused or not in active use for it to be redundant.</p> <p>When considering if the existing building had a positive contribution on the landscape, the inspector considered that the building was erected to fulfil a purposes, and was designed with its landscape in mind in that its function is inexorably linked to it, intended to be part of it. It was found that a positive contribution does not necessarily mean a building has to be 'pretty'.</p>

Application number	DC/20/0631/FUL
Appeal number	APP/X3540/W/20/3255784
Site	Home Meadows House, Top Street, Martlesham
Description of development	Erection of replacement dwelling
Committee / delegated	Delegated
Appeal decision date	17 December 2020
Appeal decision	Dismissed
Main issues	Impact of the design and siting on the character and appearance of the area
Summary of decision	The Inspector agreed that the proposed mock Georgian appearance wasn't appropriate for the site context and that the position of the property forward on its plot would detract from the open character of the area.
Learning point / actions	Although the existing property did not particularly relate to any of its surroundings, it did not compete with the more traditional and modest proportions of the properties opposite whereas the proposed dwelling would not be of an appropriate character or appearance. The 'fallback' position relating to potential changes to the original dwelling was given little weight.

Application number	DC/20/0648/OUT
Appeal number	APP/X3540/W/20/3253379
Site	Land rear of 17 Yarmouth Road, Lowestoft NR32 4AW
Description of development	Outline Application (All Matters Reserved) - It is proposed to demolish the existing double garage on the independent plot of land to the rear of

	17 Yarmouth Road Lowestoft and replace it with one single storey dwelling. Access to be provided from Royal Ave.
Committee / delegated	Delegated
Appeal decision date	21 December 2020
Appeal decision	Allowed
Main issues	<ul style="list-style-type: none"> the effect of the proposal on the character and appearance of the area, including the effect on the North Lowestoft Conservation Area (CA); and whether the proposal would provide acceptable living conditions for future occupiers in relation to privacy and outlook.
Summary of decision	<p>The Inspector considered that the plot was of sufficient size to accommodate a dwelling having due regard to plot sizes in the locality. Although no heritage assessment was provided, it was concluded that a suitably sized dwelling would not appear alien or discordant in this location and would not therefore harm the character and appearance of the Conservation Area.</p> <p>The Inspector noted that existing windows would overlook the property, he concluded that such a relationship was not uncommon in the area and the separation distance would be sufficient to provide adequate privacy and an acceptable outlook for future occupiers.</p>
Learning point / actions	None. The Inspector reached a different conclusion to the Council on such matters.

Application number	DC/20/0671/FUL
Appeal number	APP/X3540/W/20/3257951
Site	Lime Tree Farm, Marlesford
Description of development	Subdivision of large dwelling to form two separate dwellings
Committee / delegated	Delegated
Appeal decision date	15 th December 2020
Appeal decision	Dismissed
Main issues	The main issue is whether the existing annexe is redundant in terms of its use.
Summary of decision	The inspector concluded that it had not been adequately demonstrated that the building is redundant from its use as a residential annexe given that it remains a building which is capable of occupation as such. In addition, the use of the building as an annexe is ancillary to Lime Tree Farm House, and there was no evidence provided to demonstrate that the building is no longer required for any purposes ancillary to the occupation of the main dwelling.
Learning point / actions	The inspector concluded the dwelling was not 'isolated' due to the public footpath and proximity to the Marlesford area nearby, possible re-evaluate the isolated dwelling term when used in reports for refusals.

Application number	DC/20/0952/FUL
Appeal number	APP/X3540/W/20/3256680
Site	Rope Walk Cottage, 32 Thoroughfare, Woodbridge, IP12 1AQ
Description of development	Demolition of existing dwelling and associated garage structure. Construction of replacement dwelling.

Committee / delegated	Committee
Appeal decision date	23 November 2020
Appeal decision	Dismissed
Main issues	The effect of the proposed first floor terrace on the living conditions of the occupants of 6 Doric Place, with regard to privacy.
Summary of decision	<p>There would be a degree of overlooking from the first-floor terrace into the modest courtyard garden of 6 Doric Place. The plans indicate that the area directly outside the conservatory would not be overlooked, and that this is the main seating area. But it was observed that the occupiers also have a further small seating area to the rear of the site. Given its modest size it is reasonable that the occupiers of no 6 would wish to utilise all of the available space within their garden and any degree of overlooking would be both obtrusive and harmful to the amenity of the occupiers.</p> <p>The living accommodation on the first floor means that the terrace would lead directly off the main living room - any overlooking from these areas would be more likely to occur for extended periods and be more intrusive, unlike the first-floor windows of the original dwelling which served bedrooms.</p> <p>Proposed landscaping is unlikely to be of sufficient size and scale to provide the level of screening required to mitigate the impact of the development.</p> <p>It is considered that the position of the proposed dwelling and the introduction of a first-floor terrace in close proximity to the rear garden would result in a loss of privacy and would cause unacceptable harm to the living conditions of 6 Doric Place - failing to accord with Policy SCLP11.2 of the local plan.</p>
Learning point / actions	The whole of the neighbouring outside amenity space is to be taken into account when assessing overlooking, rather than the main seating area – additionally, the room in which a terrace serves results in a varying degree of impact.

Application number	DC/20/1247/FUL
Appeal number	APP/X3540/W/20/3257605
Site	The Toll House, 50 Victoria Road, Aldeburgh , IP15 5EJ
Description of development	Alterations and extension of existing building to create three number one bedroom flat conversions and three number two bedroom flat conversions. Extra parking spaces to rear.
Committee / delegated	Delegated
Appeal decision date	15 December 2020
Appeal decision	Dismissed
Main issues	<p>The effect of the development on:</p> <ul style="list-style-type: none"> • the supply of guest house accommodation within Aldeburgh; • the occupants of 44-48 Victoria Road, by virtue of noise and disturbance; • the safety and convenience of highway users; and

	<ul style="list-style-type: none"> the character and appearance of the area.
Summary of decision	<p>The development would result in the loss of an existing guest house adversely affecting the supply of guest house accommodation within the locality, contrary to Policies SCLP6.6 and SCLP12.26 of the LP.</p> <p>The proposed dwellings would be served by a parking area providing six no. parking spaces located directly behind the rear boundary of 44- 48 Victoria Road. The additional noise and disturbance resulting from the increased traffic movements would be harmful to the living conditions of 44-48 Victoria Road, contrary to policy SCLP11.2 of the LP.</p> <p>The proposal would result in additional dwellings within Victoria Road and would increase demand for parking on the street. Due to the proximity to the existing roundabout opportunities for off-street parking are limited. Increased parking demand in instances of limited supply may lead to additional congestion as drivers seek parking spaces, or park illegally, which would be detrimental to highway safety. The proposed development would have a potentially harmful impact on highway safety and would conflict with Policy SCLP7.2 of the LP.</p> <p>The Inspector considered that the alterations and extension of the building will increase the prominence of the building, materially altering the character and appearance of the area. He considered that the proposed development would result in a well designed and coherent design which would significantly improve the rear elevation of the building, providing an enhancement to the appearance of the building when viewed from the public realm, concluding that the proposal would not have a harmful effect on the character and appearance of the area and would comply with policy SCLP11.1 of the LP.</p>
Learning point / actions	Support for the retention of guest house accommodation and requirements of policy SCLP6.6.

Application number	DC/20/1343/PN3
Appeal number	APP/X3540/WX3520/D/20/32570463260325
Site	Gatewood Farm, Lampard Brook, Framlingham, Woodbridge, IP13 9SB
Description of development	<p>The development proposed is Prior Notification - Change of use from an agricultural building into a single residential dwelling (Class C3) under class Q permitted development rights.</p> <p>Erection of single storey extension to front of dwelling</p>
Committee / delegated	Delegated
Appeal decision date	16 December 2020
Appeal decision	Dismissed
Main issues	<p>The main issue in this case is whether the proposal would be permitted development under Schedule 2, Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015, having particular regard to whether the building operations proposed are reasonably necessary for the building to function as a dwelling house.</p> <p>Impact of design and appearance of property</p>
Summary of decision	The inspector concluded that very little of the existing building would be utilised (just the structural frame) where it was considered that went beyond a conversion and what could be considered reasonably necessary

	<p>for the building to function as a dwelling house.</p> <p>The Inspector referred to the Hibbitt judgement however concluded that the existing building in this instance would not be able to function as a dwelling and that the works outlined result in the substantial rebuilding of the pre-existing structure and cumulatively, the extent of the works required would extend beyond the building operations reasonably necessary to convert the building to residential use under Class Q.</p> <p>Although the proposed extension would be in a prominent location and its curved roof form would be uncharacteristic of the property and the street scene, it would be partially screened by an existing hedge and as the existing property has a variety of projections, heights and materials, it would not be out of character.</p>
Learning point / actions	<p>The inspector clearly states that it is a matter of judgement for the decision maker to establish in each case where the line is drawn on the amount of works necessary to constitute a new build rather than conversion.</p> <p>Single-storey scale extensions of a different form and appearance in a prominent position on the front of a dwelling</p>

Application number	DC/20/1471/FUL
Appeal number	APP/X3540/W/20/3255467
Site	1 Holly Lane, Little Bealings
Description of development	Erection of a self-build three bedroom detached dwelling and detached garage and store within garden amenity land.
Committee / delegated	Delegated
Appeal decision date	26 January 2021
Appeal decision	Dismissed
Main issues	<ul style="list-style-type: none"> • The effect of the proposal on the character and appearance of the area, including its effect on trees; • The effect on the living conditions of existing and future occupants with particular regard to outlook and privacy; and • Whether adequate mitigation would be made for the potential impacts of the development on the Special Protection Areas (SPAs) and Ramsar of Stour and Orwell Estuaries and Deben Estuary.
Summary of decision	<p>The appeal site is an undeveloped area of maintained garden land that serves No 1 Holly Lane. Although the site is contained by built form to three of its sides, it is largely open along its rear boundary with agricultural land and countryside positioned beyond it. It consists of several mature trees of a variety of species and sizes that largely screen the site and soften the transition between open countryside and the urban edge of settlement location. The proposal would introduce a detached dwelling, garage and associated parking and turning areas.</p> <p>While the overall design and appearance of the proposed dwelling would not unduly harm the character and appearance of the area, the Council's</p>

	<p>concerns relate to the loss of trees on the site to facilitate the development. On this matter, it was found that the loss of trees would have a significant adverse impact on the character and appearance of the area. Further, the lack of clear evidence submitted to demonstrate that tree protection methods would be capable of being implemented and would adequately prevent adverse harm to the health of any tree, resulted in the inspector finding that such matters should not be dealt by means of a planning condition.</p> <p>Although some degree of mutual overlooking between houses and gardens in the area was accepted, it was found that the proposal would result in a direct line of sight from a proposed bedroom window. This would significantly alter the level of privacy experienced by the occupants of the neighbours, including the host dwelling.</p> <p>During the course of this appeal, the appellant asserted that a Section 111 financial contribution had been made to the Council, however the inspector remained unclear as to whether a financial contribution would have adequately mitigated any harm to the SPA/Ramsar.</p>
Learning point / actions	<p>Lack of clear evidence to demonstrate that tree protection methods would be both capable of implementation and would adequately prevent adverse harm to the health of trees, means that such matters should not be dealt by planning conditions.</p> <p>The side wall of the proposal positioned 23 metres from the rear elevation of the host dwelling would not have an oppressive impact on existing occupants outlook.</p> <p>A sizeable tree positioned within the rear garden of a neighbouring dwelling could minimise the impact on overlooking but is not an appropriate solution to mitigate loss of privacy given seasonal changes that would affect the ability of foliage to provide year-round cover and the unreliability of the tree's retention.</p> <p>While government policy is strongly supportive of self-build homes, a lack of evidence submitted to support that the proposal would be built as and remain a self-build therefore attracts minimal weight to this benefit of the proposed scheme.</p>

Application number	DC/20./1814/OUT
Appeal number	APP/X3540/W/20/3256864
Site	6 Dixon Drive, Lowestoft NR33 9PE
Description of development	Erection of bungalow
Committee / delegated	Delegated
Appeal decision date	29 December 2020
Appeal decision	Dismissed
Main issues	Impact on character and appearance of the area, acceptability on living conditions of future occupiers of no.6 Dixon Drive, and mitigation to nearby European Protected Sites.
Summary of decision	The proposed development would result in both the proposed and doner property have a markedly smaller plots that others in the surrounding

	area which is noted as being remarkably uniform in character. This would result in a cramped form of development which would be intrusive and discordant feature in the street scene. The proposal would also leave the No.6 with about 75sqm of private amenity space that would be awkwardly shaped, and part covered by a canopy. The rear fence would also be about 4m from the rear of No.6, both of which would significantly be detrimental to the living conditions.
Learning point / actions	The inspector noted that whilst there is no national or local policy requiring uniform plot sizes and also support for smaller dwellings and increased densities, this is not at the expense of encouraging development that would harm the character and appearance of existing residential areas. Furthermore, just because there is no special designation such as conservation area status, that is no reason to allow harmful development.

Application number	DC/20/1996/FUL
Appeal number	APP/X3540/Y/20/3258644
Site	2 Kents Lane, Bungay, NR35 1JF
Description of development	Full planning permission for the subdivision of the property at 2 Kents Lane, Bungay, NR35 1JF into 2 separate dwelling houses
Committee / delegated	Delegated
Appeal decision date	26 January 2021
Appeal decision	Allowed
Main issues	<p>The main issues in the appeal are:</p> <ul style="list-style-type: none"> • the effect of the proposed density and form of the development and proposed arrangement for car parking on the character and appearance of the surrounding area; and • whether the proposed development would provide acceptable living conditions for future occupiers, with regards to the provision of private amenity space.
Summary of decision	<p>The inspector noted that although the appeal proposal would replace the existing integral side garage and car port structure to form an additional semi-detached single storey dwelling, this arrangement would only moderately alter and enclose the relationship of the existing single storey form at No.2 with the adjacent single storey No.4 Kents Lane. Whilst the appeal proposal would have marginally lower levels of space around the property compared to the prevailing pattern of development it would not conspicuously appear as a harmfully dense form of development in this part of the town.</p> <p>The centralised point of access providing off-street parking and areas for vehicle manoeuvre to the front of the dwellings would result in a moderately harmful car dominated appearance in the street scene, the inspectors view was that this arrangement would not be entirely uncharacteristic in this part of Kents Lane.</p> <p>It was concluded that the appeal proposal with regards to the density and form of the development would not result in significant harm to the character and appearance of the surrounding area.</p>

	<p>In terms of amenity space the inspector concluded that the are proposed would be of sufficient and compared it with Nos 7 and 9 Kents Lane approved in recent years and albeit that these areas were smaller they benefit from attractive open aspect in contrast to the other development.</p> <p>It was concluded that the proposal would provide acceptable living conditions to future occupiers.</p>
Learning point / actions	The inspector did not agree that the harm was as significant as the Council suggested, and the benefits outweighed the harm that was identified. An 'on balance' decision in favour of the appellant

Application number	DC/20/2507/FUL
Appeal number	APP/X3540/W/20/3261116
Site	Pine View, Capel St Andrew
Description of development	Demolition of existing bungalow and outbuildings, erection of new one and a half storey dwelling and outbuilding
Committee / delegated	Delegated
Appeal decision date	29 January 2021
Appeal decision	Allowed
Main issues	The main issue within the appeal is the effect the proposed development would have on the character of the area within the AONB.
Summary of decision	The proposals acceptability was finely balanced however in this case although the design had some awkward detailing, the scale and massing were harmonious and well-proportioned. The existing bungalow was particularly jarring and the new scheme would be marginally more responsive to the local character and appearance of the area. The new dwelling would also be more environmentally friendly.
Learning point / actions	As the new proposal would be no more out of character than the existing dwelling, the scheme could be supported. The awkward detailing alone was not enough to refuse the application on.

Application number	DC/20/2675/FUL
Appeal number	APP/X3540/D/20/3260235
Site	Corinthians, Ferry Road, Orford
Description of development	Erection of single-storey front extension to dwelling
Committee / delegated	Delegated
Appeal decision date	17 December 2020
Appeal decision	Allowed
Main issues	Impact on the character and appearance of the property and street scene
Summary of decision	Although the proposed extension would be in a prominent location and of an uncharacteristic form compared to the property and street scene, its location behind a hedge and on a property that has a number of materials, heights and projections means it would not be out of place.
Learning point / actions	Single-storey scale extensions at the front of properties can be acceptable even where of a different form and character.

Application number	DC/20/3100/FUL
Appeal number	APP/X3540/W/20/3255123
Site	Hill Farm Cottage, Englishes Lane, Ilketshall St. John, NR34 8JE
Description of development	Sub-division of existing residential property including conversion and extension of existing outbuilding to form dwelling
Committee / delegated	Delegated
Appeal decision date	09 February 2021
Appeal decision	Dismissed
Main issues	Whether the nature and location of the residential development proposed would be appropriate with regard to local and national planning policies
Summary of decision	<p>A previous application was allowed on appeal for the conversion of the existing building, considered by that inspector to comply with Paragraph 79 (c) of the NPPF and in that case limited weight was given to Policy WLP8.11 as it was considered to be overly restrictive.</p> <p>This proposal was for the conversion and extension of the building with a proposal which could broadly have been carried out under permitted development once the building had been converted and occupied.</p> <p>The inspector concluded that as Paragraph 79 (c) does not relate to the enlargement of redundant or disused buildings, there is not the same level of support provided through the framework. The development plan is the starting point for considerations; the proposal would lead to a significant increase in volume, creating what would appear as a bungalow rather than a former outbuilding. This would no longer be a minimal alteration nor maintain or enhance the structure, form or character of the rural building, which are both requirements of Policy WLP8.11.</p> <p>Through not meeting the requirements for permitting the residential conversion of rural buildings, this proposal would conflict generally with the spatial strategy of the LP, and specifically with policies WLP1.1 and WLP1.2</p> <p>Weight was given to the 'fallback' position of the previously allowed appeal for the conversion of the building and to the small social, economic and environmental benefits of the proposal. This did not outweigh the more significant harm resulting from increased amount of residential development in a relatively isolated location and the conflict with the wider spatial strategy of the Local Plan.</p>
Learning point / actions	None to note

Application number	DC/20/2172/FUL
Appeal number	APP/X3540/W/20/3260418
Site	Land adjacent to 48 McLean Drive, Kessingland, Suffolk NR33 7TY
Description of development	Construction of new dwelling on vacant site
Committee / delegated	Delegated
Appeal decision date	9 February 2021
Appeal decision	Dismissed

Main issues	The main issues are the effects of the proposal on highway safety and European protected sites.
Summary of decision	<p>The inspector concluded that the proposed development would have an adverse impact on highway safety on three points:</p> <p>(i) The proposal would have resulted in the loss of two on street parking spaces, and whilst two public spaces were provided on site no details on how these were to be secured in perpetuity were provided.</p> <p>Furthermore, these spaces would not be clear to highways users that they were for public use due to their position effectively within the private curtilage of a dwelling. This would increase on-street parking elsewhere, which would be detrimental to the safety of users of the highway</p> <p>(ii) Insufficient access width and pedestrian access would likely result in vehicles over-running the existing footway which would be to the detriment of highway safety</p> <p>(iii) Inadequate on-site space for vehicle manoeuvring would result in vehicles reversing across the footpath with suitable mutual visibility.</p>
Learning point / actions	The inspector added additional highway safety concerns that were not detailed in the reason for refusal but were brought up by SCC Highways in the statement to the inspector.

Application number	DC/20/2077/FUL
Appeal number	APP/X3540/W/20/3261439
Site	Plot at Broadbank, Broadview Road, Lowestoft, Suffolk NR32 3PL
Description of development	The development proposed is erection of dwelling house.
Committee / delegated	Delegated
Appeal decision date	09 February 2020
Appeal decision	Dismissed
Main issues	<p>The effect of the proposal on:</p> <p>(i) the living conditions of the occupiers of the next-door dwelling (Sandings), with regard to outlook and internal daylight;</p> <p>(ii) the character and appearance of the area; and</p> <p>(iii) designated European sites in the wider area.</p>
Summary of decision	The dwelling was judged to be of a scale and proximity such as to have a harmfully overbearing impact on the outlook from the adjacent dwelling at Sandings, and to deprive some daylight from its side rooms. The Inspector also felt the cramped nature of the development, due to the narrow plot, would be out of character. The lack of Suffolk (Coast) RAMS contribution only served to reinforce the dismissal reasoning.
Learning point / actions	The Inspector acknowledged the architectural quality of the new dwelling, as a standalone design, but considered that it would be inappropriate for the site and its verdant context, causing harm to the character and appearance of the area.

Construction Working Hours Appeal

Application number	DC/20/3285/CWH
Appeal number	APP/X3540/W/20/3259697
Site	Part Land South West of Aldringham House, Aldeburgh Road, Aldringham Cum Thorpe, Leiston IP16 4FN

Description of development	Modify the times during which construction activities may be carried out in respect of planning permission Ref DC/18/2325/FUL for the construction of 40 dwellings
Committee / delegated	Delegated
Appeal decision date	30 November 2020
Appeal decision	Allowed
Main issues	The main issue is the effect of the increased construction hours on the living conditions of nearby residents, including those within Aldringham House, with particular regard to noise and disturbance.
Summary of decision	<p>Given the proximity of the site to neighbouring properties, impact from extended use of heavy plant and machinery would have adverse impact and it would be inappropriate to allow an extension to the construction hours for external works.</p> <p>However, internal fit out works could be carried out, without significant detrimental impact because these works would be within the constructed dwellings which are located furthest away from the boundary of the site and would not require the use of heavy plant and machinery.</p> <p>The appeal scheme would not harm the living conditions of the occupants of nearby residents, by virtue of increased noise and disturbance if the CMP was amended to enable internal works only to be carried out between the hours of 06:30-21:00 Monday to Friday; 07:30- 17:00 Saturdays and no working on Sundays or Bank Holidays.</p>
Learning point / actions	An inspector is able to modify the proposed development.

Costs Claims

Application number	DC/19/0622/CLE and DC/19/2786/CLE
Appeal number	APP/J3530/X/19/3228391 and APP/X3540/X/19/3236963
Site	The Stables, Mill Road, Badingham, IP13 8LF
Description of development	Non-commercial use for stabling of four horses and ancillary storage. (As agreed at the Appeal Hearing on 20 October 2020)
Committee / delegated	Delegated
Appeal decision date	17 December 2020
Appeal decision	Allowed
Main issues	Whether the Council had acted with unreasonable behaviour in respect of the above appeals.
Summary of decision	<p>An appeal for a lawful development certificate is determined on the facts of the case and relevant planning law. It is not to do with the planning merits of the development or the impact of the matter the subject of the appeal. Costs can only be awarded in relation to unnecessary or wasted expense at the appeal.</p> <p>The appellant considers that the Council should have issued a certificate on the basis of the evidence provided in the first application or the second application. The Council sought additional information late in the determination period and failed to ask for or agree an extension of time to determine the application. The second application sought to address the concerns raised by the Council in relation to the statutory declarations and the evidence in general. The applicant raises concerns</p>

	<p>about the procedural aspects of how the applications were dealt with. The appellant considers that the Council had sufficiently precise and unambiguous evidence to grant a certificate in both applications and that there was a lack of engagement by the Council.</p> <p>On 23 June 2020 the Council confirmed that it had decided not to defend Appeal A and Appeal B because it considered that further information on the use of the building had been provided as part of the appeals, which was considered sufficient to grant a certificate. It confirmed that if a new application was submitted, along with the information submitted for the appeals a certificate would be granted.</p> <p>The evidence, although not voluminous, was adequate to demonstrate ,on the balance of probabilities, that the use had begun and had continued in excess of ten years. The Council had no contradictory evidence of its own at any stage in the consideration of the applications or the appeals. I therefore find that the Council acted unreasonably in relation to both Appeal A and Appeal B and this led to the wasted expense of submitting the appeals, preparing written evidence and 30 minutes of the Hearing sitting time. A full award of costs is justified in relation to submitting the appeals, preparing written evidence on Appeal A and Appeal B and 30 minutes of the Hearing sitting time.</p>
Learning point / actions	As noted above, agreeing an extension to time to obtain further information and seek clarification on what had been submitted would have prevented both the submission of a subsequent application and the two refusals which resulted in appeal hearings.

Appeals relating to Enforcement Action

Enforcement Case Number	ENF/2019/0035/DEV
Appeal Number	APP/X3540/C/20/3256490
Site	3-4 Queens Head Lane, Woodbridge
Description of Development	Without planning permission the installation of a wheelchair lift on the Property.
Type of notice	ENFORCEMENT NOTICE
Decision Date	25 January 2021
Appeal Decision	Appeal dismissed
Main Issues	installation of a wheelchair lift
Summary of Decision	Appeal is dismissed and the enforcement notice is upheld
Learning Point / Actions	None



STRATEGIC PLANNING COMMITTEE

Monday, 8 March 2021

PLANNING POLICY AND DELIVERY UPDATE

EXECUTIVE SUMMARY

This report provides an update on key elements of the current work programme, including progress on Neighbourhood Plans and housing delivery, for information.

Is the report Open or Exempt?	Open
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Wards Affected:	All Wards in East Suffolk
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Cabinet Member:	Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management
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Supporting Officer:	Desi Reed Planning Policy and Delivery Manager 01502 523055 desi.reed@eastsoffolk.gov.uk
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1 INTRODUCTION

- 1.1 This report provides an update on the work programme including progress being made on the preparation of Neighbourhood Plans and housing delivery. With the adoption of the Suffolk Coastal Local Plan in September 2020, providing up to date Local Plan coverage for the whole District, the focus of the work of the Planning Policy and Delivery Team is primarily on the delivery of these plans.

2 KEY PROJECTS

- 2.1 In addition to work on Neighbourhood Plans, there are a number of key projects in the current work programme (next 12 to 18 months) that support the delivery of the Local Plans and the East Suffolk Strategic Plan. These focus on providing guidance to support the implementation of planning policies through Supplementary Planning Documents (SPDs) including development briefs, strategies on specific topics such as cycling and walking, and projects that support the delivery of infrastructure to support growth through CIL collection and spend. The team also support a wide range of external projects plus corporate and regeneration projects across the District that are not reported to this committee.
- 2.2 Since the last report to the Strategic Planning Committee in September 2020:

Statement of Community Involvement

- Public consultation on a new Statement of Community Involvement has been completed.

Supplementary Planning Documents

- Public consultation on the Recreational Disturbance Avoidance and Mitigation Strategy Supplementary Planning Document has been completed.
- Public consultation on the Historic Environment Supplementary Planning Document has been completed.
- Initial engagement on the Affordable Housing Supplementary Planning Document has taken place.

Initial public consultation on the Development and Coastal Change Supplementary Planning Document (a joint consultation with Great Yarmouth BC, North Norfolk DC and the Broads Authority) has been completed.

Strategies

- Initial digital mapping public consultation on Cycling and Walking Strategy has been completed, with over 800 responses received.
- The Team have been working closely with the Leisure Team in managing the consultants undertaking work to produce a Leisure Strategy for the District. Some of this work will feed into a Green Infrastructure Strategy for the District.

Monitoring

- The Annual Authority Monitoring Report for 2019/20 was considered by the Strategic Planning Committee in December and published online, providing information on the progress of Local Plans and Neighbourhood Plans, as well as the performance of specific policies measured against a series of indicators and objectives. The report is the main mechanism for assessing the delivery of the Local Plans and the performance of policies.
- The [Key Statistics](#), a 5-minute read, contains headline statistics from the Authority Monitoring Report focusing on housing, employment and retail topics and provides some additional time-series data. Interactive maps provide information on:
 - the location of new homes
 - progress on delivery of site allocations
 - progress on neighbourhood areas and plans
 - the locations of interest on the self-build and custom housebuilding register
- The [East Suffolk Planning Policy Open Data portal](#) has been updated to include 2019/20 monitoring data and provides downloadable spreadsheets and GIS map files for a range of datasets reported in the Authority Monitoring Report
- The 5 year housing land supply assessment has been completed and published (5.88 years supply for the Suffolk Coastal Local Plan area and 6.04 years for the Waveney Local Plan area).

Mapping of Planning Policies

- An interactive online [map of Planning Policies](#) across East Suffolk has been published, including site/area specific policies from the Suffolk Coastal Local Plan (September 2020), Waveney Local Plan (March 2019) and Made (adopted) Neighbourhood Plans. This map is intended to be used as an additional resource and does not replace the definitive [Local Plan policies map](#) and [Neighbourhood Plans](#) policies maps.

Infrastructure Delivery

- At the Cabinet meeting on 1 December 2020 District Community Infrastructure Levy (CIL) was awarded to a project for the extension of and access improvements to Little St Johns Street GP Surgery in Woodbridge. No further valid CIL Bids were received in the deferred September Bid window (moved from April/May 2020 due to Covid-19).
- The annual Infrastructure Funding Statement (IFS) was approved by Cabinet in December and published by 31 December 2020. The IFS includes a list of all the current planned infrastructure that could be delivered to support the Suffolk Coastal and Waveney Local Plans and Neighbourhood Plans that are made in East Suffolk; a report on CIL income and expenditure for the financial year 1 April 2019 to 31 March 2020; a report on s106 income and expenditure for the financial year 1 April 2019 to 31 March 2020.
- The statutory Neighbourhood CIL payments for the period April 2020 to 30 September 2020 were paid to parish councils in October. The total paid out for this period amounted to £668,925 and a full breakdown of the payments can be found on our CIL reporting webpage: [CIL reporting » East Suffolk Council](#).

2.3 During the next 3/4 months, some of the key project milestones will include:

- Adoption of the Statement of Community Involvement.
- Adoption of the Recreational Disturbance Avoidance and Mitigation Strategy Supplementary Planning Document.
- Adoption of the Historic Environment Supplementary Planning Document.
- Initial consultation on the potential content of the Sustainable Construction Supplementary Planning Document.
- Consultation on a draft development brief for housing site allocation WLP2.14 Land North of Union Lane, Oulton.
- Consultation on a draft Cycling and Walking Strategy.
- Initial consultation with, developers, landowners, agents and others on technical viability considerations will have been undertaken as part of the CIL Charging Schedule review and consultation on a draft of the new East Suffolk Community Infrastructure Levy Charging Schedule will have commenced.
- The next annual District CIL bid window will open on 1 April 2021 and the focus of District CIL spending will be on 'critical' and 'essential' infrastructure as set out in the Local Plans and in accordance with the updated CIL Spending Strategy approved by Cabinet in December 2020.
- The next statutory Neighbourhood CIL payments for the CIL received in the period 1 October 2020 to 31 March 2021 are due to be made to the relevant parish councils by 28 April 2021. Officers will continue to work closely with a number of Parish and Town Councils to support their effective spending of Neighbourhood CIL on local projects.

3 NEIGHBOURHOOD PLAN PROGRESS

- 3.1 A significant number of neighbourhood plans are currently being supported across the District, all at varying stages in the plan preparation process. Nine plans are currently made (adopted) and three more are now close to being made.
- 3.2 The Neighbourhood Plans for Kesgrave, Reydon and Bealings went through their Examinations successfully during 2020 and the 'Decision Statements' were issued recommending that these plans proceed to a referendum (when referendums are possible). The policies in these plans now attract 'significant weight' in determining planning applications. The referenda for all 3 plans are now scheduled for 6 May 2021. Assuming they secure 'yes' votes they will then be presented to Full Council to be 'made' (adopted). On being 'made' they will form part of the development plan for East Suffolk and will have 'full weight' in decision making.
- 3.3 Good progress has also been made on other neighbourhood plans. Beccles Town Council submitted their Neighbourhood Plan to East Suffolk Council and the Broads Authority in November 2020 ahead of it being submitted for independent examination. The Plan was published and representations invited for an 8 week period from 14th December to the 8th February 2021. An Examiner has been appointed and all documentation and representations will be forwarded for their consideration. Lound, Ashby, Herringfleet and Somerleyton; Southwold; and Wickham Market neighbourhood planning groups have all

run consultations on their draft plans – a vital step in submitting their final draft plan to East Suffolk Council.

- 3.4 During covid-19 restrictions it has been challenging for neighbourhood plan groups to undertake their Regulation 14 draft Plan consultation and engagement. At this stage the whole community need to be able to engage easily and effectively and not achieving this could risk successfully progressing through the later stages of the process, such as the examination and referendum stages. Officer advice has been to delay if possible but where groups have chosen to proceed they have been fully supported in their decision and assisted. Ultimately whether to proceed is a decision for the Neighbourhood Plan group.

4 HOUSING DELIVERY

- 4.1 The 2019/20 financial year saw the completion of 819 dwellings compared with a combined Local Plan annual anticipated figure of 916 dwellings. Two hundred and twenty-two (222) of the completions were for affordable homes. In comparison, at the end of quarter 3 for this financial year only 421 dwellings had been completed, of which 104 were affordable. Usually quarter 4 shows an increase over previous quarters but the figures to date suggest that overall completions will be considerably lower than last year. It is highly likely that this is due to Covid-19, the lockdowns and social distancing restrictions not only impacting housing supply but also demand.
- 4.2 However, looking forward as we come through the pandemic, the picture is looking optimistic for housing delivery. Many of the Local Plan site allocations, including many of the major sites are either under discussion with Planning Officers, undergoing developer/landowner led community consultation, current planning applications or have already been consented.
- 4.3 Strategic housing sites including the garden villages/neighbourhoods and Brightwell Lakes are very important in long term housing and infrastructure delivery. Significant progress has been made on allocated strategic sites in recent months, including initial masterplan consultations and community engagement from the landowner/promoters of North of Lowestoft Garden Village and South Saxmundham Garden Neighbourhood. Significant progress in the delivery of and commencement of Brightwell Lakes is also expected to be announced in coming weeks. Project plans for strategic sites are currently being developed by the Major Sites team and a summary of this work and progress will be presented at future Strategic Planning Committee and Local Plan Working Group meetings.

5 REASON FOR RECOMMENDATION

- 5.1 This report is for information only.

RECOMMENDATION

That the content of the report be noted and endorsed.

APPENDICES – None

BACKGROUND PAPERS – None