



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

Planning Committee South

Members:

Councillor Debbie McCallum (Chairman)
Councillor Stuart Bird (Vice-Chairman)
Councillor Chris Blundell
Councillor Tony Cooper
Councillor Tom Daly
Councillor Mike Deacon
Councillor Colin Hedgley
Councillor Mark Newton
Councillor Kay Yule

Members are invited to a **Meeting of the Planning Committee South**
to be held in the Deben Conference Room, East Suffolk House,
on **Tuesday, 24 August 2021 at 2:00pm**

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

Ordinarily, East Suffolk Council encourages members of the public to attend its meetings but on this occasion would encourage the public to watch the livestream, via the East Suffolk Council YouTube channel instead at <https://youtu.be/G-c02BSUMFU>.

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

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

An Agenda is set out below.

Part One – Open to the Public

Pages

- | | | |
|----------|---|----------------|
| 1 | Apologies for Absence and Substitutions | |
| 2 | Declarations of Interest
Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered. | |
| 3 | Declarations of Lobbying and Responses to Lobbying
To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying. | |
| 4 | Minutes
To confirm as a correct record of the Minutes of the Meeting held on 27 July 2021 | 1 - 27 |
| 5 | East Suffolk Enforcement Action - Case Update ES/0856
Report of the Head of Planning and Coastal Management | 28 - 44 |
| 6 | DC/20/4179/VOC - Alston Barns, Grimston Lane, Trimley St Martin, IP11 OSD ES/0858
Report of the Head of Planning and Coastal Management | 45 - 55 |
| 7 | DC/20/4916/FUL - Alston Barns, Grimston Lane, Trimley St Martin, IP11 OSD ES/0859
Report of the Head of Planning and Coastal Management | 56 - 67 |
| 8 | DC/21/1868/FUL - South Seafront and North East of Pier, Undercliff Road West, Felixstowe ES/0860
Report of the Head of Planning and Coastal Management | 68 - 77 |
| 9 | DC/21/2701/FUL - Martello Ramp (adjacent New Cafe), Corner Sea Road Orford Road, Felixstowe ES/0861
Report of the Head of Planning and Coastal Management | 78 - 86 |

Part Two – Exempt/Confidential

There are no Exempt or Confidential items for this Agenda.

Close



Stephen Baker, Chief Executive

Speaking at Planning Committee Meetings

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

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

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

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

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

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

Filming, Videoing, Photography and Audio Recording at Council Meetings

The Council, members of the public and press may record / film / photograph or broadcast this meeting when the public and press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Committee Clerk (in advance), who will instruct that they are not included in any filming.

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



The national Charter and Charter Plus Awards for Elected Member Development
East Suffolk Council is committed to achieving excellence in elected member development
www.local.gov.uk/Community-Leadership

Unconfirmed



Minutes of a Meeting of the **Planning Committee South** held in the Deben Conference Room, East Suffolk House, Melton on **Tuesday 27 July 2021 at 2pm**

Members of the Committee present:

Councillor Stuart Bird, Councillor Chris Blundell, Councillor Tony Cooper, Councillor Mike Deacon, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Mark Newton, Councillor Kay Yule

Other Members present:

Councillor Linda Coulam, Councillor Ray Herring

Officers present: Katherine Abbott (Democratic Services Officer), Jamie Behling (Trainee Planner), Karen Cook (Democratic Services Manager), Sarah Davis (Democratic Services Officer), Philip Ridley (Head of Planning and Coastal Management), Katherine Scott (Principal Planner), Megan Rodwell (Trainee Planner), Ben Woolnough (Planning Development Manager)

1 Apologies for Absence and Substitutions

Apologies were received from Councillor Fryatt. Councillor Coulam acted as Substitute.

2 Declarations of Interest

Councillor Bird declared a Local Non Pecuniary Interest with regard to item 7 - 175 Grange Road, Felixstowe - as a member of Felixstowe Town Council and Chairman of its Planning and Environment Committee.

Councillor Deacon declared a Local Non Pecuniary Interest with regard to item 7 - 175 Grange Road, Felixstowe - as a member of Felixstowe Town Council.

3 Declarations of Lobbying and Responses to Lobbying

With regard to item 7 - 175 Grange Road, Felixstowe - Councillor Bird declared that he had been lobbied by the Applicant prior to the application being considered by Felixstowe Town Council's Planning and Environment Committee. He further declared that he had responded to say he was unable to comment.

With regard to item 5 - Redwald Road, Rendlesham - Councillor Yule declared that she had been lobbied and had not responded.

4 East Suffolk Enforcement Action - Case Update

The Committee received report **ES/0848** by the Head of Planning and Coastal Management which was presented by the Planning Manager (Development Management). The report provided a summary of the status of all outstanding enforcement cases where enforcement action had either been sanctioned under delegated powers, or through the Committee; as at 24 June 2021, there were ten such cases summarised within the report.

The Chairman invited questions.

Councillor Cooper referred to the cases of Pine Lodge Caravan Park, Hinton and Park Farm, Bucklesham, both of which, he said, did not indicate when action would be taken and appeared to be up-to-date as at January 2021. The Planning Manager (Development Management) said he would seek the inclusion of an update on dates in the next report in August.

Councillor Hedgley said the enforcement case related to Homeland House, Swilland, was not included within the report and asked if there was a reason for this. The Head of Planning and Coastal Management replied that the matter was now subject to legal proceedings by the Council to seek a prosecution.

Councillor Blundell noted that the site at Top Street, Martlesham, had not complied with conditions in June 2021 and asked what the latest position was. The Planning Manager (Development Management) said he would seek this information in the next report in August.

It was proposed, seconded and by unanimous vote

RESOLVED

That the report concerning Outstanding Enforcement matters up to 24 June 2021 be received.

5 DC/20/3890/OUT - Land at Redwald Road, Rendlesham, IP12 2TZ

The Committee received report **ES/0804** by the Head of Planning and Coastal Management. The Planning Manager (Development Management) presented the application which sought outline planning permission, with some reserved matters, for a residential development for up to 75 homes, with associated open space, including community orchards and allotments, play space and integrated rights of way. The Planning Manager referred the Committee to the Update Sheet which provided key details of the updated version of the National Planning Policy Framework (NPPF) published on 20 July 2021 which were relevant to East Suffolk Council as the Local Planning Authority. The Update Sheet stated that the NPPF revisions had been considered in regard to the application and did not affect the recommendation within the published report; it further stated that the design presented and capable of being proposed under reserved matters could achieve the heightened design expectations of the 2021 NPPF. The Planning Manager said the site was allocated in the Local Plan for the development of approximately 50 dwellings under Policy SCLP12.62. Therefore, the principle of residential development on the site was established and the application sought to deliver up to 75 homes, including 25 affordable dwellings, which was notably more than the approximate 50 referred to in the Policy. The application had been

referred to Committee by the Head of Planning and Coastal Management under the terms of the Scheme of Delegation due to the level of public interest and its planning history. The application was also being presented with an Outline Planning application (item 6) for a further 75 homes in the village allocated under Local Plan Policy SCLP12.61 to enable collective consideration at one meeting of the Committee. The published report and the Planning Manager's presentation provided a detailed description of the site, the proposal for outline consent with all matters reserved except for access, consultation comments, specific planning considerations of highways, design, housing mix, landscape, ecology, drainage and flood risk, environment and amenity, infrastructure and, benefits and harms of the development.

The Chairman invited questions.

Councillor Deacon asked if there had been a previous application for this site. The Planning Manager confirmed that the site had previously been included in a much larger outline application for 290 homes which had been refused in 2018. An appeal had been submitted but later withdrawn. The site had been allocated since 2017.

Councillor Newton referred to Local Plan Policies 12.61 and 12.62 and asked if the Council's Local Plan Working Group had determined the optimum number of dwellings the site could accommodate. The Planning Manager said the site was originally allocated under Policy SSP12 of the Suffolk Coastal Site Allocations and Area Specific Policies and was now an allocation in the Local Plan as SCLP 12.62, alongside the other housing allocation for the village SCLP 12.61. He said it had, therefore, been part of two Local Plan processes and that included a broad assessment of the sites to ensure they were viable and able to be delivered. Councillor Newton asked if that meant the Local Plan Working Group had, or had not, determined the housing number for the site. The Head of Planning and Coastal Management said there had been a high-level strategic assessment with regard to the requirements of adopted policies and the desire for smaller and more affordable homes. It was, he said, the professional view of the Council's Officers that 75 homes was an acceptable and appropriate number.

Councillor Cooper asked if the parking provision was sufficient. The Planning Manager said the illustrative plan presented adequate parking provision. He added that, if approved, this would be subject to reserved matters detail at a later point.

Councillor Hedgley noted the Parish Council recommended the installation of heat pumps and asked if it was feasible for the Committee to add such a condition. The Planning Manager said the Neighbourhood Plan for Rendlesham included a sustainable construction commitment and so the consideration of alternative methods of energy and heating was important. He added that the overall direction of travel was a reduced reliance on gas and oil fuels. However, it was not possible to make the installation of heat pumps a specific condition; a sustainable construction statement would be sought, under reserved matters, if the application was approved.

Councillor Yule asked if the infrastructure would be able to accommodate the additional demands by road users, school pupils etc. The Planning Manager said the Highways Department had not raised any objections. He added that he had met with the Parish Council to see how this could be managed in the immediate vicinity and

beyond. He was confident that the cumulative effect of the two applications, if approved, would not have a severe impact on infrastructure. He reassured the Committee that these matters were considered collectively with partners, including the county council in terms of roads and school places.

The Chairman invited Ms Heelis, Parish Clerk for Rendlesham, to address the Committee.

Ms Heelis said the application was supported by the Parish Council as it was generally in line with the Neighbourhood Plan and on an allocated development site. She wished to state that Rendlesham was not anti-housing *per se* but it needed to be in the right place. Ms Heelis said the developer had listened to the community, noted its Neighbourhood Plan and delivered when it had been asked for good design and layout, visitor parking, and allotments etc. The Parish Council asked if the allotments could be transferred to the Parish Council, in perpetuity, to ensure maintenance and management. Ms Heelis encouraged East Suffolk Council to do more of this type of planning for development and repeated that the Parish Council supported the application, as presented.

There were no questions. The Chairman invited Mr Brown, Applicant's Agent, to address the Committee. Mr Brown said the application had been an opportunity to work with the Council, to secure the efficient delivery of homes, including affordable houses, and also the provision of community benefits, in particular, improvements to the public footpath network. Mr Brown praised the Case Officer's approach in ensuring the two applications were considered together to allow the cumulative effect to be determined. Mr Brown said that the site having been allocated confirmed the principle of residential development for which an outline planning application had been made to deliver 75 homes, of which, he said, significantly, 25 would be affordable. Mr Brown referred to paragraph 7.4 of the published report and said the site allocations only provided an approximate number, that the unit numbers were not a limit, but were a guide based on the analysis and evidence available at the time of the Local Plan examination. He added that whilst an illustrative masterplan supported the planning application, the detail would be provided in a reserved matters application to be considered by the Committee (if approved at Outline stage) at a future meeting. Mr Brown stated that the proposals included an area for allotments and the provision for a community orchard, a circular walking route and the extension of footpaths to improve connectivity; he added that the developer look for ways, if possible, to deliver the allotment provision early. He confirmed that the developers had engaged with the Parish Council and utilised a plan-led approach.

There were no questions. Councillor Herring, as Ward Member, indicated he did not wish to comment on the application. The Chairman invited the Committee to debate.

Councillor Coulam welcomed that, as part of reserved matters details, 40% of all dwellings should meet the building regulations M4(2) wheelchair accessibility standards for both open-market and affordable homes (paragraph 7.19 of the report referred).

Councillor Newton said he had had concerns at the increase in housing numbers but he had, he said, been assured by the responses to his questions and the Parish Clerk's

comments.

There being no further matters raised for debate, the Chairman moved to the recommendation. This was proposed by Councillor Hedgley, seconded by Councillor Cooper and by unanimous vote it was

RESOLVED

That **AUTHORITY TO APPROVE** be granted with conditions including, but not limited to, those below, subject to the completion of a S106 Legal Agreement within six months to secure obligations including, but not limited to:

- Provision of 25 affordable dwellings;
- Per-dwelling contribution to the Suffolk RAMS;
- Provision and long term management of public open space;
- Financial contribution to fund secondary school transport;
- Financial contribution to fund legal work
- Financial contribution to fund the creation of a new public right of way.

If the S106 is not completed within six months **AUTHORITY TO REFUSE** the application (at the time of writing the report the S106 was close to being signed).

Conditions:

1. Approval of the details of the siting, design and external appearance of the buildings, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Development shall be carried out as approved.

Reason: This condition is imposed in accordance with Section 92 of the Town and Country Planning Act 1990.

2. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: This condition is imposed in accordance with Section 92 of the Town and Country Planning Act 1990.

3. The submission of reserved matters applications pursuant to this outline application shall together provide for up to 75 dwellings and demonstrate broad compliance with illustrative masterplan.

Reason: In order to establish development parameters to guide future reserved matters application to achieve good design.

4. As part of the reserved matters application(s) for layout and landscaping, plans and particulars of the pedestrian access points as shown on the illustrative Masterplan shall be submitted to and approved in writing by the Local Planning Authority. The details submitted shall include the following

- (a) the precise location of the pedestrian access points;
- (b) the route of the pedestrian accesses and their integration into the development layout;
- (c) details of any engineering works required to create the accesses and routes; and
- (d) the ground surface treatment of the accesses and any associated landscaping.

Development shall be carried out in accordance with the approved details and the pedestrian access points shall be completed and made available for use in accordance with the triggers approved in the site wide phasing plan.

5. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

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 Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

6. No part of the development shall be commenced until details of the proposed access junction and associated highway improvements shown on Drawing No. A13412-T-006 have been submitted to and approved in writing by the Local Planning Authority. The approved access junction shall be laid out and constructed in its entirety prior to occupation and thereafter shall be retained in its approved form.

Reason: To ensure that the access junction is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

7. No part of the development shall be commenced until details of the proposed footway and crossing improvements including a direct link from the north of the development to Redwald Road indicatively shown on Drawing No. A13412-T-004 have been submitted to and approved in writing by the Local Planning Authority. The approved improvements shall be laid out and constructed in their entirety prior to occupation.

Reason: To ensure that the footway and crossing improvements are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of sustainable travel and highway safety.

8. Before the development is commenced details of the areas to be provided for storage of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.

9. Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

10. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.

Reason: To ensure that satisfactory access is provided for the safety of residents and the public.

11. Before the development is commenced details of the areas to be provided for the manoeuvring and parking of vehicles including secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles, where on-street parking and manoeuvring would be detrimental to highway safety.

12. Before the access is first used visibility splays shall be provided as shown on Drawing No. A13412-T-006 with an X dimension of 4.5m and a Y dimension of 215m and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.

13. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority (LPA). The scheme shall be in accordance with the approved FRA and include:

- a. Dimensioned plans and drawings of the surface water drainage scheme;
- b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year rainfall event including climate change, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- f. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- g. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.
- h. 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 shall include:
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

The scheme shall be fully implemented as approved.

Reasons: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development. To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-ondevelopment-and-flood-risk/construction-surface-water-management-plan/>

14. Within 28 days of practical completion of the last dwelling or unit, a Sustainable Drainage System (SuDS) verification report shall be submitted to the LPA, detailing that the SuDS have been inspected, have been built and function in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks have been submitted, in an approved form, to and approved in writing by the LPA for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and 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 required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk within the county of Suffolk
<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-assetregister/>

15. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 1 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

16. The site shall be developed in a phased manner in accordance with the three phases set out on the phasing plan. No work, except site investigations, shall take place outside of the relevant phased area before the Council has been notified of commencement within that phase and all relevant conditions addressed within that phase (through a CIL commencement notice)

Reason: To ensure that the development is built out in accordance with the proposed phasing plan as a phased development.

17. Prior to the commencement of development, a scheme for the provision of fire hydrants within the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of fire safety.

18. No development shall commence until means of protecting the trees on and surrounding the site have been submitted to and approved in writing by the Local Planning Authority.

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

19. Prior to the commencement of development, soft and hard landscaping details will be submitted and will include the following:

- a) Consideration of the Landscape Strategy
- b) Use of native planting where possible with other species including trees and hedges selected for their suitability, amenity and biodiversity value.
- c) Details of hard surfacing, enclosures, street furniture, play equipment and features and other structures including bins and signage.
- d) Drawings should include detailed planting plans and schedules of plants along with a specification and programme for the implementation of hard and soft landscape works.

20. With the exception of the main site access, no development shall commence until a landscaping management plan for public amenity areas has been submitted to and approved in writing by the Local Planning Authority. This should include monitoring of works by a qualified landscape architect. Landscaping shall be retained and managed in accordance with the standards and annual maintenance regime set out in the approved Landscape Management Plan.

21. As part of each reserved matters application for landscaping, a plan indicating the positions, design, height, materials and type of boundary treatment to be erected shall be submitted to and agreed by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved scheme before the building to which it relates is occupied.

Reason: In the interests of amenity and the appearance of the development and locality.

22. As part of each reserved matters application for appearance, details of all external facing and roofing materials for all buildings within that reserved matters area shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the satisfactory external appearance of the development.

23. As part of reserved matters applications for appearance, layout and scale, details shall be submitted to the Local Planning Authority for approval demonstrating how

40% of the proposed dwellings shall be designed to meet requirement M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings. The development shall thereafter be carried out in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

24. As part of reserved matters applications for appearance, layout and scale, details shall be submitted to the Local Planning Authority through the submission of a sustainability statement which demonstrates that Sustainable Construction methods have been incorporated into the development proposal. The development shall thereafter be carried out in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

25. As part of each layout reserved matters application, details of external lighting to be installed on the site, including the design and specification of the lighting unit, any supporting structure and the extent of the area to be illuminated and how the impact on ecology has been considered shall be submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and no additional lighting shall be installed in public areas without the prior approval of the Local Planning Authority.

Reason: To protect biodiversity and the visual amenity of the surrounding area.

26. Prior to commencement of development a waste management strategy for collections of domestic waste by a public or private operator shall be submitted and agreed. This will include details of bin storage locations and bin collection points and collection arrangements.

Reason: Due to the extent of unadopted roads and private drives creating potential difficulties in bin collection from individual properties or communal collection areas as access is dependent on agreement between the waste collection service and developer.

27. Prior to the commencement of any development in phase 1 a Construction Method/Management Statement shall be submitted to and approved in writing by the Local Planning Authority. This shall also be submitted prior to the commencement of phase 2 and phase 3. The Statement shall provide for:

- a) The parking of vehicles of site operatives and visitors;
- b) Loading and unloading of plant and materials;
- c) Construction methods and piling techniques.
- d) Storage of plant and materials used in constructing the development;
- e) Programme of works (including measures for traffic management and operating hours);
- g) Details of HGV delivery and collection vehicle routes and times to and from the site during construction phase. The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.
- h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- i) Site security and public safety measures;

- j) Wheel washing facilities to prevent mud and sand from vehicles leaving the site during construction;
- k) Measures to control the emission of dust and dirt during construction;
- l) A scheme for recycling/disposing of waste resulting from construction works;

28. Ecology and Biodiversity conditions to be confirmed in the update sheet.

6 DC/20/5278/FUL - Land to the North and West of Garden Square and Gardenia Close, Rendlesham

The Committee received report **ES/0802** by the Head of Planning and Coastal Management. The application, presented by the Planning Manager (Development Management), sought full planning permission for a phased development of 75 homes, car parking, public open space, hard and soft landscaping, and associated infrastructure and access. The site had been allocated in the Local Plan for the development of approximately 50 homes under Policy SCLP12.61; the principle of residential development on the site was, therefore, established. The proposed development would include 25 affordable dwellings. The Planning Manager said the revisions to the National Planning Policy Framework (NPPF) relevant to East Suffolk Council as Local Planning Authority - and provided within the published Update Sheet - had been considered and did not affect the recommendation within the report. He added that the design proposed achieved the heightened design expectations of the 2021 NPPF, including the expectation for tree-lined streets. The application had been referred to Committee by the Head of Planning and Coastal Management, under the terms of the Scheme of Delegation, due to the level of public interest and the planning history. The application was also presented beside the Outline Planning application for the village (at item 5 on the agenda) to allow a collective consideration of the potential allocated growth at one meeting. The Planning Manager's presentation, in conjunction with the published report, provided detail on the site's description, the proposal, the matters of objection and support raised during the consultation, planning considerations including the principle of development, highways, design, housing mix, landscape, ecology, drainage and flood risk, environment and amenity, infrastructure, and benefits and harms of the development. With regard to drainage and flood risk, the Planning Manager said the proposed development would maximise the use of an above-ground Sustainable Drainage System (SuDS) within the existing layout with reliance on below ground storage elements to attenuate surface water and flood risks. A combination of roadside swales (shallow channels designed to store and/or convey runoff) were proposed to move road water through the site in addition to two drainage basins and an underground storage system under the central square open space. The drainage solution proposed was technically sound, but was not entirely a SuDS solution; as a SuDS solution would alter the layout of the proposed development the proposed solution was considered to be acceptable and would adequately mitigate any flood risks. Similarly, the proposed cordon sanitaire in the vicinity of the water treatment works was also considered to be acceptable in terms of residential amenity. The Planning Manager said that a number of objections had claimed that the development would not entirely be open-market because of the developer's links to the Maharishi Mahesh Yogi temple at Rendlesham. He stated that this was not a matter that could be controlled by conditions, however, it was possible to control the affordable housing element of the proposed development. The Committee was reminded that planning permission had previously been refused, twice, on this site for a proposal from the same applicant for the same number of homes, first in 2018 and then in 2019 on design

grounds. The latter refusal had been subject to an appeal which had been dismissed in 2020 following a public enquiry. The revised proposal before the Committee reflected the outcome of that appeal and sought to address the design failure of the earlier scheme. The Planning Manager said there was a chronic need for more rights of way access in Rendlesham and this would be established by the proposal, if approved. The Planning Manager said that the revised proposal had been a productive process and he wished to commend the applicant for this approach.

The Chairman invited questions.

Councillor Cooper asked if the Clinical Commissioning Groups (CCGs) had commented on primary care provision. The Planning Manager said a response to the initial consultation had been received but noted that the local medical practice had recently expanded.

The Chairman invited Mr Moore, Objector, to address the Committee.

Mr Moore stated that the previous development company that had developed Garden Square and Gardinia Close had been wound-up by an order sought by East Suffolk Council for non-payment of CIL commitments; he stated that the applicant shared directors with that previous company. Mr Moore said the previous development was incomplete with unfinished roadways and raised iron works causing problems for users. Mr Moore referred to the marketing literature for the site despite, he said, the applicant's statement that there had been no marketing of the proposed properties. Mr Moore asserted that the marketing literature had been circulated to those sympathetic to the teachings of the Maharishi Mahesh Yogi and that, in his opinion, this was not therefore an open-market housing development. Mr Moore stated that deposits had been accepted for houses which were unapproved and unbuilt - he referred to his search of the company's accounts via Companies' House and suggested how he suspected this had been used. Mr Moore added that the Rendlesham Village plan accepted this to be a suitable site for housing but that some local residents had concerns about the lack of engagement with the Parish Council to facilitate the allotments and, he suggested, the public space was 'no more than a path'. Mr Moore considered the applicant to be intending to establish and run its own housing association to the benefit of those following the same teachings. Mr Moore urged the Committee to refuse the application but, if approved, that additional conditions around the provision of allotments, the open space and the management of the social housing by an established housing association.

At the Chairman's request, the Planning Manager clarified that the unpaid Section 106 commitments were not pertinent to consideration of this application as they had related to the adjacent development and had been pursued by the county council and not East Suffolk Council. With regard to Mr Moore's comments about the affordable housing, this would need to be managed in compliance with policy and would be a requirement of the Section 106 agreements, if the proposal was approved. East Suffolk Council would require housing associations to bid for the tenure of the properties and this would be governed by central Government's requirements and the Council's tenure requirements. In addition, the Head of Planning and Coastal Management said the application must be considered on planning matters and considerations and that some of Mr Moore's comments did not meet that criteria.

There were no questions. The Chairman invited Councillor Redfern of Rendlesham Parish Council to address the Committee.

Councillor Redfern said it was a disappointment that the applicant, despite various revisions, refused applications and a dismissed appeal was, he suggested, unwilling to present a policy complaint application that supported the existing community. Councillor Redfern said that the critical elements of the Parish Council's objection to the application were that the applicant had refused to adopt a policy complaint solution to the surface water flooding; flooding on the site was, he said, due to the presence of a minor aquifer. Councillor Redfern stated that the fully policy compliant Option 2 of the surface water drainage solutions should have been adopted from the outset of the design as it did not require below ground storage and essential maintenance which, he said, given the increasing incidence of extreme weather conditions, was of the utmost importance. Councillor Redfern considered the Planning Manager to have given too much emphasis to pure design issues over practical services issues. He added that, given SCCs holding objection and a compliant option requiring a full redesign of the development, the Parish Council did not consider this was something that could be approved by way of a condition. Councillor Redfern said the logic of including conditions to fundamental planning issues suggested all applications should be approved and all planning issues dealt with by conditions only. He continued to say that the Council had set out the local requirement of affordable housing which the applicant had not applied. He noted that the Council's housing department had stated in its consultation response that this was not acceptable. Councillor Redfern suggested that a desire to "Approve" despite recommendations of the "experts" set a dangerous precedent and, he suggested, provided an unacceptable level of risk. On behalf of the Parish Council, Councillor Redfern asked the Committee to consider that the Parish Council own and maintain all land for public use and that, he said, the applicant refused to provide allotments and growing spaces in accordance with RNPP3 of the Neighbourhood Plan and the Parish Council's allotment strategy. He asked the Committee to ensure the applicant was required to comply with planning policies which aimed to provide required infrastructure for residents to promote wellbeing. Councillor Redfern also asked the Committee to ensure that deficiencies in disabled access were resolved and further that the applicant be directed to comply with the Building Regulations 2020 as highlighted in the Parish Council's most recent response.

There were no questions.

The Chairman invited Dr Warburton, Chairman of Christchurch Property Co. Ltd, the Applicant, to address the Committee.

Dr Warburton said all the major points for consideration in the application had been well covered in the case officer's report, but he wished to highlight some points. He said that he and the other two leaders of the company had all lived locally for many years, one for a whole lifetime. Dr Warburton said he loved Suffolk and especially the area where he had now settled for a total of over 50 years – namely Rendlesham, which he only wanted to enhance. Dr Warburton said the company's motivation was to create a high quality, ecologically sound, and well-designed housing development, faithful to the Suffolk vernacular and including a high standard of public open space and amenities. Dr Warburton said the company was not an outside developer who

would build out the site and never be seen again. Instead, the company wanted to foster a development that helped create a vibrant Rendlesham and supported expansion of retail and community facilities. He said he planned to live in the development, if approved, for the foreseeable future. Dr Warburton said the company had done its best to address all advice, be it from the planners, experts in different fields, and of course the local Rendlesham community. He added that the company had worked diligently to address all of the concerns raised in the appeal in 2020. Specifically, Dr Warburton said he wished to emphasise the benefits of the latest scheme as 75 new homes in 43 buildings to a high standard of design, including a wide mix of size, type, and tenure, allowing plenty of open space; 25 affordable homes - consisting of 13 discounted market sales units and 12 affordable rent units, to be owned and managed by a Registered Housing Provider according to the terms and conditions of the Section 106 Agreement and the regulatory standards of the Regulator of Social Housing; 1.7 hectares (4.2 acres) of public green open space, including a village green, community orchards and parkland, and a play area, all with a high standard of planting and landscaping; a public footpath through the development, connecting to a new off-site Public Right of Way (speaking time ended).

There were no questions.

The Chairman invited Councillor Herring, Ward Member, to address the Committee.

Councillor Herring thanked the Planning Manager for presenting the two applications consecutively on the one agenda as this allowed the collective impact to be considered. He said the two items had been well presented and explained. Councillor Herring referred to the previous applications and the appeal process. He said that this application together with the earlier one of the agenda (item 5) did place an additional demand on local roads but this had, he said, been covered in the report and the presentation as well thought through and reasonable. Councillor Herring said it continued to be necessary to engage with business, retail and related employment in the area and that part of that was having homes available. He suggested that if Rendlesham wished to be a successful community then development was needed to encourage and enable that. Councillor Herring said he saw the application as an important part of helping to create and complete a comprehensive community in addition to the existing Garden Square community. He said the applicant had its own ideas in terms of design and layout but these were not unusual and suggested that an element of diversity was to be welcomed if it was of good design.

The Chairman invited the Committee to debate.

Councillor Cooper noted that, if approved, failure to sign the Section 106 agreement with six months would result in the application being refused.

Councillor Yule said Rendlesham Parish Council had an excellent record for submitting consultation comments and said that she did have some concerns at the points it had raised including its objection to the application.

The Planning Manager said the applicant's approach to surface water drainage would address this across the whole site and added that drainage would be delivered in a holistic manner through landscaping and not solely engineering; he said that the layout

of the proposal relied on a non-SuDS solution. Therefore, he said, whilst the solution was not totally SuDS compliant, it was technically acceptable and would meet expectations. He disagreed that it would set a precedent as each case was considered on its own merits.

Councillor Yule asked if the drainage solution would future-proof the site from the impact of climate change on rainfall levels. The Planning Manager said it would.

Councillor Blundell said he was disappointed the proposal did not include space for organised sports. The Planning Manager said this was not required in a development of this scale. There was a play area provision within the open space and the existing Jubilee Park was in close proximity to the site. He noted that the Parish Council hoped to deliver a skatepark through use of community infrastructure levy payments.

There being no further matters raised for debate, the Chairman moved to the recommendation which was proposed by Councillor Blundell, seconded by Councillor Newton and by unanimous vote it was

RESOLVED

That **AUTHORITY TO APPROVE** be granted with conditions including, but not limited to, those below, subject to the completion of a S106 Legal Agreement within six months to secure obligations including, but not limited to:

- Provision of 25 affordable dwellings;
- Per-dwelling contribution to the Suffolk RAMS;
- Provision and long term management of public open space;
- Financial contribution to fund secondary school transport;
- Financial contribution to fund improvement works to local bus stop;
- Financial contribution to fund the creation of a new public right of way.

If the S106 is not completed within six months **AUTHORITY TO REFUSE** the application (at the time of writing the report the S106 was close to being signed).

Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with the submitted plans and documents (to be listed).

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

3. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

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 Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

4. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 1 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 Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

5. The site shall be developed in a phased manner in accordance with the three phases set out on the phasing plan. No work, except site investigations, shall take place outside of the relevant phased area before the Council has been notified of commencement within that phase and all relevant conditions addressed within that phase (through a CIL commencement notice)

Reason: To ensure that the development is built out in accordance with the proposed phasing plan as a phased development.

6. Prior to the commencement of development, a scheme for the provision of fire hydrants within the development shall be submitted to and agreed in writing by the

Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of fire safety.

7. The recommendations of the Preliminary Ecological Appraisal March 2018 shall be implemented in full.

Reason: In the interests of minimising the impacts on the identified ecological receptors.

8. Prior to the commencement of development full details of the mitigation/compensation measures (including nesting plots for skylark) and ecological enhancement measures identified in the Preliminary Ecological Appraisal (PEA) report (BasEcology, March 2018), shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of minimising the impacts on the identified ecological receptors.

9. Prior to the commencement of development, a Construction Environment Management Plan (CEMP) and Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of minimising the impacts on the identified ecological receptors.

10. No development or vegetation clearance will commence within the breeding bird season (March-August inclusive) unless works have been immediately preceded by a breeding bird check undertaken by a qualified ecologist. Should a breeding bird be found located on the site, works shall only take place in accordance with the advice put forward by the ecologist, who will advise on suitable mitigation and buffer distances.

11. No development shall commence until means of protecting the trees on and surrounding the site have been submitted to and approved in writing by the Local Planning Authority.

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

12. Prior to the commencement of development, soft and hard landscaping details will be submitted and will include the following: play equipment and features and other structures including public bins and signage.

13. The landscaping management plan for public amenity areas shall be implemented and all approved Landscaping shall be retained and managed in accordance with the standards and annual maintenance regime set out in the approved Landscape Management Plan.

14. Prior to the commencement of development full details of the acoustic bund/barrier adjacent to the northern boundary of the site shall be submitted to and approved in writing by the local planning authority. The approved acoustic bund/barrier shall be completed in accordance with the approved details prior to the occupation of the adjacent dwellings.

Reason: In the interests of residential amenity and to ensure root protection areas are not disturbed by compaction or excavation.

15. Prior to the commencement of development a sustainability statement which demonstrates that Sustainable Construction methods have been incorporated into the development proposal shall be submitted. The development shall thereafter be carried out in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: in accordance with the sustainable construction objectives of policy SCLP9.2 of the East Suffolk (Suffolk Coastal) Local Plan.

16. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority (LPA).

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

17. No development shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the LPA. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

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

18. Within 28 days of practical completion of the last dwelling or unit, surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks, in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and 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 required under 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-andtransport/flooding-and-drainage/flood-risk-asset-register/>

19. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the LPA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include:

Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-

- iv. Temporary drainage systems
- v. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- vi. 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 <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-ondevelopment-and-flood-risk/construction-surface-water-management-plan/>

20. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority.

Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

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

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

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out

safely without unacceptable risks to workers, neighbours and other offsite receptors.

21. Details of the estate roads and footpaths to be adopted and not adopted, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority in the following order.

1. To submit details for the completion of the construction of the road and footway at Garden Square, and to get these approved prior to commencement.
2. To complete the construction of Garden Square to an adoptable standard prior to first occupation in Phase 1.
3. To submit details for the construction of the main road through the site from Garden Square to Tidy Road, and to get these approved prior to commencement.
4. To construct and complete the main road through the site from Garden Square to Tidy Road to an adoptable standard prior to first occupation in Phase 1.
5. To get Garden Square and the main road through the site adopted after Phase 3 is completed, ie when the roads are no longer used by construction traffic.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

22. Condition: No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.

Reason: To ensure that satisfactory access is provided for the safety of residents and the public.

23. The approved scheme for areas to be provided for the manoeuvring and parking of vehicles including secure cycle storage shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles, where on-street parking and manoeuvring would be detrimental to highway safety.

24. Within one month of the first occupation of any dwelling, the occupiers of each of the dwellings shall be provided with a Residents Travel Pack (RTP) in accordance with the requirements in the Transport Statement. Not less than 3 months prior to the first occupation of any dwelling, the contents of the RTP shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and shall include details of walking, cycling (for transport and recreation) and bus maps, latest relevant bus and rail timetable information, car sharing information, personalised Travel Planning and a multi-modal travel voucher. This pack should also provide information on any designated local dog walking routes accounted for the Appropriate Assessment to encourage residents to undertake dog walking in areas away from the Sandlings Special Protection Area.

Reason: In the interest of sustainable development

25. Before the development hereby permitted is occupied full details of the electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with the Suffolk Guidance for Parking and paragraph 110 of the National Planning Policy Framework.

26. No part of the development shall be commenced until details of a Public Right of Way link (as set out in the section 106 agreement) within the development site to link from Sycamore Drive to the northern east corner of the site have been submitted to and approved in writing by the Local Planning Authority. The link shall be laid out and constructed within an agreed timescale as part of phase 1 of the development.

Reason: To ensure that the necessary improvements are designed and constructed to an appropriate specification and made available for use at an appropriate time.

27. Prior to commencement of development a waste management strategy for collections of domestic waste by a public or private operator shall be submitted and agreed. This will include details of bin storage locations and bin collection points and collection arrangements.

Reason: Due to the extent of unadopted roads and private drives creating potential difficulties in bin collection from individual properties or communal collection areas as access is dependent on agreement between the waste collection service and developer.

28. Prior to the commencement of any development in phase 1 a Construction Method/Management Statement shall be submitted to and approved in writing by the Local Planning Authority. This shall also be submitted prior to the commencement of phase 2 and phase 3. The Statement shall provide for:

- a) The parking of vehicles of site operatives and visitors;
- b) Loading and unloading of plant and materials;
- c) Construction methods and piling techniques.
- d) Storage of plant and materials used in constructing the development;
- e) Programme of works (including measures for traffic management and operating hours);
- g) Details of HGV delivery and collection vehicle routes and times to and from the site during construction phase. The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.
- h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- i) Site security and public safety measures;
- j) Wheel washing facilities to prevent mud and sand from vehicles leaving the site during construction;
- k) Measures to control the emission of dust and dirt during construction;

l) A scheme for recycling/disposing of waste resulting from construction works.

The Meeting adjourned at 3.40pm and reconvened at 3.50pm

- 7 DC/21/2194/FUL - Lincolns Meadow, Brook Lane, Framlingham, IP13 9RH**
The Committee received report **ES/0851** by the Head of Planning and Coastal Management. The report described the application for the demolition of an existing garage and the erection of a new home office and workshop within the existing substantial curtilage of the property. The application was presented to the Committee as the applicant was a relative of an employee of East Suffolk Council. The Trainee Planner, in presenting the report, said the application was in accordance with the policies of the Council and the Suffolk Coastal Local Plan. The Committee was informed that the application sought permission to demolish the current double garage and to replace it with a new home office and workshop, with bicycle storage to the rear. The Committee was referred to the height, depth and width of the proposed development, which were of acceptable size and not dominant in the setting; its design and materials were also considered to be complimentary to its rural setting. There had been no third party representations received.

The Chairman invited questions.

Councillor Yule asked if the proposed development would have sewage and water connections. The Trainee Planner replied that she was not aware that this was intended.

There being no matters raised for debate, the Chairman moved to the recommendation within the report. This was proposed by Councillor Hedgley, seconded by Councillor Newton and, by unanimous vote, it was

RESOLVED

That the proposed development be **APPROVED** subject to the following conditions:

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

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

2. The materials and finishes stipulated in the submitted planning applications shall be as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure that the proposed enlarged part of the development is satisfactory in appearance, in the interests of visual amenity.

3. The development hereby permitted shall not be carried out other than in complete accordance with drawings Site / Location Plan, Proposed Floor Plan 1042/21/07 REV C, Proposed Floor Plan 1042/21/06/ REV C, Proposed Elevations 1042/21/11 REV C, Proposed Elevations 1042/21/10 REV C, Proposed Elevations 1042/21/09 REV C, Proposed Elevations 1042/21/08 REV C, Proposed Block / Layout

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

Informatives:

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

2. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority. The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail, your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to CIL@eastsoffolk.gov.uk.

A CIL commencement Notice (CIL Form 6) must be submitted at least 24 hours prior to the commencement date. The consequences of not submitting CIL Forms can result in the loss of payment by instalments, surcharges and other CIL enforcement action.

CIL forms can be downloaded direct from the planning portal:

https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5.

Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

.

8 DC/21/2570/FUL - 175 Grange Road, Felixstowe, IP11 2PZ

The Committee received report **ES/0850** by the Head of Planning and Coastal Management. The application, presented by the Case Officer, sought permission to erect a part two-storey and part single storey rear extension. The application had been to the Referral Panel on 6 July 2021 as the objection by Felixstowe Town Council was contrary to the recommendation for approval. The Referral Panel had asked that the Committee consider the application and whether, or not, the revised proposal was acceptable in terms of size and mass under Local Plan Policy SCLP11.1 (Design), and whether, or not, the proposal would have a detrimental impact on the neighbouring property's amenity under Local Plan Policy 11.2 (Residential Amenity). The Case Officer's presentation, in addition to the published report, included a site description, the two representations in objection to the proposal on material planning considerations, the planning considerations of visual amenity, street scene and landscape, residential amenity, and parking and highway safety. The Committee was reminded that it had refused a previous application (DC/20/5119/FUL) for a larger scheme on the grounds that the size and scale of the new mass were unacceptable,

contrary to Local Plan Policies and might have had a harmful impact on the neighbouring property's amenity. The revised proposal before the Committee now sought to build a smaller two-storey rear extension, with a flat roofed single storey element below. The Case Officer said the proposal had been reduced in width and was not considered over development as there remained sufficient curtilage left at the property and a good rear garden space.

The Chairman invited questions.

Councillor Bird sought assurance that the new proposal did not impinge on the attached neighbouring property to the north in terms of reducing their sunlight or overlooking their windows. He asked if the technical calculations to assess this had been undertaken. The Case Officer replied that calculations had been undertaken for the previous, larger application and that the reduced mass of the new proposal was not considered to cause harm to the amenity of neighbours with gaps between the structure and the neighbours windows. He added that he had considered the orientation of the sun and there would be minimal loss of light or shadowing due to the angle of the plots.

Councillor Yule asked if the applicant might wish to use the flat roof as a terrace, for example. The Case Officer said that, if approved, there would not be permanent development rights so, to use the roof, the applicant would need to apply for permission.

The Chairman invited the Applicant, Mr Farino, to address the Committee. Mr Farino said that since the last, refused application had been considered he had reduced the size of the extension on the first floor. He said that the extension was only to accommodate a family bathrooms upstairs as, currently, the bathroom was on the ground floor. Mr Farino said this would improve the living space for his family. Mr Farino said there would not be an issue with sunlight and that the proposed structure would be far away from the neighbour's windows at the highest point.

There being no questions for Mr Farino, the Chairman moved to debate. The Chairman said there had been reservations with the original application due to its size being unacceptable, however, this had been addressed in the revised design. She said the Case Officer was confident in his report and presentation that there would no adverse impact.

Councillor Deacon said that he had had concerns about the proposal but had been reassured by the Case Officer's explanation. Councillor Bird said he too had had concerns about the potential of a detrimental impact on the neighbour's sunlight, but had also been assured by the Officer's confirmation, based on his technical assessment, that this would not occur.

Councillor Hedgley said the proposed extension was reasonable and not out of place in its setting; he added that it did not overlook the neighbours windows or impinge on their amenity.

Councillor Yule said she noted the Town Council's objections but had been encouraged by what she had heard at the meeting.

There being no further matters raised for debate, the Chairman moved to the recommendation which was proposed by Councillor Deacon, seconded by Councillor Bird and by majority vote (Councillor Cooper abstained as he had not been in the Conference Room for some of the Officer's presentation) it was

RESOLVED

That the application be **APPROVED** subject to the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with PP001A received 27/05/2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

Informatives:

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

2. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority.

The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended). If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail, your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to CIL@eastsoffolk.gov.uk.

A CIL commencement Notice (CIL Form 6) must be submitted at least 24 hours prior to the commencement date. The consequences of not submitting CIL Forms can result in the loss of payment by instalments, surcharges and other CIL enforcement action.

CIL forms can be downloaded direct from the planning portal:
https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5.

Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>.

The meeting concluded at 4.15pm

.....
Chairman

PLANNING COMMITTEE SOUTH

Title of Report:

East Suffolk Enforcement Action– Case Update

Meeting Date

24 August 2021

Report Author and Tel No

Mia Glass

01502 523081

Is the report Open or Exempt?

Open

REPORT

The attached is a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has either been sanctioned under delegated powers or through the Committee up until 23 July 2021. At present there are 9 such cases.

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

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

RECOMMENDATION

That the outstanding enforcement matters up to 23 July 2021 be noted.

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
EN08/0264 & ENF/2013/0191	15/01/2010	North	Pine Lodge Caravan Park, Hazels Lane, Hinton	Erection of a building and new vehicular access; Change of use of the land to a touring caravan site (Exemption Certificate revoked) and use of land for the site of a mobile home for gypsy/traveller use. Various unauthorised utility buildings for use on caravan site.	<ul style="list-style-type: none"> • 15/10/2010 - EN served • 08/02/2010 - Appeal received • 10/11/2010 - Appeal dismissed • 25/06/2013 - Three Planning applications received • 06/11/2013 – The three applications refused at Planning Committee. • 13/12/2013 - Appeal Lodged • 21/03/2014 – EN's served and become effective on 24/04/2014/ 04/07/2014 - Appeal Start date - Appeal to be dealt with by Hearing • 31/01/2015 – New planning appeal received for refusal of Application DC/13/3708 • 03/02/2015 – Appeal Decision – Two notices quashed for the avoidance of doubt, two notices upheld. Compliance time on notice relating to mobile home has been extended from 12 months to 18 months. • 10/11/2015 – Informal hearing held 	30/09/2021

					<ul style="list-style-type: none"> • 01/03/2016 – Planning Appeal dismissed • 04/08/2016 – Site re-visited three of four Notices have not been complied with. • Trial date set for 21/04/2017 • Two charges relating to the mobile home, steps and hardstanding, the owner pleaded guilty to these to charges and was fined £1000 for failing to comply with the Enforcement Notice plus £600 in costs. • The Council has requested that the mobile home along with steps, hardstanding and access be removed by 16/06/2017. • 19/06/2017 – Site re-visited, no compliance with the Enforcement Notice. • 14/11/2017 – Full Injunction granted for the removal of the mobile home and steps. • 21/11/2017 – Mobile home and steps removed from site. • Review site regarding day block and access after decision notice released for enforcement notice served in connection with unauthorised occupancy /use of barn. 	
--	--	--	--	--	---	--

					<ul style="list-style-type: none"> • 27/06/2018 – Compliance visit conducted to check on whether the 2010. • 06/07/2018 – Legal advice being sought. • 10/09/2018 – Site revisited to check for compliance with Notices. • 11/09/2018 – Case referred back to Legal Department for further action to be considered. • 11/10/2018 – Court hearing at the High Court in relation to the steps remain on the 2014 Enforcement Notice/ Injunction granted. Two months for compliance (11/12/2018). • 01/11/2018 – Court Hearing at the High Court in relation to the 2010 Enforcement Notice. Injunctive remedy sought. Verbal update to be given. • Injunction granted. Three months given for compliance with Enforcement Notices served in 2010. • 13/12/2018 – Site visit undertaken in regards to Injunction served for 2014 Notice. No compliance. Passed back to Legal for further action. 	
--	--	--	--	--	---	--

					<ul style="list-style-type: none"> • 04/02/2019 –Site visit undertaken to check on compliance with Injunction served on 01/11/2018 • 26/02/2019 – case passed to Legal for further action to be considered. Update to be given at Planning Committee • High Court hearing 27/03/2019, the case was adjourned until the 03/04/2019 • 03/04/2019 - Officers attended the High Court, a warrant was issued due to non-attendance and failure to provide medical evidence explaining the non-attendance as was required in the Order of 27/03/2019. • 11/04/2019 – Officers returned to the High Court, the case was adjourned until 7 May 2019. • 07/05/2019 – Officers returned to the High Court. A three month suspended sentence for 12 months was given and the owner was required to comply with the Notices by 03/09/2019. • 05/09/2019 – Site visit undertaken; file passed to Legal Department for further action. • Court date arranged for 28/11/2019. 	
--	--	--	--	--	--	--

					<ul style="list-style-type: none"> • 28/11/2019 - Officers returned to the High Court. A new three month suspended sentence for 12 months was given and the owner was required to comply in full with the Injunctions and the Order of the Judge by 31/01/2020 • Site visited. Case currently with the Council's Legal Team for assessment. • Charging orders have been placed on the land to recover costs. 	
EN/09/0305	18/07/2013	South	Park Farm, Chapel Road, Bucklesham	Storage of caravans	<ul style="list-style-type: none"> • Authorisation granted to serve Enforcement Notice. • 13/09/2013 -Enforcement Notice served. • 11/03/2014 – Appeal determined – EN upheld Compliance period extended to 4 months • 11/07/2014 – Final compliance date • 05/09/2014 – Planning application for change of use received • 21/07/2015 – Application to be reported to Planning Committee for determination • 14/09/2015 – site visited, caravans still in situ, letter sent to owner requesting their removal by 30/10/2015 • 11/02/2016 – Site visited, caravans still in situ. Legal advice sought as 	July 2023

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>to further action.</p> <ul style="list-style-type: none"> • 09/08/2016 – Site re-visited, some caravans re-moved but 20 still in situ. Advice to be sought. • Further enforcement action to be put on hold and site to be monitored • Review in January 2019 • 29/01/2019 – Legal advice sought; letter sent to site owner. • 18/02/2019 – contact received from site owner. • 04/04/2019 – Further enforcement action to be placed on hold and monitored. • Review in April 2021. • 13/04/2021 – Letter sent to owner to establish current situation • Given until the end of June to either comply or supply the Council with any other information • Case being reviewed. • 22/05/2021 – contact received from site owner. Case reviewed • 06/07/2021 – Further enforcement action to be placed 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					on hold and monitored. Review in two years.	
ENF/2014/0104	16/08/2016	South	Top Street, Martlesham	Storage of vehicles	<ul style="list-style-type: none"> • 23/11/2016 – Authorisation granted to serve an Enforcement Notice • 22/03/2017 – Enforcement Notice served. Notice takes effect on 26/04/2017. Compliance period is 4 months. • 17/07/2017 – Enforcement Notice withdrawn and to be re-served • 11/10/2017 – Notice re-served, effective on 13/11/2017 – 3 months for compliance • 23/02/2018 – Site visited. No compliance with Enforcement Notice. Case to be referred to Legal Department for further action. • Notice withdrawn • 09/07/2018 – Notice reserved, compliance date 3 months from 06/08/2018 (expires 06/11/2018) 	30/09/2021

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

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> Start date has now been received, Statements are due by 12/12/2019. Awaiting Planning Inspectorate Decision Appeal Dismissed with variations. Compliance by 20 January 2021 Site visit due at end of January 2021. 24/02/2021 – Visit conducted, some compliance, extension agreed until 24/05/2021 03/06/2021 – site re visited, no compliance, case passed to Legal Department for further action to be considered. 	
ENF/2016/0292	11/08/2016	South	Houseboat Friendship, New Quay Lane, Melton	Change of use of land	<ul style="list-style-type: none"> 11/08/2016 – Authorisation granted to serve Enforcement Notice with an 8 year compliance period. Enforcement Notice to be drafted Enforcement Notice served on 20/10/2016, Notice effective on 24/11/ 2016 – 8 year compliance period (expires 24/11/2024). 	24/11/2024

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2016/0016 /SIGN	21/07/2017	South	Homeland House, Ashboking Road, Swilland	Storage of mini buses and coaches	<ul style="list-style-type: none"> • 21/07/2017 – Enforcement Notice served • Non compliance with Notice reported. • Correspondence sent to owner requiring compliance • Site visited - No compliance • 10/06/2021 – Case referred to Legal Department for further action to be taken. 	30/09/2021
ENF/2017/0170	21/07/2017	North	Land Adj to Oak Spring, The Street, Darsham	Installation on land of residential mobile home, erection of a structure, stationing of containers and portacabins	<ul style="list-style-type: none"> • 16/11/2017 – Authorisation given to serve EN. • 22/02/2018 – EN issued. Notice comes into effect on 30/03/2018 and has a 4 month compliance period • Appeal submitted. Awaiting Start date • Appeal started, final comments due by 08/02/2019. • Waiting for decision from Planning Inspectorate. 	30/09/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • 17/10/2019 – Appeal Decision issued by PINS. Enforcement Notice relating to the Use of the land quashed and to be re-issued as soon as possible, Notice relating to the operational development was upheld with an amendment. • 13/11/2019 – EN served in relation to the residential use of the site. Compliance by 13/04/2020 • Site visited. Case conference to be held • Appeal received in relation to the EN for the residential use • Appeal started. Statement submitted for 16th June 2020 • Awaiting Planning Inspectorate Decision • Appeal dismissed with some amendments. Compliance by 11/12/2020 • Site visit to be undertaken after 11/12/20 • Site visited, no compliance with Enforcement Notices, case passed to Legal Department for further 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					action. <ul style="list-style-type: none"> • Further visit to be done on 25/03/2021. • Site visit completed, Notices not complied with, file passed to Legal services for further action. 	
ENF/2015/0279 /DEV	05/09/2018	North	Land at Dam Lane Kessingland	Erection of outbuildings and wooden jetties, fencing and gates over 1 metre adjacent to highway and engineering operations amounting to the formation of a lake and soil bunds.	<ul style="list-style-type: none"> • Initial complaint logged by parish on 22/09/2015 • Case was reopened following further information on the 08/12/2016/ • Retrospective app received 01/03/2017. • Following delays in information requested, on 20/06/2018, Cate Buck, Senior Planning and Enforcement Officer, took over the case, she communicated and met with the owner on several occasions. • Notice sever by recorded delivery 05/09/2018. 	30/09/2021

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

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>steps relating to lake removal.</p> <ul style="list-style-type: none"> • Further visit conducted on 04/05/2021 to check for compliance on Notice relating to the lake. No compliance. Case being reviewed. • 05/07/2021 – Court hearing, owner was found guilty of two charges and had already pleaded guilty to one offence. Fined £550 and £700 costs • 12/07/2021 – Letter sent to owner giving until the 10th August 2021 for the structures to be removed 	
ENF/2018/0543 /DEV	24/05/2019	North	Land at North Denes Caravan Park The Ravine Lowestoft	Without planning permission operational development involving the laying of caravan bases, the construction of a roadway, the installation of a pumping station with settlement tank and the laying out of pipe works in the course of which waste	<ul style="list-style-type: none"> • Temporary Stop Notice Served 02/05/2019 and ceases 30/05/2019 • Enforcement Notice served 24/05/2019, comes into effect on 28/06/2019 • Stop Notice Served 25/05/2019 comes into effect 28/05/2019. 	18/08/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
				material have been excavated from the site and deposited on the surface.	<ul style="list-style-type: none"> • Appeal has been submitted. Awaiting Start date. • Appeal to be dealt with as a Hearing. Deadline for Statements 03/08/2020 • Awaiting date of hearing from Planning Inspectorate. • Hearing date set for 02/02/2021. • Hearing adjourned until 09/03/2021 • Hearing adjourned again until 21/04/2021 as was not completed on 09/03/2021. • Awaiting Decision • Appeal dismissed and partial costs to the Council • Compliance with Notice by 18/08/2021 	
ENF/2018/0090 /DEV	10/12/2019	South	Dairy Farm Cottage, Sutton Hoo	Erection of a summer house	<ul style="list-style-type: none"> • Enforcement Notice served 10/12/2019 • Awaiting site visit to check on compliance • Site visit undertaken, summer house still in situ. Further action to be considered. 	30/09/2021

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

Planning Committee South

Application no DC/20/4179/VOC

Location

Alston Barns
Grimston Lane
Trimley St Martin
Suffolk
IP11 OSD

Expiry date 3 January 2021 (extension of time previously agreed)

Application type Variation of Conditions

Applicant Labelcraft Signs Ltd

Parish Trimley St Martin

Proposal Variation of Condition 2 of DC/19/1967/COU (Change of use of Alston Barns from agriculture to B1(c) use): Alteration to previously approved drawings.

Case Officer Rachel Lambert
01394 444574
rachel.lambert@eastssuffolk.gov.uk

1. Summary

Proposal

- 1.1. This application seeks to vary Condition 2 of DC/19/1967/COU (change of use of Alston Barns from agriculture to B1(c) use). Changes include the alteration to previously approved drawings - including variation in positioning of fenestrations, a raised platform addition, installation of air-conditioning units, repositioning of bin storage area and installation of screening.
- 1.2. This is a part retrospective application. All of the works proposed have been implemented with the exception of the proposed raised platform along the north western elevation.

Determination

- 1.3. This application could be determined at officer level in accordance with the scheme of delegation, as none of the committee referral triggers have been met. The application accords with planning policy, the applicant is not an elected member or member of staff or close relative, the land is not owned by the district council, Trimley St Martin Parish Council raised no comment, the ward member(s) have not commented, and there have been no objections from statutory consultees.
- 1.4. However, the application was called to the Planning Referral Panel meeting (held on Tuesday 3 August) by the Chair of the South Planning Committee due to the ongoing concerns raised by the neighbour (a former East Suffolk Council Councillor) and the short time that there has been from the member leaving. The outcome of the meeting was for the application to be determined by the planning committee due to the history of the site and concerns raised by the neighbour. The adjacent application (DC/20/4916/VOC) was also noted and was subsequently included within such request to allow the proposed/retrospectives works to be assessed as one 'masterplan' – this item is addressed separately.

Recommendation

- 1.5. Recommended for approval subject to conditions.

2. Site description

- 2.1. The subject site is located at Alston Barns, Grimston Lane, Trimley St Martin and comprises a former agricultural stable building. Located within Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB), the surrounding environment is predominately agricultural in nature, with a residential dwelling located adjacent to the subject site.
- 2.2. The change of use of Alston Barns from agriculture to B1(c) use was granted planning permission (subject to conditions) on 09 August 2019 (DC/19/1967/COU) – Trinity College are the landowners and Labelcraft Signs Ltd are the current tenants.

3. Proposal

- 3.1. This application seeks to vary Condition 2 of DC/19/1967/COU (change of use of Alston Barns from agriculture to B1(c) use). The condition currently states:

The development hereby permitted shall not be carried out other than in complete accordance with the following drawings:

- Site location plan (4580-0101-P04) - received on 10 July 2019;
- Floor plan as proposed (4580-SK02-Rev A) - received on 05 July 2019; and
- Elevations proposed (4580-SK04-Rev B) - received on 07 July 2019.

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

- 3.2. The implemented/proposed alterations to the development include the following:

North east elevation

- Retention of two ground mounted air conditioning units;

- Omission of three windows and an external door; and
- Retention of hazel fencing along the northern boundary.

South east elevation

- Retention of a relocated and enlarged window.

North west elevation

- Retention of a change in scale of windows; and
- Construction of a raised access.

South west elevation

- Retention of a new door and additional window;
- Retention of repositioned door; and
- Retention of two ground mounted air conditioning units.

Overall layout

- Retention of hazel fencing (6ft) along the northern boundary;
- Retention of the relocated bin storage area to the north western corner; and
- Reorientation of internal layout.

3.3. All of the works that vary from the previously consented plans are retrospective apart from the installation of the proposed raised platform/access.

4. Consultations/comments

4.1. One third party representation was received, which raised the following matters:

- Privacy/overlooking;
- Outlook;
- Noise and disturbance;
- The resulting physical relationship with neighbouring property;
- Unacceptable adverse effect and impact on the living conditions to residential amenity;
and
- Materially harms the living conditions of local residents.

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Trimley St Martin Parish Council	11 November 2020	2 December 2020
"Trimley St Martin Parish Council considered this application at their meeting on 1 December and have no comment to make."		

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	11 November 2020	18 November 2020
Summary of comments: No objection.		

Non statutory consultees

Consultee	Date consulted	Date reply received
SCC Rights Of Way	11 November 2020	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	11 November 2020	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	11 November 2020	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	11 November 2020	24 November 2020
Summary of comments: No objection. Internal consultee - comments included within reporting.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	11 November 2020	23 November 2020
Summary of comments: No objection. Internal consultee - comments included within reporting.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	11 November 2020	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	11 November 2020	No response
Summary of comments: No response received.		

Publicity

None

Site notices

General Site Notice

Reason for site notice: Change of Use

Date posted: 19 November 2020

Expiry date: 10 December 2020

5. Planning policy

National Planning Policy Framework 2021

SCLP10.3 - Environmental Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.4 - Landscape Character (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

6. Planning considerations

- 6.1. The principle of development for the change of use of Alston Barns from agriculture to B1(c) use has already been established through the extant permission (DC/19/1967/COU). As such, the consideration and determination of the current application is limited to the physical changes that have been made to the building and its curtilage, which are sought to be retained through this application.

North eastern elevation

- 6.2. The removal of windows and one of the existing doors on the north eastern elevation does not result in adverse residential amenity impacts and removes any potential for overlooking

or loss of privacy to the adjacent residential property from these openings that were previously consented.

South eastern elevation

- 6.3. A small window, which previously served the plant store, has been removed and a new window has been installed to serve the office/reception. The ground floor window does not directly face the neighbouring property and is suitably screened by both willow fencing and a line of trees.

South western elevation

- 6.4. Changes to the south western elevation include the installation of an additional door, which serves the kitchen, a repositioned door that serves the reception, along with an additional window. Due to the orientation of this elevation, these changes do not cause adverse residential impacts and the no concerns regarding wider visual amenity effects have been raised.

North western elevation

- 6.5. Alterations to the north western elevation include the change in window profile on the clad elevation aspect - the reduction in scale does not result in any adverse impacts.
- 6.6. Other design changes include the removal of the large double doors and the installation of a raised access. The applicant has advised that the need for the raised access is due to the internal floor level changes, which were not accounted for in the original submission. Further detail was sought with regard to the need and frequency of its use, the applicant advised that the delivery door is used approximately twice a month and is used for larger sheets of material. The need for a raised elevation has resulted in neighbour concerns regarding loss of privacy/overlooking into their outside amenity space. A number of possible design variations have been explored to mitigate any impact - including the addition of an enclosed porch. However, such proposed design changes have not progressed and the submitted elevational drawings still stand - comprising a raised access sloping away from the residential amenity space and double entrance doors.
- 6.7. The proximity of the raised opening to the residential property has already been established as having minimal impact (as approved under the original application) - located opposite the end of the residential garden and set back by approximately 12 metres. There is a direct line of sight from the raised platform to the outbuilding that serves Alston Hall, however, it comprises ancillary residential uses (as restricted by its permission C/12/2017) and is separated by a sufficient distance (approximately 27 metres).
- 6.8. Concerns raised by the neighbour have been acknowledged - however, considering the distance from the rear section of garden and the proposed infrequent use of the entrance there is limited weight to refuse the application on such basis.
- 6.9. A condition restricting the hours of use will be transferred from the original permission, which ensures that activities are limited to Monday to Friday (07h00 - 17h00) and Saturday (08h00 - 17h00). This provides certainty that the raised access will not be used outside of these hours, which provides further mitigation to any potential amenity impacts.

- 6.10. The original submission included 12ft high willow fencing, however this was considered visually intrusive within the wider setting, restricted views towards the river and appeared structurally unstable - it has since been replaced with 6ft double layer panels.
- 6.11. The black timber windows and doors do not impact the overall aesthetic of the building.

Bin storage

- 6.12. Matters relating the proposed relocation and positioning of the bin storage have been previously addressed under Condition 8 of the original permission (DC/20/4177/DRC) - as such, there are no additional concerns relating to this aspect of the application.

Fencing

- 6.13. The 6ft hazel panels and wooden posts are considered acceptable. The extend of the fencing is to be retained as per drawing number A.50.935a, which ensures a double row of panels along the north/north-western boundary to minimise overlooking onto the neighbouring residential amenity space, as well as a row that extents along the north-eastern elevation to screen the proposed air conditioning units from the adjacent dwelling.

Air conditioning units

- 6.14. The applicant has advised within their submitted planning statement that the air conditioning units have been installed to replace the oil heating system. There are a total of four air conditioning units, two are located on the north-east elevation and two on the south west elevation.
- 6.15. An Environmental Noise Assessment (by Sound Acoustics, dated 26 June 2020) was submitted with the application, which concludes that a BS4142 assessment calculates a rating value marginally above background noise levels. A further addendum was received that responded to concerns initially raised, which subsequently increased the confidence of the East Suffolk Council environmental protection team that there should not be any nuisance caused by the fans. The noise impact is deemed to be 'low', and indeed negligible - the units are not audible from the boundary of the adjacent property so will therefore have zero impact on amenity.
- 6.16. The external plant has been screened with willow fencing as a means of retaining visual amenity and achieving an improvement to below background noise levels.

7. Conclusion

- 7.1. Overall, subject to the conditions as outlined above and as transferred from the original permission (DC/19/1967/COU), the alterations do not cause an unacceptable loss of amenity to the neighbouring property, both in terms of loss of privacy or impact from noise pollution. The removal of the windows along the dwelling facing elevation is welcomed and the respective air conditioning units are suitable screened to ensure minimal visual amenity impacts.
- 7.2. Aesthetically, the design changes are acceptable and do not pose any resulting impacts to the wider landscape setting.

- 7.3. As such, the proposal is deemed in accordance with Policy SCLP11.2 (Residential Amenity), Policy SCLP10.3 (Environmental Quality) and Policy SCLP10.4 (Landscape Character) of the East Suffolk Council - Suffolk Coastal Local Plan (2020).

8. Recommendation

- 8.1. Recommended for approval subject to conditions.

Conditions:

1. The development hereby permitted shall begin no later than three years from the date of the original permission DC/19/1967/COU (9 August 2019).

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

2. The development hereby permitted shall not be carried out other than in complete accordance with the following drawings:

- Site location plan (drawing number 4580-0101 Rev. P04);
- Block plan (plan number TQRQM19065151430088);
- Proposed floorplan (refer to elevations for fenestration materials);
- Proposed elevations; and
- Fencing plan (drawing number A.50.935a).

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

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

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

4. The external lighting scheme (including position and height of mounting features, height and angle of lights including aiming points, light fixing type, size and appearance, and the luminance levels) shall implemented as per the approved details under DC/19/3855/DRC. The scheme shall thereafter be implemented and no additional external lighting shall be installed.

Reason: In the interests of amenity, and protection of the local rural environment, including the ecological environment.

5. The development shall be carried out in accordance with the mitigation measures outlined in the Preliminary Ecological Appraisal Report (by Denny Ecology - dated 27 June 2019), previously approved by DC/19/1967/COU and shall be implemented in their entirety.

Reason: To safeguard biodiversity and protected species in accordance with Policy SP14 and Policy DM27 of the Suffolk Coastal District Local Plan - Core Strategy and Development

Management Development Plan Document (2013) and the National Planning Policy Framework (2019).

6. The building shall remain soundproofed in accordance with the approved scheme under DC/19/3855/DRC.

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

7. No activities (including operation of external plant and deliveries) shall be carried out on the site other than between the following hours, unless otherwise agreed in writing with the local planning authority:

- Monday to Friday (07h00 - 17h00);
- Saturday (08h00 - 17h00); and
- Sunday/Bank Holiday (no use).

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

8. Arrangements for the storage and collection of refuse shall fully accord with the scheme approved under DC/20/4177/DRC.

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

9. The approved construction statement under DC/19/3855/DRC shall be adhered to throughout the construction of the development.

Reason: To reduce the potential impacts of noise pollution and additional vehicular movements during the construction phase of the development.

Informatives:

1. The local planning authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework (2019) and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2006 Edition, incorporating 2010 and 2013 amendments Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for fire fighting, in which case those standards should be quoted in correspondence. Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2006 Edition, incorporating 2010 and 2013 amendments.
3. Suffolk Fire and Rescue Service recommends that fire hydrants be installed within this development on a suitable route for laying hose (i.e. avoiding obstructions). However, it is

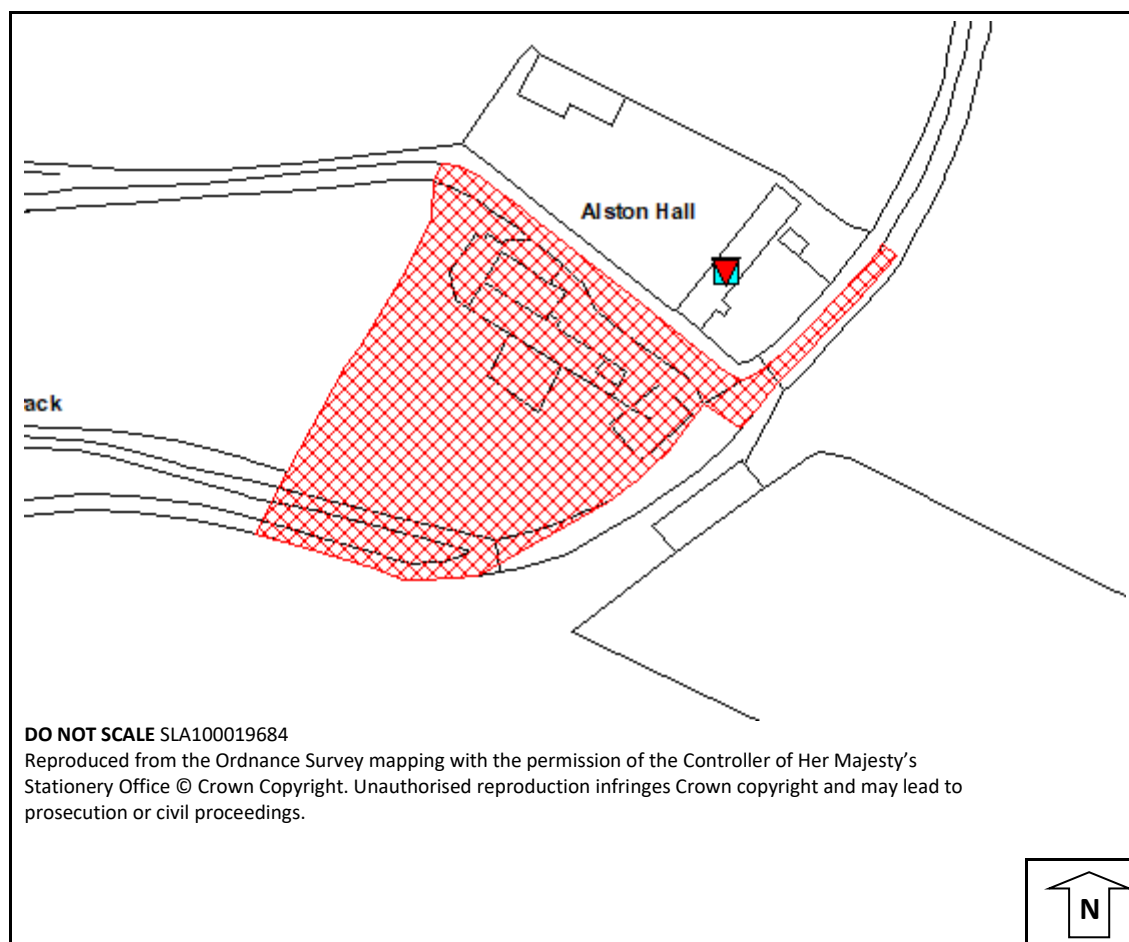
not possible, at this time, to determine the number of fire hydrants required for fire fighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.

4. Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system. (Please see sprinkler information enclosed with this letter). Consultation should be made with the Water Authorities to determine flow rates in all cases. Should you need any further advice or information on access and fire fighting facilities, you are advised to contact your local Building Control in the first instance. For further advice and information regarding water supplies, please contact the Water Officer at Endeavour House, 8 Russell Road, Ipswich, Suffolk, IP1 2BX.
5. The applicant is advised that the proposed development will require approval under Building Regulations (2010). Any amendments to the hereby permitted scheme that may be necessary to comply with Building Regulations (2010) must also be approved in writing by the local planning authority in order that any planning implications arising from those amendments may be properly considered.

Background information

See application reference DC/20/4179/VOC on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Planning Committee South

Application no DC/20/4916/FUL

Location

Alston Barns
Grimston Lane
Trimley St Martin
Felixstowe
Suffolk
IP11 OSD

Expiry date 2 February 2021 (extension of time previously agreed)

Application type Full Application

Applicant Labelcraft Signs Ltd.

Parish Trimley St Martin

Proposal Change of use and conversion of an existing agricultural building to B8 (storage) use, including the installation of cladding over three bays on the south east elevation.

Case Officer Rachel Lambert
01394 444574
rachel.lambert@eastsuffolk.gov.uk

1. Summary

Proposal

- 1.1. Change of use and conversion of an existing agricultural building to B8 (storage) use, including the installation of cladding over three bays on the south east elevation.

Determination route

- 1.2. This application can be determined at officer level in accordance with the scheme of delegation, as none of the committee referral triggers have been met. The application accords with planning policy, the applicant is not an elected member or member of staff or close relative, the land is not owned by the district council, Trimley St Martin Parish Council and the ward member(s) have not commented, and there has been no objections from statutory consultees.

- 1.3. It is acknowledged that the neighbour objection was from a now former East Suffolk Councillor, however, as all correspondence received was from a personal perspective (not as the Ward Member) the referral process is not triggered. Notwithstanding this, the application was called to Planning Committee by the Chair of the South Planning Committee during the Planning Referral meeting, held on Tuesday 3 August when addressing the adjacent application (DC/20/4916/VOC). Members requested that both items are to be determined by the planning committee due to the history of the site and concerns raised by the neighbour - allowing the proposed/retrospectives works to be assessed as one 'masterplan'.

Recommendation

- 1.4. Recommended for approval subject to conditions.

2. Site description

- 2.1. The subject site is located at Alston Barns, Grimston Lane, Trimley St Martin and comprises a redundant agricultural building. The building is of portal frame construction with existing galvanised corrugated sheet cladding on three elevations and an open front. The roof is formed of corrugated sheet cement board.
- 2.2. Located within Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB), the surrounding environment is predominately agricultural in nature, with a residential dwelling located approximately 24 metres to the north.
- 2.3. The change of use of Alston Barns - an associated unit located approximately 24 metres to the north west - from agriculture to B1(c) use was granted planning permission (subject to conditions) on 9 August 2019 (DC/19/1967/COU). Trinity College are the landowners and Labelcraft Signs Ltd are the current tenants.
- 2.4. The adjacent building is occupied by Labelcraft Signs Limited (the applicant of this application). They advise that it has become apparent that the existing premises does not provide sufficient storage space for the business and therefore require the use of the adjacent building for storage purposes.
- 2.5. The subject site is located within Flood Risk 1 zone, which the Environment Agency defines as having a low probability of flooding, due to the associated low risk, no further assessment is required.
- 2.6. Other than the application currently under consideration, there are no known extant applications or consents relating to this building.

3. Proposal

- 3.1. This application seeks Full Planning Permission for a change of use and conversion of an existing agricultural building to B8 (storage) use, and associated physical works including the installation of cladding over three bays on the south east elevation.
- 3.2. As shown on the proposed floor plan (PS1611-01 Rev.03) the internal layout comprises an area of shelving and storage of tools and other equipment (three bays), along with a wood

store and trailer store (two bays). The three bays to the northern aspect of the site are to be screened with full height vertical feather board cladding, painted black to match the main building. The remaining two bays will be left open and will include a new concrete base.

3.3. Access to the site is already established via Grimston Lane.

3.4. The application is accompanied by a planning statement and preliminary ecological appraisal.

4. Consultations/comments

4.1. One third party response was received, which raised the following matters:

- Noise and disturbance/impact on residential amenity;
- Outlook (untidy site);
- Overlooking/loss of privacy to front garden; and
- Adverse impact on character of the AONB.

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Trimley St Martin Parish Council	9 December 2020	No response
Summary of comments: No response received.		

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	9 December 2020	21 December 2020
Summary of comments: No objection.		

Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	9 December 2020	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	20 January 2021	5 February 2021
Summary of comments: No objection. Internal consultee - comments included within reporting.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	20 January 2021	18 February 2021
Summary of comments: No objection (subject to conditions). Internal consultee - comments included within reporting.		

Consultee	Date consulted	Date reply received
SCC Coasts and Heaths Project	20 January 2021	8 February 2021
Summary of comments: No objection (subject to conditions).		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	20 January 2021	No response
Summary of comments: No response received.		

Publicity

None

Site notices

General Site Notice

Reason for site notice: New Dwelling

Date posted: 23 December 2020

Expiry date: 15 January 2021

5. Planning policy

National Planning Policy Framework 2021

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

SCLP4.6 - Conversion and Replacement of Rural Buildings for Employment Use (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.1 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.4 - Landscape Character (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

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

6. Planning considerations

- 6.1. The proposal seeks to change part of the use of the building to B8 (storage) for Labelcraft Signs Limited, which is located to west of the site. It is understood that the change of use has already occurred (in part).

Permitted development rights

- 6.2. Under Schedule 2, Part 3, Class R of The Town and Country Planning (General Permitted Development) (England) Order (2015), development consisting of a change of use of a building and any land within its curtilage from a use as an agricultural building to a flexible use falling within Class B8 (storage or distribution) is deemed permitted development where specified criteria are met, and subject to the Prior Notification process, prior to the commencement of the use.
- 6.3. In this case, the overall floor area of the unit exceeds the 500 sq. m. threshold (albeit by 9 sq. m.) and as such requires planning permission. As the use has also commenced, the Prior Notification Process can not be used and as such the scheme also requires planning permission because the use has commenced.

Principle

- 6.4. The site is located outside the settlement boundary for Trimley St Martin and is, therefore, considered as countryside. The type and scale of development that would be supported within this hierarchy level includes the conversion and replacement of rural buildings for employment uses (Policy SCLP4.6), among other policy approaches. As such, the proposal is acceptable in principle subject to compliance with the respective policy.
- 6.5. Policy SCLP4.6 states that the conversion of rural buildings for employment use will be permitted where:
- a. The business use is of a scale and character that is appropriate to its location in accordance with the Settlement Hierarchy;
 - b. The proposal does not have an unacceptable impact on highway safety, local roads or the living conditions of local residents and exploits opportunities to make the location more sustainable by walking, cycling or public transport;

- c. The proposal would not conflict with neighbouring uses;
- d. The proposal is complementary to the setting of any historic or architecturally important buildings and reflects the form and character of the existing buildings; and
- e. The design and construction avoids, or adequately mitigates, any adverse impact on the character of the surrounding landscape, the AONB and its setting, or the natural or historic environment. The building already exists and is currently permitted to be in agricultural use.

6.6. The application will be assessed on the above criteria (with the exception of criteria d) - as set out below.

Business use

- 6.7. New employment development will not be permitted in the Countryside except where specific policies in the Development Plan - in this instance, the application relies on Policy SCLP4.6 (Conversion and Replacement of Rural Buildings for Employment Use). This policy acknowledges that when buildings in the countryside are no longer required for their original purpose or become under-used, their re-use and conversion to appropriate uses for employment can represent a sustainable form of development. Buildings in the rural areas can also provide opportunities to enhance local prosperity.
- 6.8. The storage element of the proposal is linked with the business use associated with the adjacent building and any traffic associated with the proposed conversion would be related to the host business and would not result in any increase in vehicle movements, as stated with the submitted planning statement.
- 6.9. Visually, the building already exists, and the proposal requires no increase in scale. The design of the building will remain unchanged, except for addition of cladding along three bays on the south east elevation of the building, which is required for both for security and screening purposes - this detail will retain the typical agricultural character of the building and is considered to be in keeping with its setting.
- 6.10. Overall, the proposal satisfies the requirements of criteria a.

Highway safety

- 6.11. There have been concerns raised relating to the means of access along the narrow and unmetalled road (Grimston Lane), as well as the frequency and quantity of traffic that will be accessing the site, resulting in potential traffic safety issues.
- 6.12. As the building will be occupied in conjunction with Alston Barns, providing additional storage space as required by the business, there will be no change in the number of vehicle movements at the site. A condition of consent will apply to ensure the proposed use is operated in this manner, which will ensure vehicle movements are inline with those outlined within the application for the host building (DC/19/1967/COU).
- 6.13. For reference, upon review of the nature of the road and frequency of proposed traffic relating to the previous permission (DC/19/1967/COU), the local highway authority concluded that the proposal would not lead to traffic movements that would prejudice highway safety, the free flow of traffic, or materially harm the living conditions of local residents. Further detail and reasoning was requested from the highways authority to demonstrate how there are no concerns regarding traffic safety. It has been advised, that an

objection was not raised based on the knowledge that the site already maintains a permitted agricultural use, and because of this, the proposal is not seen as intensification against the existing use, which although not currently active could be re-established at any point in time.

- 6.14. Access to the site will be controlled by the existing gate, which will be closed outside operating hours. No car parking is shown within the subject site, a parking area is provided to the south of the adjacent building, which is out of view from the neighbouring residential property. The highways authority has raised no objection.
- 6.15. Overall, it is considered that the proposal change of use is in accordance with criteria b (in part) as well as Paragraph 110 of the National Planning Policy Framework (2021).

Residential amenity

- 6.16. Due to the relatively remote location of the site and with what are likely to be low background noise levels, the proposed B8 (storage) use class should be able to co-exist with residential without causing detrimental harm to amenity. The proposed floor plan shows areas for storage only, with no indication that the area will be used for cutting or use of machinery - which are located within the adjacent building. As such, there is no reason for concern relating to any increase in noise disturbance, any movement of materials would not be dissimilar or any greater than that of an agricultural use.
- 6.17. To ensure any associated noise is mitigated, a condition of consent will apply to ensure that the hours of use requested are adhered to and to prevent uncontrolled use - the suggested hours will mirror that of the adjacent premise (Monday to Friday (07h00 - 17h00); Saturday (08h00 - 17h00); and Sunday/Bank Holiday (no use)).
- 6.18. The proposed cladding along three of the bays would offer screening for means of security, provide an improved outlook and would retain privacy/limit overlooking for the neighbouring property. Access to daylight and sunlight is not affected, and there will be no associated light spillage (other than within the building and during operating hours). Due to the nature of use, the storage of materials will not impact air quality or result in any other forms of pollution.
- 6.19. Overall, the proposal is deemed in accordance with criteria b (in part) and criteria c, as well as Policy SCLP11.2 (Residential Amenity).

Design quality, landscape and visual amenity

- 6.20. Located within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB), the proposal must not result in harm to the setting of this landscape. As the proposal comprises the change of use of an existing building, with no additions to height or building coverage proposed, it is considered that the unit is of a scale that relates well to its setting, as it is already established within the environment.
- 6.21. The proposal has been reviewed by East Suffolk Council Landscape Manager, with no objections raised relating to landscape impact.
- 6.22. Suffolk Coast and Heaths AONB note that no landscaping has been proposed as part of the proposal, which is a missed opportunity to deliver landscape enhancements within the area. While the proposal will amend the physical appearance of the barns through the addition of

timber cladding no measures have been proposed to enhance the site surroundings through for example the installation of new boundary treatments to replace existing damaged fences and new hedge or tree planting. As such, a condition requiring the submission of a landscape strategy to address these issues will apply, ensuring the scheme satisfies the requirement to enhance the AONB and not just mitigate any landscape or visual impacts.

- 6.23. As a result, the proposal is considered to be in accordance with criteria e (in part), as well as Policy SCLP10.4 (Landscape Character) and Chapter 15 of the National Planning Policy Framework (2019), which seeks to conserve and enhance the natural environment.
- 6.24. The proposed addition of elevational screening is considered to provide a visual enhancement to the surrounding area, comprising materials that are similar in appearance and complement local character. With the proposed condition ensuring the implementation of a soft landscaping scheme and the association with the host business providing suitable areas for parking/waste storage, the proposal is also deemed in accordance with Policy SCLP11.1 (Design Quality).

Ecology

- 6.25. The Council has a legal obligation to consider whether protected species are likely to be affected by a proposed development.
- 6.26. An updated preliminary ecological appraisal report was formally submitted, following a request by Suffolk County Council Ecologist. As recognised in the respective report, the building proposed for conversion contains a barn owl nest box, which is understood to be regularly used by this species (either for roosting or nesting). From the information provided it appears that the location of this box is within one of the bays to be clad and therefore it will no longer be available for birds to use. To ensure that the nesting opportunities on site are not lost as a result of this proposal the box should be relocated to an alternative suitable location and an additional box should also be installed elsewhere on the site. The existing box should only be removed in accordance with the timings/procedure set out in the report, the relocation and new boxes will be secured by condition.
- 6.27. As a result, the proposal is considered to be in accordance with criteria e (in part), as well as Policy SCLP10.1 (Biodiversity and Geodiversity) and Chapter 15 of the National Planning Policy Framework (2019), which seeks to conserve and enhance the natural environment.

7. Conclusion

- 7.1. The reuse and conversion of the redundant agricultural building to B8 use (storage) ancillary to the existing adjacent business use, represents a sustainable form of development, preventing the visual impact of a derelict building within the countryside. Although the site is located some distance from a sustainable settlement, the proposed change of use and is deemed to be relative to the respective countryside hierarchy, where the conversion of agricultural buildings for employment use is an appropriate scale of development. Furthermore, the proposal provides an opportunity to maximise the economic potential of the rural areas and to secure the retention of a local business and associated employment.
- 7.2. It has been proven that the use will have no adverse impact on the surrounding environment, with conditions imposed to ensure that there are detrimental effects on geodiversity, biodiversity, the natural landscape, highways safety, or residential amenity.

- 7.3. As such, the application is deemed in accordance with all relevant planning policies (as detailed in the above reporting) and is therefore recommend for approval.

8. Recommendation

- 8.1. Recommended for approval subject to conditions.

Conditions:

1. The development hereby permitted shall begin no later than three years from the date of this permission.

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

2. The development hereby permitted shall not be carried out other than in complete accordance with the following drawings:

- Site location plan (A.54.788);
- Proposed floor plan (PS1611-01 Rev.03); and
- Proposed elevation plan (PS1611-02 Rev.03).

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

3. The materials and finishes shall be as indicated within the submitted application (to match the existing) and thereafter retained as such, unless otherwise agreed by the local planning authority.

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

4. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Denny Ecology, February 2021) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To ensure that ecological receptors are adequately protected and enhanced as part of the development.

5. No works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before work is started and has provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that nesting birds are protected.

6. Prior to commencement, details of barn owl mitigation measures, including the provision of new and relocated nest boxes, shall be submitted to and approved in writing by the local planning authority. The measures will be delivered and retained in accordance with the approved details.

Reason: To ensure that the development does not result in an adverse impact on barn owls.

7. Details of any external lighting (including position and height of mounting features, height and angle of lights including aiming points, light fixing type, size and appearance, and the luminance levels) shall be submitted to and approved by the local planning authority. This scheme shall thereafter be implemented and no additional external lighting shall be installed.

Reason: In the interests of amenity, and protection of the local rural environment, including the ecological environment.

8. No activities shall be carried out on the site other than between the following hours, unless otherwise agreed in writing with the local planning authority:
 - Monday to Friday (07h00 - 17h00);
 - Saturday (08h00 - 17h00); and
 - Sunday/Bank Holiday (no use).

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

9. Within three month(s) of commencement of development, precise details of a scheme of landscape works (which term shall include tree and shrub planting, grass, earthworks, driveway construction, parking areas patios, hard surfaces etc, and other operations as appropriate) at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.

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

10. The approved landscaping scheme (as per Condition 9) shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of five years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

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

11. The premises herein referred to, shall be used for B8 (storage) in association with the adjoining business (Labelcraft Signs Ltd) and for no other purpose (including any other purpose in the Schedule to the Town and Country Planning [Use Classes] Order 1987) (or any Order revoking or re-enacting the said Order).

Reasons: In order that the local planning authority may retain control over this development/site in the interests of amenity and the protection of the local environment.

Informatives:

1. The local planning authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework (2019) and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. Protected species may be present at the site (bats, slow worms, newts). It is an offence to deliberately capture, injure or kill any such creature or to damage or destroy a breeding or resting place. A licence may need to be obtained from Natural England before any work is commenced, including demolition work, site clearance, timber treatment etc.
3. Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2019 Edition, Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for firefighting, in which case those standards should be quoted in correspondence.

Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2019 Edition.

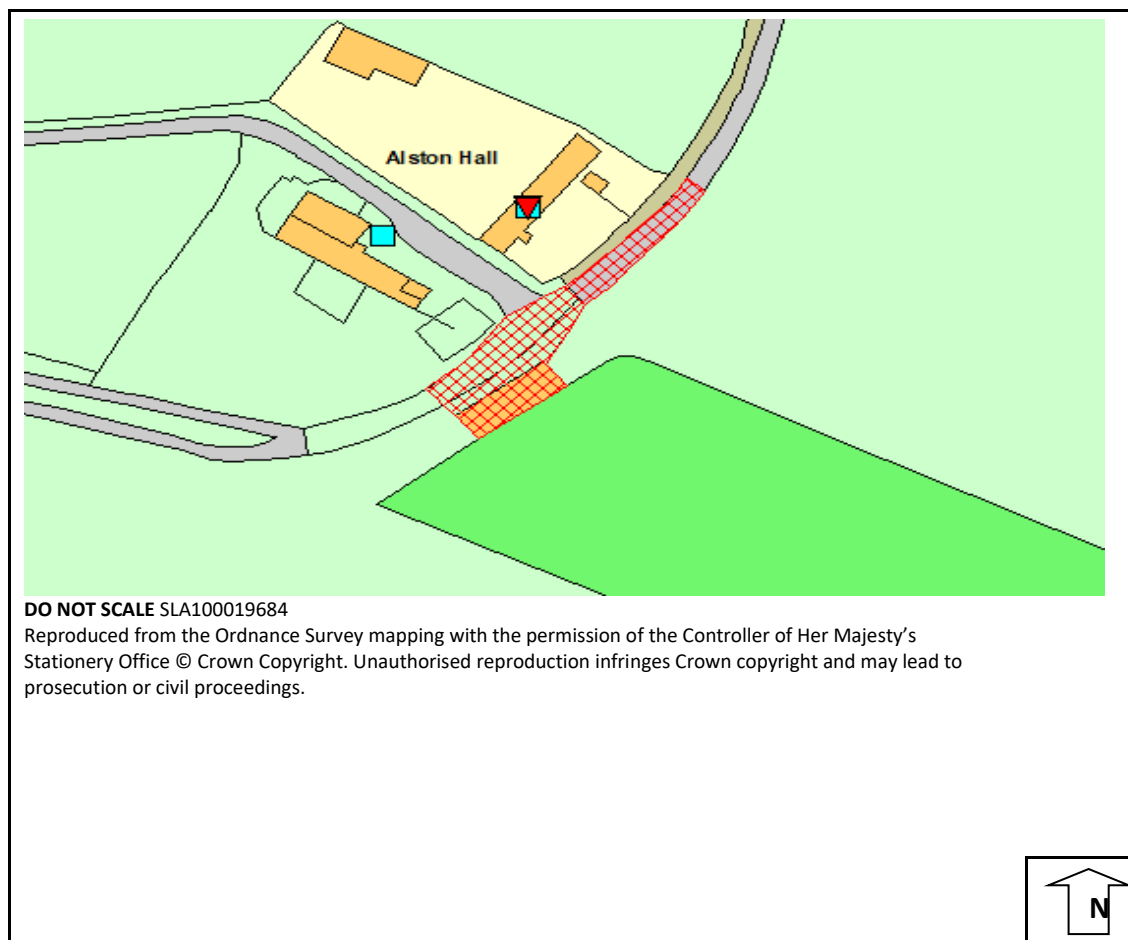
Suffolk Fire and Rescue Service records show that the nearest fire hydrant in this location is over 660 metres from the proposed build site and we therefore recommend that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system. (Please see sprinkler information enclosed with this letter). Consultation should be made with the Water Authorities to determine flow rates in all cases.

Should you need any further advice or information on access and firefighting facilities, you are advised to contact your local Building Control or appoint Approved Inspector in the first instance. For further advice and information regarding water supplies, please contact the Water Officer at the above headquarters.

Background information

See application reference DC/20/4916/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Planning Committee South

Planning committee – 24 August 2021

Application no DC/21/1868/FUL

Location

South Seafront and North East of Pier
Undercliff Road West
Felixstowe
Suffolk

Expiry date 4 July 2021 (extension of time agreed until 27 August 2021)

Application type Full Application

Applicant East Suffolk Council

Parish Felixstowe

Proposal Provision of two replacement beach huts to seaward side of promenade used as tourist information point and concession.

Case Officer Rachel Lambert
01394 444574
rachel.lambert@eastsuffolk.gov.uk

1 Summary

- 1.1 This application seeks full planning permission for the provision of two new beach huts both positioned seaward side of the promenade: one to the north-east of the pier (a tourist information kiosk); and the other along the south seafront positioned centrally between the Arwela and Manwick beach shelters (a concession kiosk). The scheme is considered acceptable in principle and would provide a further tourist offering to the town.
- 1.2 As the applicant and landowner is East Suffolk Council, the proposal is to be determined at Planning Committee in accordance with the scheme of delegation.
- 1.3 The application is recommended for approval subject to conditions.

2 Site description

- 2.1 The application comprises two separate sites, as detailed below:

- 'Land north east of pier' site is located to the north east of Felixstowe Pier, set in front of the car park adjacent to the Leisure Centre and falls within Felixstowe South Conservation Area. As described in the applicants submission, a wooden "old fishing hut" building was previously located on the subject site and was occupied by a fishmonger until it was the subject of an arson attack in September 2019. However, due to insurance related matters the hut was never rebuilt, and the site is now cleared to the existing slab.
 - 'South seafront' site is located to the seaward side of the promenade, positioned centrally between the Arwela and Manwick beach shelters and comprises an area of existing hardstanding.
- 2.2 Both sites are located within Flood Zone 3, within 16 meters of a tidal river (includes the sea as per Environment Agency guidance) and inside a 30-metre risk zone landward of an area where the intent of management is to Hold the Line (HTL). No other environmental constraints apply.

3 Proposal

- 3.1 This application is for the provision of two new beach huts both positioned seaward side of the promenade, they are sited separately, one north-east of the pier and the other along the south seafront positioned centrally between the Arwela and Manwick beach shelters.

East of the pier: Tourist information kiosk

- 3.2 The proposed beach hut located to the east of the pier is to be used as a tourist information point, which will be owned and managed by East Suffolk Council. The applicant has advised that the replacement hut will allow for "larger internal displays, provide space for more information, be more COVID secure as there is more space available to move around in than in the traditional huts". It will stay in situ all year round, placed on a concrete plinth/slab. Proposed materials include timber/fibre cement horizontal painted boarding and a black corrugated roof. The overall footprint is approximately 16.2 square meters.

South seafront: Refreshment kiosk

- 3.3 Located to the seaward side of the promenade and positioned centrally between the Arwela and Manwick beach shelters, East Suffolk Council wish to bring this existing platform back into use by installing a traditional wooden beach hut, which is to be fitted out as a kiosk for drinks and ice creams. The redundant base already has a power supply from its use as a former concession unit.
- 3.4 The hut will be moved on and off the promenade seasonally, at Easter and in October, in line with the licenced privately owned huts. This reduces the impact of damage from any high tides during the winter months.
- 3.5 The proposed materials include timber horizontal boarding painted in pastel colours and felt roofing, in line with the current licence rules that apply to private owners. The overall unit size measures approximately 4.16 square metres.

4 Consultations/comments

4.1 No third-party representatives have been received.

5 Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Felixstowe Town Council	13 May 2021	26 May 2021
<i>“Felixstowe Town Council welcomes this application and recommends APPROVAL.”</i>		

Statutory consultees

Consultee	Date consulted	Date reply received
Marine Management Organisation	13 July 2021	14 July 2021
Summary of comments: No objection – informative applies regarding marine licence requirements.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	13 July 2021	No response
Summary of comments: No objection – conditions and informatives apply.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	13 July 2021	15 July 2021
Summary of comments: No comment – refer to guidance for minor applications.		

Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Design and Conservation	13 July 2021	No response
Summary of comments: No comment.		

Consultee	Date consulted	Date reply received
East Suffolk Economic Development	13 July 2021	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
East Suffolk Estates Asset Management	13 July 2021	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
WDC - Drainage and Coast Protection	13 May 2021	24 May 2021
Summary of comments: Coastal Erosion Vulnerability Assessment required.		

6 Publicity

6.1 No publicity.

7 Site notices

Land north east of pier

General Site Notice	Reason for site notice: General Site Notice Date posted: 28 May 2021 Expiry date: 21 June 2021
---------------------	--

South seafront

General Site Notice	Reason for site notice: General Site Notice Date posted: 09 July 2021 Expiry date: 30 July 2021
---------------------	---

8 Planning policy

8.1 The National Planning Policy Framework (2021) requires that planning decisions apply a presumption in favour of sustainable development and that means, for decision-taking, approving development proposals that accord with an up-to-date development plan without delay.

8.2 The development plan comprises the East Suffolk Council – Suffolk Coastal Local Plan (“local

plan”) and any adopted neighbourhood plans. The relevant policies of the local plan are listed in the section below and will be considered in the assessment to follow.

- SCLP4.8 - New Retail and Commercial Leisure Development (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP6.1 - Tourism (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP6.2 - Tourism Destinations (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP6.4 - Tourism Development outside of the AONB (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP9.3 - Coastal Change Management Area (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP9.5 - Flood Risk (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP12.14 - Spa Pavilion to Manor End (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP11.1 – Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)
- SCLP11.5 - Conservation Areas (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

9 Planning considerations

Principle

- 9.1 As guided by Policy SCLP6.1 (Tourism), proposals that improve the visitor experience and support opportunities for year-round tourism will be supported where increased tourism uses can be accommodated, in a way that protects the features that make the area attractive to visitors. This premise is further supported by Policy SCLP6.2 (Tourism Destinations), which welcomes facilities that broaden the tourist opportunities within the district subject to accordance all other respective policies within the local plan. Development should also be of the highest standard of design and seek to protect and enhance the special character and interest of the destinations and the distinctiveness of the area.
- 9.2 The proposed beach huts (tourism information kiosk and concession kiosk) are considered to be sited in a sustainable location, well-related to existing tourism and leisure uses, and are of a scale and nature that reflects the surrounding area without causing adverse impacts on the natural environment or local landscape character.

Strategy for Felixstowe

- 9.3 Both sites are located between Spa Pavilion and Manor End (Policy SCLP12.14). Within this

area, high intensity tourist uses will be supported and promoted, with a high proportion to be located along the Sea Road frontage - where the proposed refreshment kiosk hut is to be located. The tourist information hut in particular will assist in actively encouraging the use of the existing resort experiences, appropriately sited next to the Leisure Centre and the Pier, both focal points of tourism related activities in Felixstowe.

- 9.4 The proposed concession kiosk will stand in isolation along the seafront - with the nearest stretch of beach huts located further south close to Martello Park. Despite this separation, the proposed design and scale of the hut will not negatively impact the characteristic long views to the pier, Sea Road and Landguard Fort which forms an impressive sweep of seaside townscape. It is low key and if well maintained will make an important contribution to the associated leisure uses within the area. Although not sited within the conservation area, the associated appraisal highlights retail kiosks as key characteristic features in relation to the leisure gardens.

Conservation area and visual amenity

- 9.5 As previously noted, the proposed tourist information kiosk (north-east of the pier) is located within Felixstowe South Conservation Area. In this instance, due to the proposal being a replacement 'beach hut' sited within a small cluster of other beach huts along the promenade, it is not considered to significantly affect the character of the conservation area. The proposed form is of a design standard and style that is in keeping with the character or appearance of the area and is therefore deemed to preserve the character of the Conservation Area in accordance with policy guidance relating to development within the designated area - Policy SCLP11.5 (Conservation Areas), and the requirements of the Listed Buildings and Conservation Areas Act 1990, which requires proposals to preserve or enhance Conservation Areas.
- 9.6 The proposed design of both huts is also considered to be in keeping with the general aesthetic of their location, whilst enhancing standard beach hut style through creative means and serving as a key within the beach-scene for the purposes of increasing tourism awareness. Their overall scale would not adversely impact neighbouring beach hut uses and is sufficiently set back from any nearby residential properties. Therefore the scheme is in accordance with Policy SCLP11.1 (Design Quality).

Coastal environment and flood risk

- 9.7 Both sites are located within Flood Zone 3 and already comprise an area of impermeable hardstanding, previously used for the siting of similar structures. Minor development such as this is unlikely to raise significant flood risk issues unless: it would have an adverse effect on a watercourse, floodplain or its flood defences; it would impede access to flood defence and management facilities; or where the cumulative impact of such developments would have a significant effect on local flood storage capacity or flood flows. In this instance, the local planning authority will rely on the Environment Agency's advice on flood risk assessment to ensure the development conforms to any flood risk advice.
- 9.8 The Environment Agency have advised that flood risk for these sites falls under their Local Flood Risk Standing Advice, where Advice Note 2 applies. As such, conditions will apply to require non-habitable use of the development and the submission of a Flood Response Plan to ensure that owners/occupiers of the huts are aware that the land is at risk of flooding and the appropriate course of action to be taken in the event of a flood.

- 9.9 Although neither site falls within the defined Coastal Change Management Area, they are located within a 30-metre risk zone landward of areas where the intent of management is to Hold the Line (HTL) as detailed in Shoreline Management Plan 7. A Coastal Erosion Vulnerability Assessment is therefore required to ensure that access to coastal defences is not inhibited by new and replacement development. However, it is acknowledged that this measure should not be used in such a manner that precludes development from coming forward. A completed CEVA was submitted by the applicant on Thursday 5 August 2021, an updated response from the coastal management team is still pending, and any response will be provided within the Committee Update Sheet.

10 Conclusion

- 10.1 Overall, the proposed provision of two new beach huts both positioned seaward side of the promenade - one east of the pier (a tourist information kiosk) and the other along the south seafront positioned centrally between the Arwela and Manwick beach shelters (a concession kiosk) - is considered acceptable in principle and would provide an improved tourist offering to the town without compromising the character of the area.
- 10.2 Subject to confirmation from East Suffolk Council Coastal Management team that the submitted CEVA satisfies their requirements, along with the accordance of aforementioned conditions, the application is in line with all respective local plan policies and is recommend for approval.

11 Recommendation

- 11.1 Authority to approve subject to confirmation from East Suffolk Council Coastal Management team that the submitted CEVA satisfies their requirements.

Conditions:

1. The development hereby permitted shall begin no later than three years from the date of this permission.

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

2. The development hereby permitted shall not be carried out other than in complete accordance with the following drawings, received on 16 April 2021:

East of the pier

- Site location plan (drawing number 2111 1)
- Proposed plans and elevations (drawing number 2111 2 D)

South seafront

- Site location plan (drawing number 2111 4)
- Proposed plans and elevations (drawing number 2111 3 A)

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

3. The hereby approved tourist information kiosk, as shown on drawing numbers 2111 1 and 2111 2 D, shall be used solely for providing tourist information (e.g., through information boards, exhibits, leaflets etc.) and for no other purpose unless otherwise approved by the local planning authority.

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

4. The hereby approved concession kiosk, as shown on drawing numbers 2111 4 and 2111 3 A, shall be used for the sale of ice creams, drinks, food items that are not cooked on the premises (i.e. items such as cakes made elsewhere, crisps, sandwiches can be sold, but hot food cannot be cooked on the premises) and beach associated products (e.g. buckets, spades, windbreaks and similar items). No other purpose is permitted unless otherwise approved by the local planning authority.

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

5. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed by the local planning authority.

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

6. The development shall be carried out in accordance with the approved level A' Coastal Erosion Vulnerability Assessment, unless otherwise agreed by the local planning authority.

Reason: In the interests of coastal change management and to ensure that access to coastal defences is not inhibited by new and/or replacement development.

7. Prior to use, a Flood Response Plan shall be submitted to and approved by the local planning authority.

Reason: To ensure that owners and occupiers of the property are aware that the land is at risk of flooding and the appropriate course of action to be taken in the event of a flood.

Informatives:

1. The local planning authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework (2021) and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

2. Environmental permit - advice to applicant

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)

- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

3. Marine Licensing

Works activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009.

Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence.

Applicants should be directed to the Marine Management Organisation's (MMO) online portal to register for an application for marine licence: <https://www.gov.uk/guidance/make-a-marine-licence-application>

You can also apply to the MMO for consent under the Electricity Act 1989 (as amended) for offshore generating stations between 1 and 100 megawatts in English waters.

The MMO is also the authority responsible for processing and determining Harbour Orders in England, together with granting consent under various local Acts and orders regarding harbours.

A wildlife licence is also required for activities that that would affect a UK or European protected marine species.

The MMO is a signatory to the coastal concordat and operates in accordance with its principles. Should the activities subject to planning permission meet the above criteria then the applicant should be directed to the follow pages: check if you need a marine licence and asked to quote the following information on any resultant marine licence application:

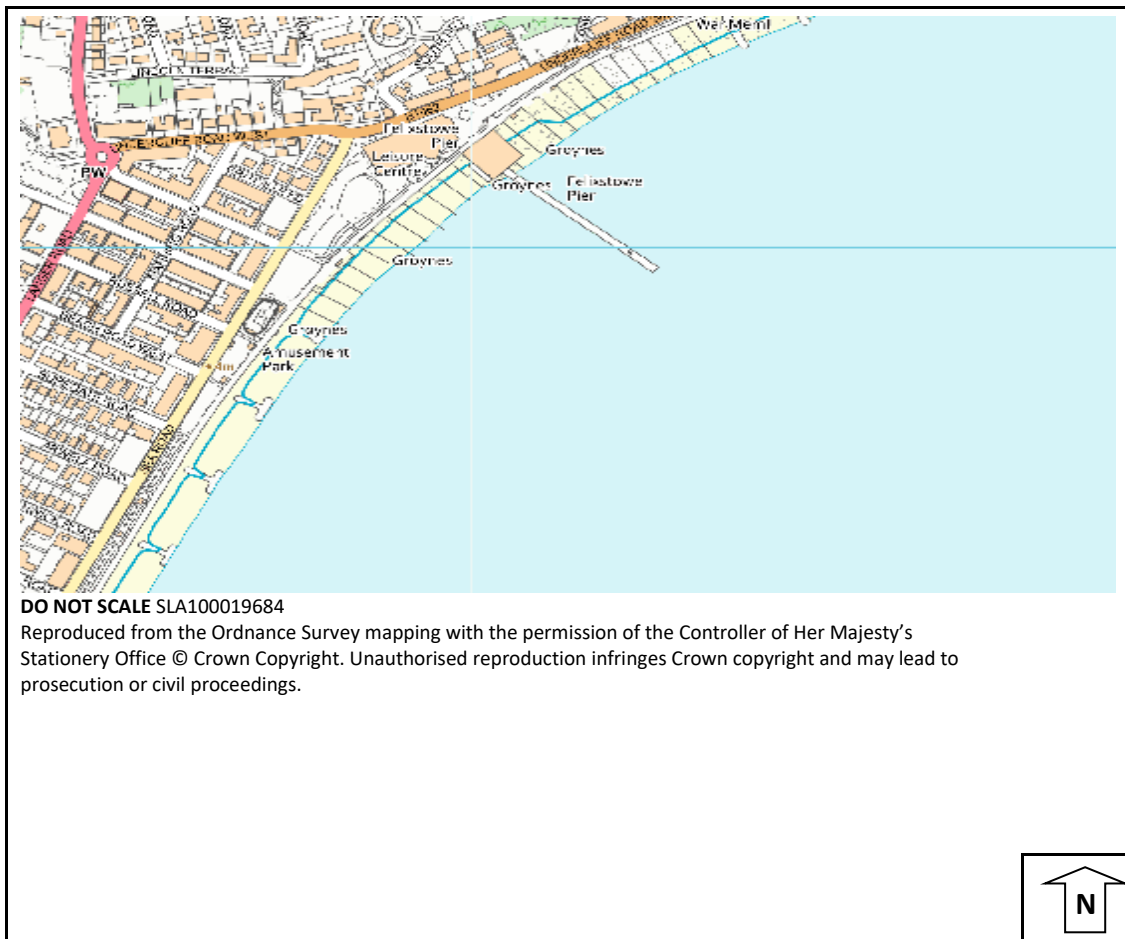
- * local planning authority name,
- * planning officer name and contact details,
- * planning application reference.

Following submission of a marine licence application a case team will be in touch with the relevant planning officer to discuss next steps.





Background information

See application reference DC/21/1868/FUL on [Public Access](#)

Map



Key

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

Planning Committee South

Planning committee - 24 August 2021

Application no DC/21/2701/FUL

Location

Martello Ramp (adjacent New Cafe)
Corner Sea Road
Orford Road
Felixstowe
Suffolk

Expiry date 5 August 2021

Application type Full Application

Applicant East Suffolk Council

Parish Felixstowe

Proposal Provision of new replacement accessible beach access ramp over sea defence wall.

Case Officer Rachel Lambert
01394 444574
rachel.lambert@eastsuffolk.gov.uk

1. Summary

- 1.1. This application seeks full planning permission for the provision of a new replacement beach access ramp over the existing sea defence wall, located to the south of the newly constructed Martello Café. It is considered acceptable in principle and would provide an improved means of accessibility to/from the promenade and Martello Park.
- 1.2. As the applicant and landowner is East Suffolk Council, the proposal is to be determined at Planning Committee in accordance with the scheme of delegation.
- 1.3. The application is recommended for approval subject to conditions.

2. Site description

- 2.1. The application site is located southeast of the newly constructed Martello Café, positioned to the northern extent of Martello Park, south-west of 'Orford Shelter', on the corner of Sea Road and Orford Road, Felixstowe. An existing ramp access over the sea wall currently links the pavement along Sea Road and Orford Road to the beachfront.
- 2.2. The site is located within Flood Zone 2, within 16 meters of a tidal river (includes the sea as per Environment Agency guidance) and inside a 30-metre risk zone landward of an area where the intent of management is to Hold the Line (HTL). No other environmental constraints apply.
- 2.3. A scheduled monument (Martello Tower) is located over 200 metres to the south west, within the park.

3. Proposal

- 3.1. The application seeks to replace the existing beach ramp access over the sea defence wall, which is located at the corner of Sea Road and Orford Road, Felixstowe. The replacement structure will look relatively similar, with only minimal changes proposed, as listed below:
- Increase in width from approximately 1.5 metres to 1.6 metres;
 - The addition of steps from the beach on the southern elevation - increasing the overall length of the structure to approximately 13 metres (excluding the concrete landings);
 - Lengthening of the ramp by approximately 5.5 metres along the Martello Park side to allow for a landing area (1.5 metres in length) within the mid-section;
 - An extension to existing concrete landing/paving at the end of the ramp to the promenade side; and
 - Variation in materials from just timber to galvanised posts, Iroko rails, and marine ply decking with slip resistant material.

4. Consultations/comments

- 4.1. No third-party comments have been received.

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Felixstowe Town Council	16 June 2021	24 June 2021
"Committee recommended APPROVAL."		

Statutory consultees

Consultee	Date consulted	Date reply received
Marine Management Organisation	4 August 2021	4 August 2021
Summary of comments: No objection – informative applies regarding marine licence requirements.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	4 August 2021	No response
Summary of comments: Awaiting response – consultation end date 25 August 2021.		

Non statutory consultees

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	16 June 2021	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
East Suffolk Head of Coastal Management	16 June 2021	30 June 2021
Summary of comments: Coastal Erosion Vulnerability Assessment to be submitted.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	4 August 2021	No response
Summary of comments: Refer to guidance for minor applications.		

Publicity

None

Site notices

General Site Notice	Reason for site notice: General Site Notice Date posted: 5 July 2021 Expiry date: 26 July 2021
---------------------	--

5. Planning policy

National Planning Policy Framework 2021

SCLP9.3 - Coastal Change Management Area (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP9.5 - Flood Risk (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

SCLP12.14 - Spa Pavilion to Manor End (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

6. Planning considerations

Principle

- 6.1. Given the scale and nature of the proposed structure, it is considered permitted development Under Class A, Part 12, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), which enables a wide range of relatively small public services works and infrastructure to be carried out by local authorities.
- 6.2. As such, the principle of the replacement access ramp is deemed acceptable.

Visual amenity

- 6.3. The proposed ramp will replace the existing ramp structure, which is relatively similar in scale and style. The slight variation in width and length will improve accessibility over the sea wall and the proposed materials are akin to the coastal setting (galvanised posts, Iroko rails, and marine ply decking). Overall, the design demonstrates an understanding of the local character and seeks to enhance existing features in accordance with Policy SCLP11.1 (Design Quality).

Coastal management and flood risk

- 6.4. The site is located within Flood Zone 2 and already comprises an access ramp over the sea wall, which the proposal seeks to replace. As determined by the Government's flood risk vulnerable classification, the structure is deemed as 'water compatible' and is appropriate development within Flood Zone 2. Furthermore, minor development such as this is unlikely

to raise significant flood risk issues unless: it would have an adverse effect on a watercourse, floodplain or its flood defences; or would impede access to flood defence and management facilities. In this instance, the local planning authority will rely on the Environment Agency's advice on flood risk assessment to ensure the development conforms to any flood risk advice.

- 6.5. Although the site does not fall within the defined Coastal Change Management Area, it is located within a 30-metre risk zone landward of areas where the intent of management is to Hold the Line (HTL) - as detailed in Shoreline Management Plan 7. A Coastal Erosion Vulnerability Assessment (CEVA) is therefore required to ensure that access to coastal defences is not inhibited by new and replacement development, as requested by the East Suffolk Council's Coastal Management team. However, it is acknowledged that this measure should not be used in such a manner that precludes development from coming forward. A completed CEVA was submitted by the applicant on Thursday 5 August – an updated response from the coastal management team is still pending.
- 6.6. The replacement ramp is similar in height and scale to the existing structure and will not impact the sea wall or restrict any existing maintenance access, required by the Environment Agency. Although a formal response to the application is yet to be submitted by the Environment Agency, the applicant had received comments from a representative following discussion prior to submission, these are summarised below:
- It doesn't look as though the proposed works will interfere with Environment Agency walls or gates in the area so there are no major concerns.
 - Before and after photos to be taken of the walls to ensure no damage has occurred during construction.
 - The existing ramps are not designated Environment Agency assets - renovations will not be their responsibility. It is assumed that the operator will accept responsibility for the construction and any future maintenance of the ramps.
 - Consideration will be given to securing future access to the Environment Agency maintained defences and the future maintenance of the ramps – it may be necessary to condition such matters either for the lifetime of the permit or in perpetuity. This will involve considering who the operator and landowners are, particularly if they are different persons, something to clarify in any future permit application.
- 6.7. Should the Environment Agency provide further comments prior to the committee meeting these will include within the respective update sheet.
- 6.8. The applicant has acknowledged the associated risk of coastal erosion, accepting responsibility for the construction and any future maintenance of the ramp.

7. Conclusion

- 7.1. Overall, the proposed replacement access ramp to the south of the newly constructed Martello Cafe is considered acceptable in principle and would provide an improved means of accessibility to/from the promenade and Martello Park, both in terms of public safety and design quality.

- 7.2. Subject to confirmation from the Environment Agency that there are no resulting impacts on their assets or on the future maintenance of the sea wall, the application is recommended for approval subject to conditions.

8. Recommendation

- 8.1. Authority to approve subject to the consideration of any formal comments received from the Environment Agency and confirmation from East Suffolk Council Coastal Management team that the submitted Coastal Erosion Vulnerability Assessment satisfies their requirements.

Conditions:

1. The development hereby permitted shall begin no later than three years from the date of this permission.

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

2. The development hereby permitted shall not be carried out other than in complete accordance with the following drawings, received on 3 June 2021:

- Site location plan (drawing number: 20215 7);
- Block plan (drawing number: 20215 5 A); and
- Proposed elevations (drawing number: 20215 2 A).

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

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

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

4. Prior to commencement, details of an agreement with East Suffolk Council - Coastal Management Team, regarding liability for future potential modification of the works (including temporary part removal) as required, should this be necessary to carry out works to the adjacent existing defences that the planned works will adjoin and/or take support from.

Reason: In order to ensure the proposed works will not affect future maintenance of pre-existing sea defences.

5. The development shall be carried out in accordance with the approved 'level A' Coastal Erosion Vulnerability Assessment, unless otherwise agreed by the local planning authority.

Reason: In the interests of coastal change management and to ensure that access to coastal defences is not inhibited by new and/or replacement development.

Informatives:

1. The local planning authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework (2021) and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. Works activities taking place below the mean high-water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009. Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high-water springs mark or in any tidal river to the extent of the tidal influence. Applicants are directed to the MMO's online portal to register for an application for marine licence: www.gov.uk/guidance/make-a-marine-licenceapplication .
3. Marine Licensing
Works activities taking place below the mean high-water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009.

Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence.

Applicants should be directed to the Marine Management Organisation's (MMO) online portal to register for an application for marine licence: <https://www.gov.uk/guidance/make-a-marine-licence-application>

You can also apply to the MMO for consent under the Electricity Act 1989 (as amended) for offshore generating stations between 1 and 100 megawatts in English waters.

The MMO is also the authority responsible for processing and determining Harbour Orders in England, together with granting consent under various local Acts and orders regarding harbours.

A wildlife licence is also required for activities that that would affect a UK or European protected marine species.

The MMO is a signatory to the coastal concordat and operates in accordance with its principles. Should the activities subject to planning permission meet the above criteria then the applicant should be directed to the follow pages: check if you need a marine licence and asked to quote the following information on any resultant marine licence application:

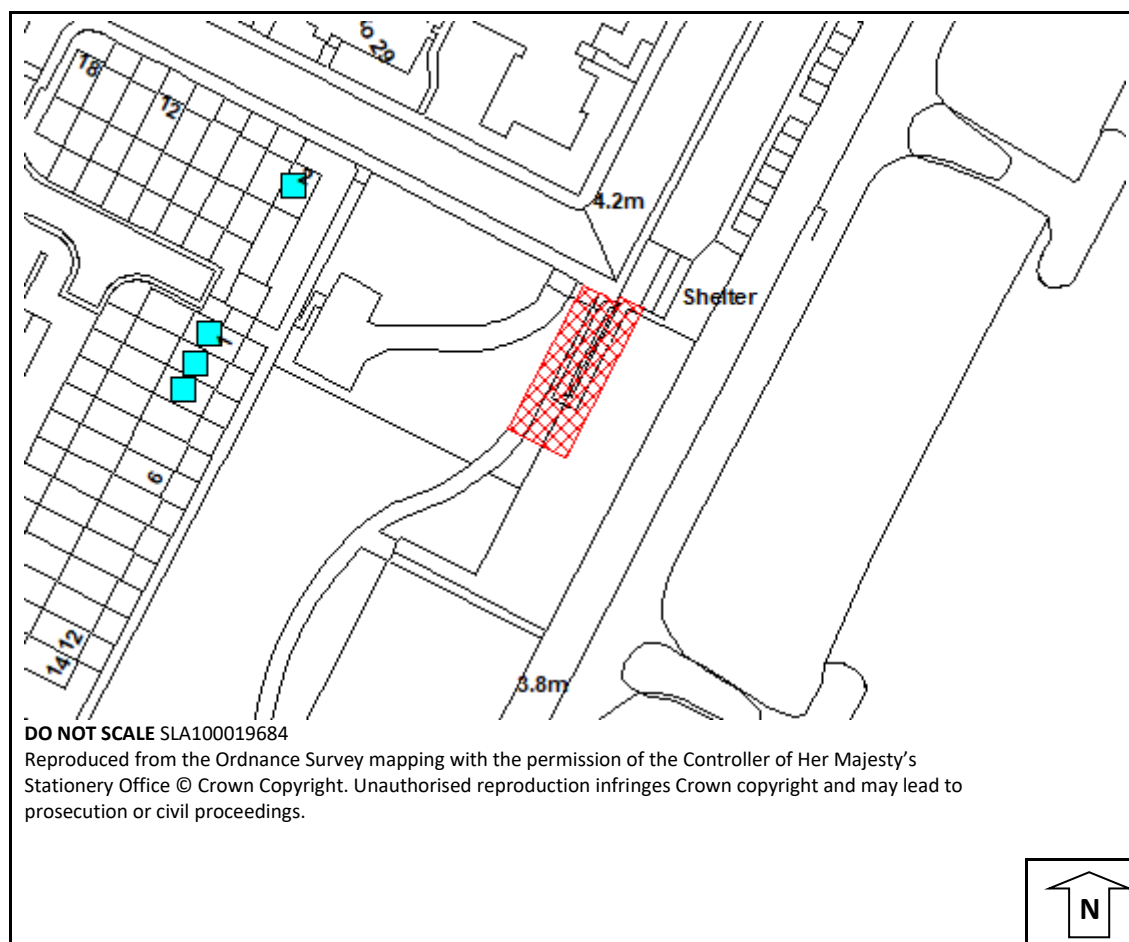
- * local planning authority name,
- * planning officer name and contact details,
- * planning application reference.

Following submission of a marine licence application a case team will be in touch with the relevant planning officer to discuss next steps.

Background information

See application reference DC/21/2701/FUL on [Public Access](#)

Map



Key

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