



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

Planning Committee North

Members:

Councillor Paul Ashdown (Chairman)
Councillor Jenny Ceresa (Vice-Chairman)
Councillor Jocelyn Bond
Councillor Norman Brooks
Councillor Linda Coulam
Councillor Graham Elliott
Councillor Andree Gee
Councillor Malcolm Pitchers
Councillor Craig Rivett

Members are invited to a **Meeting** of the **Planning Committee North**
to be held on **Tuesday, 11 August 2020 at 2.00pm**

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

The meeting will be facilitated using the Zoom video conferencing system and broadcast via the East Suffolk Council YouTube channel
at <https://youtu.be/J23o3-77CGc>

An Agenda is set out below.

Part One – Open to the Public

Pages

- 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 Enforcement Action - Case Update ES/0445** **1 - 20**
 Report of the Head of Planning and Coastal Management
- 5 DC/20/0951/FUL - JD Power Tools, Alexandra Road, Lowestoft ES/0446** **21 - 33**
 Report of the Head of Planning and Coastal Management
- 6 DC/20/1964/FUL - Pastures Farm, Beccles Road, Sotherton ES/0447** **34 - 45**
 Report of the Head of Planning and Coastal Management
- 7 Woods Meadow Country Park Update ES/0448** **46 - 56**
 Report of the Head of Planning and Coastal Management

Part Two – Exempt/Confidential

There are no Exempt or Confidential items on 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/planning/planning-applications/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>).

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PLANNING COMMITTEE

Title of Report:

East Suffolk Enforcement Action – Case Update

Meeting Date

11 August 2020

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 28 July 2020. At present there are 19 such cases.

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

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

RECOMMENDATION

That the report concerning Outstanding Enforcement matters up to 28 July 2020 be received.

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
EN08/0264 & ENF/2013/0191	15/01/2010	North	Pine Lodge Caravan Park, Hazels Lane, Hinton	Erection of a building and new vehicular access; Change of use of the land to a touring caravan site (Exemption Certificate revoked) and use of land for the site of a mobile home for gypsy/traveller use. Various unauthorised utility buildings for use on caravan site.	<ul style="list-style-type: none"> • 15/10/2010 - EN served • 08/02/2010 - Appeal received • 10/11/2010 - Appeal dismissed • 25/06/2013 - Three Planning applications received • 06/11/2013 – The three applications refused at Planning Committee. • 13/12/2013 - Appeal Lodged • 21/03/2014 – EN's served and become effective on 24/04/2014/ 04/07/2014 - Appeal Start date - Appeal to be dealt with by Hearing • 31/01/2015 – New planning appeal received for refusal of Application DC/13/3708 • 03/02/2015 – Appeal Decision – Two notices quashed for the avoidance of doubt, two notices upheld. Compliance time on notice relating to mobile home has been extended from 12 months to 18 months. • 10/11/2015 – Informal hearing held • 01/03/2016 – Planning Appeal 	30/09/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>dismissed</p> <ul style="list-style-type: none"> • 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 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>released for enforcement notice served in connection with unauthorised occupancy /use of barn.</p> <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. 	

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"> • Injunction granted. Three months given for compliance with Enforcement Notices served in 2010. • 13/12/2018 – Site visit undertaken in regards to Injunction served for 2014 Notice. No compliance. Passed back to Legal for further action. • 04/02/2019 –Site visit undertaken to check on compliance with Injunction served on 01/11/2018 • 26/02/2019 – case passed to Legal for further action to be considered. Update to be given at Planning Committee • High Court hearing 27/03/2019, the case was adjourned until the 03/04/2019 • 03/04/2019 - Officers attended the High Court, a warrant was issued due to non-attendance and failure to provide medical evidence explaining the non-attendance as was required in the Order of 27/03/2019. 	

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"> 11/04/2019 – Officers returned to the High Court, the case was adjourned until 7 May 2019. 07/05/2019 – Officers returned to the High Court. A three month suspended sentence for 12 months was given and the owner was required to comply with the Notices by 03/09/2019. 05/09/2019 – Site visit undertaken; file passed to Legal Department for further action. Court date arranged for 28/11/2019. 28/11/2019 - Officers returned to the High Court. A new three month suspended sentence for 12 months was given and the owner was required to comply in full with the Injunctions and the Order of the Judge by 31/01/2020 Site visited. Case currently with the Council's Legal Team for assessment. Charging orders have been placed on the land to recover costs. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
EN/09/0305	18/07/2013	South	Park Farm, Chapel Road, Bucklesham	Storage of caravans	<ul style="list-style-type: none"> • Authorisation granted to serve Enforcement Notice. • 13/09/2013 -Enforcement Notice served. • 11/03/2014 – Appeal determined - EN upheld Compliance period extended to 4 months • 11/07/2014 - Final compliance date • 05/09/2014 - Planning application for change of use received • 21/07/2015 – Application to be reported to Planning Committee for determination • 14/09/2015 – site visited, caravans still in situ, letter sent to owner requesting their removal by 30/10/2015 • 11/02/2016 – Site visited, caravans still in situ. Legal advice sought as to further action. • 09/08/2016 – Site re-visited, some caravans re-moved but 20 still in situ. Advice to be sought. • Further enforcement action to be put on hold and site to be 	April 2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>monitored</p> <ul style="list-style-type: none"> • 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. 	
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 	20/01/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>action.</p> <ul style="list-style-type: none"> • Notice withdrawn • 09/07/2018 – Notice reserved, compliance date 3 months from 06/08/2018 (expires 06/11/2018) • 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. 	

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"> 01/04/2019 – Enforcement Notice served. 28/05/2019 – Enforcement Appeal has been submitted to the Planning Inspectorate. Start date has now been received, Statements are due by 12/12/2019. Awaiting Planning Inspectorate Decision Appeal dismissed with amendments. Compliance period extended to 6 months. 	
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/2016/0425	21/12/2016	North	Barn at Pine Lodge, Hazels Lane, Hinton	Breach of Condition 2 of PP C/09/1287	<ul style="list-style-type: none"> • EN served on 21/12/2016 • Notice becomes effective on 25/01/2017 • Start date has been received. Public Inquiry to be held on 08/11/2017 • Enforcement Appeal to be re-opened Public Inquiry set for 15/05/2018. • 06/06/2018 – Appeal dismissed. Three months for compliance from 06/06/2018 (expires 06/09/2018). • Site visit to be conducted once compliance period has finished. • 09/10/2018 – Site visit conducted, no compliance with Enforcement Notice. Case to be referred to Legal Services for further action. • Site visit due on 07/01/2019. • 07/01/2019 – Site visit undertaken, no compliance with Notice. Case referred back to Legal Services for further action. • 26/02/2019 – Update to be given at Committee. • Awaiting update from Legal. 	30/09/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • 07/05/2019 – Officers returned to the High Court to seek an Injunction for failure to comply with the Enforcement Notice. An Injunction was granted and the owner is required to comply with the Injunction by 03/09/2019 • 05/09/2019 – Site visit undertaken, case file passed to Legal Department for further action. • Court date arranged for 28/11/2019 • 28/11/2019 - Officers returned to the High Court. A new three month suspended sentence for 12 months was given and the owner was required to comply in full with the Injunctions and the Order of the Judge by 31/01/2020. • Site visited. Case currently with the Council's Legal Team for assessment. • Charging orders have been placed on the land to recover costs. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
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. • 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 	31/09/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • Appeal started. Statement submitted for 16th June 2020 • Awaiting Planning Inspectorate Decision 	
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. • Appeal has been submitted. Awaiting Start date. • Start letter received from the Planning Inspectorate. 	05/08/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					Statement due by 30/07/19. <ul style="list-style-type: none"> • Awaiting Planning Inspectorate Decision • Appeal dismissed. Compliance with both Notices by 05/08/2020 	
ENF/2018/0057	15/11/2018	North	The Stone House, Low Road, Bramfield	Change of use of land for the stationing of chiller/refrigeration units and the installation of bunds and hardstanding	<ul style="list-style-type: none"> • Enforcement Notices served on 10/12/2018 • Notice effective on 24/01/2019 • 3 months given for compliance • Appeal submitted awaiting Start Date. • Start letter received from the Planning Inspectorate. Statement due by 30/07/19. • Awaiting Planning Inspectorate Decision • Appeal dismissed and amended. Compliance with both Notices by 13/08/2020 	13/08/2020
ENF/2018/0276	23/11/2018	North	Bramfield Meats, Low Road, Bramfield	Breach of Condition 3 of planning permission DC/15/1606.	<ul style="list-style-type: none"> • Breach of Condition Notice served • Application received to Discharge Conditions • Application pending decision • Further details required to determine application. 	30/08/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • Notice complied with; due requirement of notice was to submit the application. 	
ENF/2018/0330 /LISTM	17/05/2019	North	Willow Farm, Chediston Green, Chediston	Unauthorised double glazed windows installed into a Listed Building	<ul style="list-style-type: none"> • Listed Building Enforcement Notice served on 17/05/2019. • Notice takes effect on 20/06/2019. Three months for compliance • Appeal has been submitted, awaiting a start date. • Start date now received by the Council, Statements due by 12/12/2019 • Awaiting Planning Inspectorate Decision • Appeal Dismissed. Compliance period 3 months. 	21/10/2020
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	<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 	30/10/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
				laying out of pipe works in the course of which waste material have been excavated from the site and deposited on the surface.	<p>28/05/2019.</p> <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 	
ENF/2018/0385 /COND	01/08/2019	North	28 Beverley Close Lowestoft	Breach of condition 2 & 3 of DC/15/2586/FUL	<ul style="list-style-type: none"> • Breach of Condition Notice served 01/08/2019. • DC/19/4557/VOC Planning application submitted 21/11/2019 • Application refused 15/01/2020 • Currently within appeal period. • Application received DC/20/1387/AME to amend roof material. • DC/20/1387/AME approved 28/04/2020. • Team monitoring progress 	30/10/2020
ENF/2019/0272 /DEV	16/08/2019	South	Rosery Cottage Barn, Lodge Road, Great Bealings	Change of use of a building	<ul style="list-style-type: none"> • Enforcement Notice served 16/08/2019. • Appeal submitted, awaiting start letter. • Appeal started, statement 	30/10/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					due by 22 nd June 2020 • Awaiting Planning Inspectorate Decision	
ENF/2019/0391 /SEC215	26/11/2019	North	46 Wissett Way Lowestoft	Untidy Site	• Notice served 26/11/2019 • Compliance visit to be conducted when possible. • Site visit conducted 12/06/2020, notice not fully complied with. Internal discussions taking place regarding next step. • Enquires being made to take direct action.	27/06/2020
ENF/2019/0320 /USE	05/12/2019	North	Boasts Industrial Park, Worlingham	Change of use	• Enforcement Notice served 05/12/2019 • Enforcement Appeal submitted, awaiting Start Letter from PINS • Appeal started; Public Inquiry - statement due by 27 July 2020. • Notice withdrawn, new site visit to be undertaken.	10/10/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
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. 	30/09/2020
ENF/2015/0214 /MULTI	17/01/2020	South	98 Tangham Cottages, Tangham	Change of use of land and building for business, residential and holiday let purposes	<ul style="list-style-type: none"> 17/01/2020 – Enforcement Notice served. Appeal received. Statements due by 27/04/2020 Awaiting Planning Inspectorate Decision Appeal dismissed with amendment. Compliance period extended to 6 months. Judicial Review has been applied for by the appellant. 	26/12/2020
ENF/2017/0336 /SEC215	04/03/2020	North	Harmony Hall London Road Weston	Unauthorised dwelling and use of land for the stationing of a mobile home and outbuilding	<ul style="list-style-type: none"> Notice served 04/03/2020 Compliance by 06/08/2020 	06/08/2020

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2019/0035 /DEV	30/06/2020	South	The White Cottage, 3-4 Queens Head Lane, Woodbridge	Installation of a wheelchair lift	<ul style="list-style-type: none"> 30/06/2020 – Enforcement Notice served. Appeal submitted. 	03/10/2020

Committee Report

Planning Committee - 11 August 2020

Application no DC/20/0951/FUL

Location

JD Power Tools
Alexandra Road
Lowestoft
NR32 1PL

Expiry date 4 June 2020

Application type Full Application

Applicant Orwell Homes Ltd

Parish Lowestoft

Proposal The demolition of existing commercial buildings and the construction of a residential development of 31 - one bedroom flats over 3/4 storeys with under croft parking and associated works.

Case Officer Joe Blackmore, Principal Planner (Development Management)
Joe.Blackmore@eastsoffolk.gov.uk

1. Summary

- 1.1 The application seeks planning permission for 31 affordable homes on a brownfield site in Lowestoft.
- 1.2 The proposed development utilises a sustainably located site for affordable housing in a location where there is a high need for affordable homes. The level of parking provision and cycle storage is deemed to be acceptable to serve the development, and the external appearance of the building is appropriate for its context.
- 1.3 The application has been referred to the Planning Committee (North) by the Referral Panel, as members of the Panel raised concerns with the layout/design of the development in respect of bin storage and presentation areas, and therefore considered that the committee ought to determine this application.
- 1.4 The applicant has amended the proposals to try and address that feedback, and considerable improvement has been made. The additional waste storage provision, and

built enclosure of that additional provision, is a positive change. However, some areas of waste storage and presentation will be outside the main building envelope, adjacent the Alexandra Road frontage. Officers acknowledge that this is not ideal, and that this will need to be considered in the context of the whole application and all relevant matters, including the public benefits arising from the proposal.

- 1.5 Officers conclude that, on balance, the provision of 31 affordable homes is a very significant public benefit, indicating that the application can be approved.

2. Site description

- 2.1 The application site is located within the Lowestoft town settlement as defined in the Local Plan. The site lies to the east side of the A47/A1144/St Peter's Street roundabout, and to the west side of Alexandra Road (where it is accessed from). The site is brownfield (previously developed land) and falls within a mixed area of residential and commercial development.
- 2.2 The site is currently vacant as the former business (Tool Hire Centre) has moved to another location in Lowestoft. Two buildings each separated and bounded from one another occupy the site and the North Western side of the site has an entrance directly onto St. Peters Street. The building on the South Eastern part of the site is immediately adjacent to the footpath of Alexandra Road and has a gateway entrance to the yard that bounds the site to the North.
- 2.3 The site is not within a designated conservation area, nor does it fall within the setting of any designated heritage assets. It is a low risk flood area (zone 1) and there no known surface water issues in this location.

3. Proposal

- 3.1 The application seeks planning permission for the development 31 affordable homes. These would all be 1-bedroom (2-person) flats with gross internal floor areas of each unit ranging from 46.4 square metres to 55.5 square metres. Within the site a total of 15 vehicle parking spaces would be provided, along with storage provision for 28 cycles.
- 3.2 The proposal includes a disabled access lift to the North East corner. This will provide wheelchair access to 5 more flats, creating a total of 9 wheelchair accessible flats, which is approximately 30% of the development.
- 3.3 This scheme follows a previous withdrawn application (ref. DC/19/3520/FUL) where officers raised concerns over the design of development and relationship to the character and appearance. This scheme responds to those concerns and officer advice provided at pre-planning stage.
- 3.4 The proposed building is of three and four storey elements in an enclosed courtyard form. The surrounding area has similar types of domestic complexes of three storeys. The building is relatively tall, but this mass has been broken up by the stepping of blocks with the three-storey element to the west of the site. Parking is concealed within the scheme.

4. Consultations/comments

4.1 No third-party representations received.

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	6 March 2020	26 March 2020
Summary of comments: Lowestoft Town Council Planning and Environment Committee has duly considered this application. It was unanimously agreed to recommend refusal of the application due to the density of the proposed development. Concern was expressed for the poor standard of environmental design and the environmental impact of such development, including lack of green space and bin storage provision. The lack of accessibility above the ground floor, as per the Town Council's comments when the application was first submitted (DC/19/3520/FUL), is also a factor in this recommendation to refuse the application as submitted.		

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Flooding Authority	6 March 2020	12 March 2020
Summary of comments: Recommend approval with conditions.		

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	6 March 2020	25 March 2020
Summary of comments: Holding objection due to insufficient parking provision.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	6 March 2020	No response
Summary of comments: No comments received.		

Non statutory consultees

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	6 March 2020	23 March 2020
Summary of comments: Ground investigation and remediation required by condition.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	6 March 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Disability Forum	6 March 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Housing Development Team (Internal)	6 March 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	6 March 2020	14 April 2020
Summary of comments: Fire hydrants required by condition.		

Consultee	Date consulted	Date reply received
Network Rail	6 March 2020	23 March 2020
Summary of comments: No objections.		

Consultee	Date consulted	Date reply received
Suffolk County Council Section 106 Officer	6 March 2020	25 March 2020
Summary of comments: Advice given on CIL matters.		

Consultee	Date consulted	Date reply received
CIL (Internal)	6 March 2020	9 March 2020
Summary of comments: Internal; CIL advice given.		

Consultee	Date consulted	Date reply received
Police - Alan Keely Crime Reduction Beccles Police Station	6 March 2020	5 May 2020
Summary of comments: Concerns with the design of the proposals in terms of secured by design criteria.		

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	6 March 2020	27 March 2020
Summary of comments: Internal planning consultee; see report.		

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	6 March 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
NHS England Midlands And East	6 March 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	6 March 2020	No response

Summary of comments:
No comments received.

Consultee	Date consulted	Date reply received
Ecology (Internal)	6 March 2020	27 March 2020
Summary of comments: No objections.		

5. Publicity

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

Category	Published	Expiry	Publication
Major Application	13 March 2020	3 April 2020	Beccles and Bungay Journal
Category	Published	Expiry	Publication
Major Application	13 March 2020	3 April 2020	Lowestoft Journal

Site notices

General Site Notice	Reason for site notice: Major Application Date posted: 12 March 2020 Expiry date: 2 April 2020
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6. Planning policy

National Planning Policy Framework

WLP1.1 - Scale and Location of Growth (East Suffolk Council - Waveney Local Plan (March 2019))

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

WLP8.1 - Housing Mix (East Suffolk Council - Waveney Local Plan (March 2019))

WLP8.2 - Affordable Housing (East Suffolk Council - Waveney Local Plan (March 2019))

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

WLP8.24 - Flood Risk (East Suffolk Council - Waveney Local Plan (March 2019))

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

7. Planning considerations

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) sets out that *"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."* This is reflected in paragraph 12 of the NPPF which affirms the statutory status of the development plan as the starting point for decision-making.
- 7.2 The development plan comprises the East Suffolk Council - Waveney Local Plan ("The Local Plan") and any adopted Neighbourhood Plans. The relevant policies of the Local Plan are listed in the section above and will be considered in the assessment to follow. It is important to also note that NPPF paragraph 11 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.

Principle of Development

- 7.3 The application site is located within Lowestoft Town settlement as defined the Local Plan. Local Plan spatial strategy policies WLP1.1 and WLP1.2 set out, broadly, that new development should generally be directed to within the defined settlement boundaries, with the majority of development over the plan period allocated to Lowestoft as the largest town in the District. The principle of residential development, in that context, is entirely supported by the Local Plan.
- 7.4 The proposal also represents the re-use of a suitable brownfield site in the town centre, which the National Planning Policy Framework says should be given substantial weight in decision-taking.
- 7.5 The loss of the commercial premises is not objected to, as the site falls outside of a Local-Plan-defined employment area or shopping area. The Local Plan allows for re-use of such sites for residential development.

Affordable Housing and Mix

- 7.6 Most recent data suggest that there are some 3,970 people on the Housing Register for East Suffolk. Of those registered, some 869 people claim a local connection to Lowestoft and of those, 330 applicants are in Housing Need. Of those 330 applicants, the size of property they require is as follows:
- 1 bedroom - 163
 - 2 bedroom - 102
 - 3 bedroom - 40
 - 4 bedroom - 21
 - 5 bedroom - 4

- 7.7 The proposal is for 31 dwellings, of which all would be affordable homes. Orwell Housing, as applicants, are the Registered Social Landlord who will be responsible for taking on, delivering and managing the affordable homes. This would need to be secured by S106 agreement prior to any permission being granted.
- 7.8 The provision of 31 affordable (1-bedroom) homes is a highly significant public benefit and will make an important contribution to meeting the high local need for this accommodation. The provision of affordable housing, and mix of property type and size, meets the objectives of Local Plan policies WLP8.1 and WLP8.2.

Highways and Sustainable Transport

- 7.9 Local Plan policy WLP8.21 relates to sustainable transport and seeks, amongst other things, to locate and design development so it can be accessed via multiple modes of transportation, and with safe and suitable access for all. NPPF paragraph 109 gives clear guidance that:

"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

- 7.10 The site is located within walking distance of shops and services to meet everyday needs. Public transport in the form of bus and rail is readily accessible. The development will provide secure cycle storage for 28 cycles which will encourage the use of that transport mode. Fifteen parking spaces would be provided which is a reasonable provision (approx. 50% of the number of units).
- 7.11 The County Highways Authority has objected to the application on the grounds that there is a lack of parking and cycle storage. They would expect to see at least 31no parking spaces; and storage for 62 cycles.
- 7.12 Whilst the concerns of the Highways Authority are noted, this is a very sustainable location. It is not unreasonable to assume residents moving to these properties would perhaps not own private vehicles, or not require one given all day-to-day needs can be met via other modes of transportation. Near the application site parking is controlled, so the development proposal would not likely lead to unsafe parking on the highway. Officers consider that the proposal strikes the right balance between providing some vehicle parking, some provision of secure cycle storage, and relying on the sustainable location of the site and good pedestrian and public transport links. The site access utilises the existing Alexandra Road access and will stop up the other vehicle access onto St Peter's Street that is unsafe; the proposal could arguably be said to offer highways safety benefit, in that regard.
- 7.13 Accordingly, there is no reason to refuse permission on highways grounds, and the proposal accords with the sustainable transport objectives of WLP8.21.

Design of Development

- 7.14 The design has been driven by accommodating the number of flats and parking required, therefore it is of three and four storey elements in an enclosed courtyard form. The

surrounding area has similar types of domestic complexes of three storeys. The building is relatively tall, but this mass has been broken up by the stepping of blocks with the tree storey element to the west of the site. Parking is concealed within the scheme. Therefore, the development will relate to the surrounding area. The choice of brick would need to be carefully controlled by planning condition to ensure a good finish and appearance, should permission be granted.

- 7.15 In terms of functional design, the scheme originally provided bin storage areas for 6no. 1100L waste bins; however, members of the Referral Panel raised concerns with this in terms of under provision and also that areas of waste storage would be outside the main building envelope, and fronting onto Alexandra Road. This feedback was relayed to the applicant who has since liaised with East Suffolk Norse to clarify the waste provision required to serve the development. The Design and Access Statement has been updated, in this regard, with the following information provided:

“After further consultation with Kirk Robinson from Norse it was confirmed that additional bins would need to be added to the proposed scheme to meet the requirement of 120Ltr per one bedroom flat. So, the following was calculated: 120Ltr x 31 = 3,720 Ltr, so with three 1,100Ltr Euro bins = 3,300Ltr + two 240Ltr Wheelie bins a total of 3,780Ltr would be provided for each of the general and recycling waste. A total 7,440Ltr of waste collection requirements has now been met in the provision of six 1,100Ltr Euro bins and four 240Ltr Wheelie bins.

To reduce the impact on the Bins on the street scene the switch room has been relocated and split between each of the entrance lobbies. Each lobby will house individual meters under the stairs. The switch room has been re-allocated as a bin store accommodating 4-euro bins. The Bin store will have a personnel door into the outer lobby and also a collection door as can be seen on the revised plans...

The two Euro bins that were located on the Southern boundary have been moved between the personnel and the vehicular entrances...

The design of this bin store has been altered with a brick outer wall to match the main building and a hipped roof...

This bin store now has less mass as it is half the size of the previous bin store and it will be planted out to help it blend in with the main building. The extra four 240Ltr wheelie bins have been placed on the southern boundary in the location of the previous 2 euro-bin store, however these are very small wheelie bin stores that will be placed against the boundary and will also have planting to disguise them from the roadside.

The position of all bins is within easy access of a kerbside collection and splitting them as has been done will provide an additional closer location for the flats on the North-Eastern side of the block. Looking back at the previous use of this site it has been established that this is a historical location for the bin collection of the waste from the offices that currently occupy this side of the site, whilst the Southern bin collection points are roughly in the same position as the historical collection point for the yard and workshop location on the South Eastern side of the site.

With timber panelling to matches the other bin store already proposed. As the position of the new bin store is within the building itself, it will have little impact on the street scene and the proposed planting to front boundary will shield the view of the doors and access path.”

- 7.16 E-mail confirmation from East Suffolk Norse shows that they are satisfied with the provision of waste bins to meet the development. It then turns to whether the layout design, in terms of bin storage/presentation, is acceptable.
- 7.17 In the view of officers, the applicant has made significant changes to the scheme – increasing the waste storage provision, and ensuring that the main area of large waste bins is entirely enclosed within the building footprint, with a separate, clear access for both depositing and collecting. The brick-built bin store with a hipped roof, located on the Alexandra Road frontage, will be relatively modest and enclosed, ensuring that this is not unsightly in the streetscene. The provision/storage of four wheelie bins would again be outside the building envelope but located in a timber panelled store. In combination, all these changes are deemed to be acceptable and officers have no significant concerns with the waste storage/presentation areas now incorporated into the layout.
- 7.18 The undercroft parking and cycle storage is well-contained within the site and allows the external presentation to the public realm to be of built form, rather than parked vehicles.
- 7.19 The Suffolk Designing out Crime Officer has raised concerns with the scheme - particularly the undercroft parking and areas of hit-and-miss-brickwork. Officers have duly considered those concerns raised, but not consider the scheme has design flaws which will lead to future crime. The design of development is deemed to be safe and functional.
- 7.20 The density of development is very high, but that is an approach supported broadly by the Local Plan and NPPF in terms of efficient land use in urban areas.
- 7.21 The proposal brings the benefit of creating a more attractive site compared to the existing brownfield use, and for the reasons given, the design accords with the objectives of WLP8.29 and WLP8.32.
- 7.22 Policy WLP8.29 (Design) seeks, amongst other things, to protect the amenity of the wider environment, neighbouring uses and provide a good standard of amenity for future occupiers.

Residential Amenity

- 7.23 There are no residential properties immediately adjacent or in close proximity of the site, therefore amenity considerations relate to those of future occupiers of the flats.
- 7.24 The one bedroom flats/apartments would each have a gross internal floor area (GIA) of anywhere from 46.4 to 55.5 square metres. The Governments Technical housing standards - nationally described space standard, sets out that one bedroom (two person) flats should have 50 square metres GIA. The proposed units are generally of a size to accord with those standards, with deviations from 50 being quite minor. The flats would have large windows on multiple sides, ensuring good levels of light to each unit and the rooms within. Across the internal courtyard, there would be some overlooking between flats, but that is not

uncommon for an urban flatted scheme. In any case, the courtyard windows would be a secondary outlook, with the principal view being outward via road-facing windows.

- 7.25 Whilst there is no public open space within the development, the site is close to shops, services and a whole array of facilities within the town. The lack of open space on site is not of concern in this urban context.
- 7.26 The proposal is acceptable in terms of residential amenity in accordance with WLP8.29 (Design).

Flood Risk and Surface Water Drainage

- 7.27 The site is located in Environment Agency Flood Zone 1 - the lowest risk area - and therefore sequentially preferable for residential development. A surface water drainage strategy has been provided and is deemed acceptable by the Local Lead Flood Authority. The proposal accords with WLP8.24 (Flood Risk).

Ecology

- 7.28 From the information available the site appears to be of low value for biodiversity and therefore redevelopment is unlikely to result in any significant adverse impacts on protected species or UK Priority species or habitats (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)). However, whilst it is acknowledged that there is a small amount of landscaping planned for the front of the building, the proposed development does very little to enhance the biodiversity value of the area. The inclusion of ecological enhancements, such as integrated nesting boxes for birds (including swifts) and green walls, should form part of the design in order to deliver biodiversity net gain on the site. This could be dealt with by planning condition on any permission granted.
- 7.29 In addition to the above, the site is within the Suffolk RAMS Zone of Influence (Zone B) and therefore a financial contribution to the scheme (or equivalent mitigation identified via a Habitats Regulations Assessment (HRA)) is required in order to mitigate in-combination recreational disturbance impacts on habitats sites (European designated sites). This would be secured through the S106 legal agreement, prior to the application being determined.

Other Matters

- 7.30 The submitted ground investigation report identifies so limited ground contamination and therefore standard conditions are recommended by the Environmental Health Officer to deal with this prior to the development being occupied.

8. Conclusion

- 8.1 The proposed development utilises a sustainably located brownfield site for affordable housing in a location where there is a high need for affordable homes. The level of parking provision and cycle storage is deemed to be acceptable to serve the development, and the design of the proposal is appropriate for its context.

- 8.2 Officers consider that the proposal represents a sustainable form of development and therefore the application is recommended favourably.

9. Recommendation

- 9.1 Authority to Approve, subject to signing of a S106 Legal Agreement to secure affordable housing provision, and per-dwelling contribution to fund the Suffolk (Coast) RAMS; and with conditions (summarised) as recommended below.

10. Conditions (summarised)

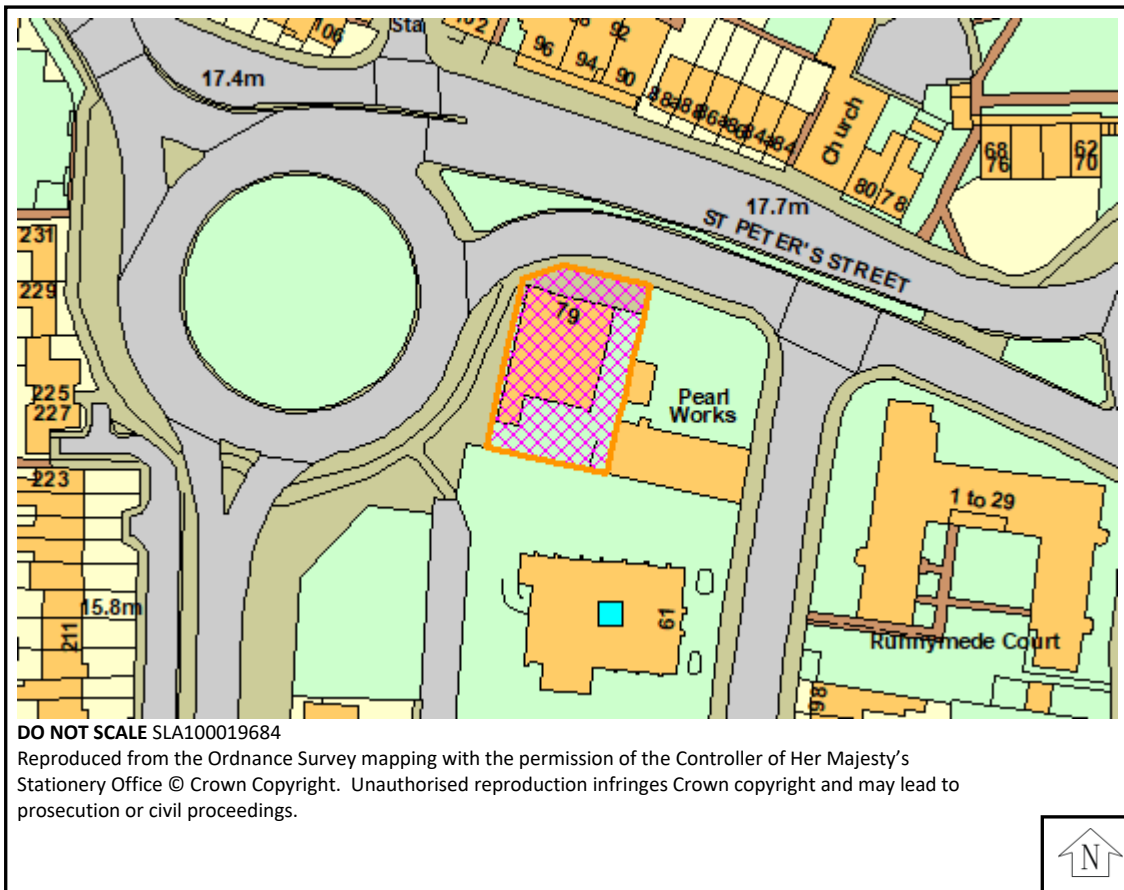
1. Three-year time limit.
2. Standard plans/drawing compliance.
3. Details of external materials to be agreed.
4. Details of landscape planting to be agreed.
5. Details of fire hydrant provision to be agreed.
6. Details of ecological enhancement measures to be agreed.
7. Ground investigation: standard conditions to secure contaminated land investigation, remediation, and validation.
8. Drainage: details of strategy (including its long-term implementation, maintenance and management) to be agreed pre-commencement of development.
9. Drainage: drainage system components and piped networks details to be submitted for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.
10. Highways: standard conditions to secure parking/manoeuvring areas; cycle storage; bin storage and presentation areas etc.

Background papers





See application reference DC/20/0951/FUL at:

<https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q6IXQNQXI4A00>

Map



Key

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

Committee Report

Planning Committee - 11 August 2020

Application no DC/20/1964/FUL

Location

Pastures Farm
Beccles Road
Sotherton
IP19 8NW

Expiry date 23 July 2020

Application type Full Application

Applicant Mr D Meek

Parish Sotherton

Proposal Conversion of agricultural building following class Q approval ref. DC/19/3792/PN3 including alteration to plan and elevation. [Resubmission of planning refusal ref. DC/20/0054/FUL]

Case Officer Joe Blackmore, Principal Planner
01394 444733
Joe.Blackmore@eastsuffolk.gov.uk

1. Summary

- 1.1 The application seeks planning permission for the conversion of an agricultural building to a dwelling.
- 1.2 The proposed conversion is contrary to the Local Plan as the building is not a heritage asset, nor is it locally distinctive or of architectural merit. Ordinarily, the building would not be considered appropriate for residential conversion under the Local Plan policies, and officers would recommend refusal. However, the building benefits from a permitted development conversion to residential use (ref. DC/19/3792/PN3), and this is an extant prior approval that can be implemented at any time (providing development is completed by November 2022). This scheme would see the physical building converted into a two-bedroom dwelling

in largely the same manner as now proposed in this application. The extant permitted development is a material consideration of significant weight in support of the application.

- 1.3 All this application effectively does, is provide the dwelling with a formal area of curtilage/garden larger than that allowed under the permitted development scheme. That will ultimately provide a better standard of living for future occupiers of the dwelling, and the creation of that curtilage will not cause any harm to the significance of the nearby grade II listed farmhouse.
- 1.4 On that basis, officers consider that there are no grounds to withhold planning permission, and the scheme can be approved. The application is brought direct to committee as a departure from the Development Plan.

2. Site description

- 2.1 Pastures Farm is located in the rural parish of Sotherton on the Halesworth to Beccles Road (B1124). The site is located just to the north of Upper Holton outside of any physical development limits, thus it is regarded as countryside, for planning purposes.
- 2.2 The wider site comprises the farmhouse which is listed grade II; two ranges of linear farm buildings to the southern side of the house (one attached); a reservoir; two paddocks; and a detached brick and tile cartlodge located six metres from the northern rear corner of the dwelling.
- 2.3 There are two access points to the farmstead: one to the west side which services the lower farm area (where the application building is located); and one to the east which services the farmhouse.
- 2.4 The site is not within a conservation area or Area of Outstanding Natural Beauty. There are no ecological designations covering the site (SSSIs, SPA, SAC, RAMSAR etc.). Whilst the farmhouse is listed grade II and the small cart shed building to the north east of it is curtilage listed, the application building is of modern construction and map regression shows it did not form part of the historic farmstead; thus, it is not a curtilage listed building. Its lack of architectural or historical merit also indicates that it is not a non-designated heritage asset.
- 2.5 The site is located in flood zone 1 and there are no known surface water flooding issues in this location.
- 2.6 The previous refusal on the site (ref. DC/20/0054/FUL) was because the building was to be largely demolished and replaced, not representing a conversion similar to the permitted development fallback.

3. Proposal

- 3.1 The proposed development is to convert an existing single storey agricultural building into a two bedroom dwelling with a gross internal floor area of approx. 83 square metres. The

walls are of brick and block construction with close boarding to the upper walls, all built on a concrete floor slab. The roof is unlined and the timber structure supports corrugated cement fibre sheets. The building is adjacent an open-sided storage barn and it was formerly used as a dairy.

- 3.2 Previous applications were supported by a letter from The Morton Partnership (Consulting Civil Engineers and Structural Engineers, Historic Buildings Specialist) which sets out that, broadly, the existing structure is capable of re-use and thus suitable for conversion. Officer site visits found that the building is of substantial construction and clearly able to be converted without structural alteration.
- 3.3 There is no precise detail on external materials to be used in the development, aside from natural timber boarding (walls) and pantiles (roof). However, the plans and drawings show that internal partition walls would be retained, and openings would often utilise (but enlarge) existing openings in the building. The information provided is considered sufficient in detail to demonstrate how the conversion would be achieved. Should permission be granted, then a planning condition would need to cover the precise details of external materials.
- 3.4 The proposal includes an area of curtilage to the front of the building, enclosed by a post and rail fence and low hedgerow. Two parking spaces would be provided. This area is larger than that allowed by the terms of the extant permitted development conversion, as Class Q of the General Permitted Development Order (GPDO) only allows for converted dwelling houses to have a curtilage the same area as the ground footprint of the converted building; this is nearly always very small and not functional.

4. Consultations/comments

- 4.1 No third-party representations received.

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Sotherton Parish Council	8 June 2020	No response
Summary of comments: No comments received.		

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	8 June 2020	29 June 2020
Summary of comments: No objections.		

Non statutory consultees

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	8 June 2020	18 June 2020
Summary of comments: No objections; standard conditions recommended.		

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	8 June 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	8 June 2020	19 June 2020
Summary of comments: No objections.		

5. Publicity

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

Category	Published	Expiry	Publication
Affects Setting of Listed Building; Departure from Development Plan	12 June 2020	3 July 2020	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Affects Setting of Listed Building; Departure from Development Plan	12 June 2020	3 July 2020	Lowestoft Journal

6. Planning policy

National Planning Policy Framework (2019)

WLP1.1 - Scale and Location of Growth (East Suffolk Council - Waveney Local Plan (March 2019)

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

WLP8.11 - Conversion of Rural Buildings to Residential Use (East Suffolk Council - Waveney Local Plan (March 2019)

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

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

WLP8.35 - Landscape Character (East Suffolk Council - Waveney Local Plan (March 2019)

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

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

7. Planning considerations

7.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) sets out that planning decisions shall be in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Policy WLP1.2 defines settlement boundaries on the Local Plan Policies Map. Land which is outside of settlement boundaries (such as the application site) is considered as the Countryside. WLP8.11 - Conversion of Rural Buildings to Residential Use - states that:

"The conversion of redundant rural buildings in the Countryside to residential use will be permitted where it secures or safeguards a heritage asset or:

The building is locally distinctive and of architectural merit;

The conversion requires only minimal alteration;

The design maintains or enhances the structure, form and character of the rural building;

The creation of a residential curtilage does not have a harmful effect on the character of the countryside or settlement;

The conversion enhances the immediate setting of the area;

The site is served by an appropriate existing access; and

The development when considered cumulatively with other developments in the Countryside would not result in a level of development which would be contrary to the strategy outlined in Policies WLP1.1 and WLP7.1."

7.3 The building is not a heritage asset, nor is it locally distinctive or of architectural merit. Ordinarily, the building would not be considered appropriate for residential conversion under the Local Plan policies, and officers would recommend refusal. However, the building benefits from a permitted development conversion to residential use (ref. DC/19/3792/PN3), and this is an extant prior approval that can be implemented at any time (providing it is completed by November 2022). This scheme would see the physical building converted into a two-bedroom dwellinghouse in largely the same manner as now proposed in this application. It is considered that the extant permitted development is a material consideration of significant weight in support of the principle of conversion. If this current

application were refused, it seems very likely the applicant would exercise that permitted development right to convert the building into a dwelling.

- 7.4 Therefore, the main issues to consider with this application relate to the detail of the proposed development.
- 7.5 Due to the proximity of the application site to the Grade II listed building the proposal has the potential to affect the setting of the listed building.
- 7.6 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This is reflected in the heritage objectives of the NPPF.
- 7.7 Policy WLP8.37 "Historic Environment" requires that proposals for development should seek to conserve or enhance heritage Assets and their settings.
- 7.8 Given that there is little inter-visibility between the application site and the farmhouse (which is accessed separately, to the northeast) there would not be any material harm to the significance of the listed farmhouse. Thus, no conflict with WLP8.37.
- 7.9 The B1124 is a relatively busy rural route between Beccles and Halesworth although in this location it is not heavily trafficked. The existing access does not benefit from excellent visibility however it is reasonable and not unsafe. The proposed single dwelling would not result in any significant intensification of its use, nor materially increase vehicle traffic in the area.
- 7.10 The proposal provides two parking spaces, which is the same as the extant permitted development scheme. The manoeuvre in-and-out of those spaces is a little awkward, but it seems reasonable that cars can do so and enter the highway in a forward gear. The Highways Authority raise no objections to the proposal subject to conditions.
- 7.11 The proposal is acceptable, in terms of highways safety, in accordance with Policy WLP8.21.
- 7.12 The site has recently been assessed for Bat and Barn Owls that has been reviewed by the Council's Ecologist. The Survey finds no evidence of these species and the building is not a suitable habitat for either. There would be no direct impacts on protected species.
- 7.13 The site is within the Suffolk (Coast) Recreational Avoidance Mitigation Strategy RAMS Zone of Influence (Zone B) and therefore a financial contribution to the scheme (or equivalent mitigation identified via a Habitats Regulations Assessment (HRA)) is required in order to mitigate in-combination recreational disturbance impacts on habitats sites (European designated sites) is required. This mitigation was provided as part of the extant prior approval permission (DC/19/3792/PN3) and can therefore be transferred to this scheme, should permission be granted.
- 7.14 The proposal accords with policy WLP8.34 (Biodiversity and Geodiversity).

- 7.15 The conversion building is well separated from any residential properties, therefore not likely to have any material impact on neighbour living conditions. Future occupiers of the conversion would be subject to noise/disturbance from neighbouring agricultural land use, but that would arise from the extant permitted development scheme, so cannot reasonably be given to withhold planning permission for this application. The relationship between the converted building and retained agricultural buildings is not ideal, although those agricultural buildings are clearly redundant, so not likely to generate activity that significantly harms the living conditions of future occupiers. The adjoining building, to the north, is essentially a storage building used by the occupiers of the existing farmhouse.
- 7.16 The terms of the GPDO only allow for permitted development conversions to have a very small residential curtilage. This application would improve that by creating a larger, formal curtilage to the front of the converted dwelling. That would be of benefit to future occupiers of the dwelling and is a better design than the extant permitted development. The boundary enclosure of a post-and-rail fence with low hedge is appropriate for the rural context.
- 7.17 Whilst the creation of a domestic curtilage will change the character of the site, that harm would arise from the implementation of the extant permitted development. In any case, the proposed curtilage and external appearance of the converted dwelling would be acceptable in the context, and not cause any significant harm to the character and appearance of the area.
- 7.18 The proposal is acceptable in accordance with policies WLP8.29 and WLP8.35.

8. Conclusion

- 8.1 Whilst the proposed building is not ordinarily suitable for residential conversion, in terms of the Local Plan policies, there is an extant permitted development fallback option to convert the building in the same manner now proposed. All this application effectively does, is provide the dwelling with a formal area of curtilage/garden larger than that allowed under the GPDO. That will provide a better standard of living for future occupiers of the dwelling, and it will not cause any harm to the significance of the nearby grade II listed farmhouse.
- 8.2 On that basis, officers consider that there are no grounds to withhold planning permission, and the scheme can be approved.

9. Recommendation

- 9.1 Approve.

10. Conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans/documents: Drawing Nos. 19-148-211 and 19-148-001-A, received 29 May 2020; and Drawing No. 19-148-210-A, received 29 July 2020.

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

3. No development shall take place until precise details of the materials to be used in the construction of the external surfaces of the hereby approved conversion have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interest of design and external appearance of the building in the setting of the grade II listed farmhouse.

4. Prior to first occupation of the approved development, satisfactory precise details of a hedge planting scheme to the site frontage shall be submitted to and approved in writing by the local planning authority.

The approved hedge planting scheme shall be implemented not later than the first planting season following first occupation of the development and shall thereafter be retained and maintained for a period of 5 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.

5. The use shall not commence until the area within the site for the purposes of manoeuvring and parking of vehicles (as shown on Drawing No. 19-148-210-A) has been provided and thereafter that area shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in the interest of highways safety.

6. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a site investigation consisting of the following components has been submitted to, and approved in writing by, the local planning authority:
 - a) A desk study and site reconnaissance, including:
 - a detailed appraisal of the history of the site;
 - an inspection and assessment of current site conditions;
 - an assessment of the potential types, quantities and locations of hazardous materials and contaminants considered to potentially exist on site;
 - a conceptual site model indicating sources, pathways and receptors; and
 - a preliminary assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).
 - b) Where deemed necessary following the desk study and site reconnaissance an intrusive investigation(s), including:

- the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- an explanation and justification for the analytical strategy;
- a revised conceptual site model; and
- a revised assessment of the risks posed from contamination at the site to relevant receptors, including:

human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including: BS 10175:2011+A1:2013 and CLR11.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised.

7. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:
 - details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
 - an explanation, including justification, for the selection of the proposed remediation methodology(ies);
 - proposed remediation objectives and remediation criteria; and
 - proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised.

8. Prior to any occupation or use of the approved development the RMS approved under condition 7 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised.

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised.

10. 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.

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@eastsuffolk.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:

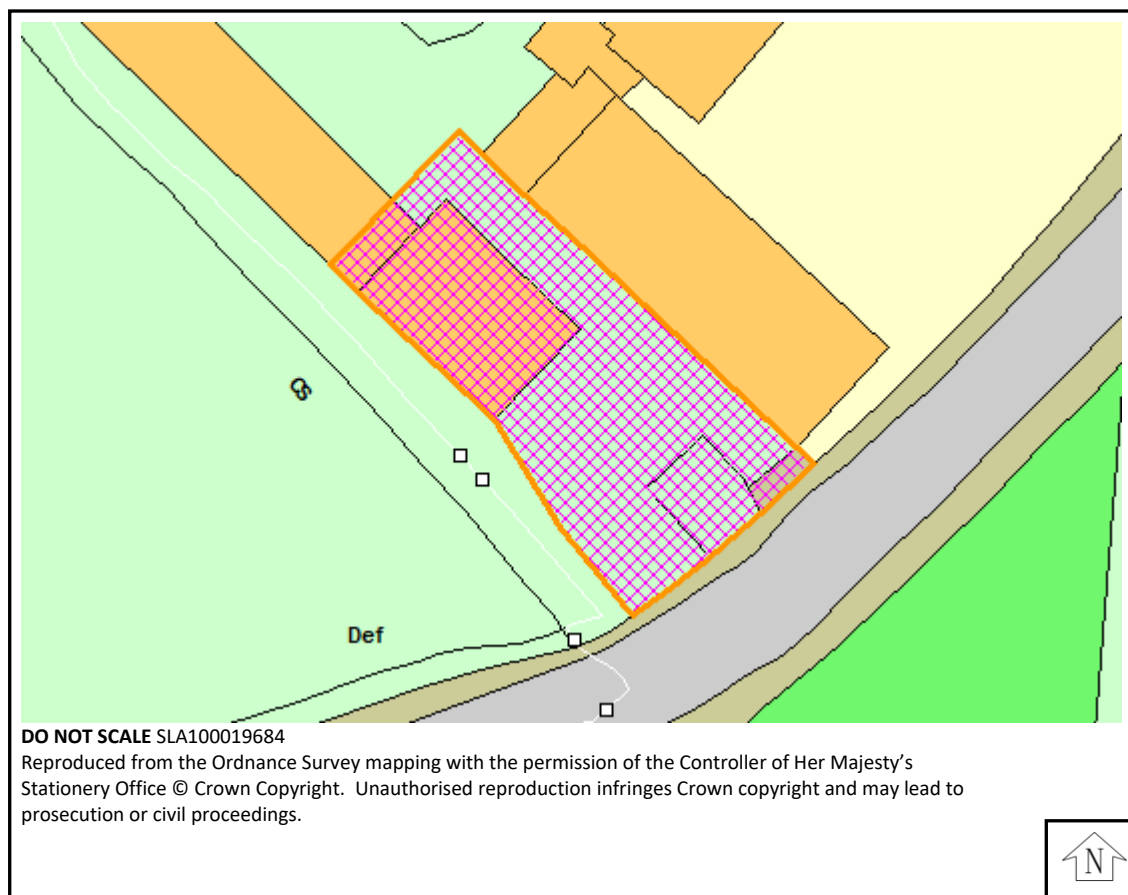
https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5

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





Background papers

See application reference DC/20/1964/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QB3IQ0QXJV900>

Map



Key

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



PLANNING COMMITTEE NORTH

Title of Report:

Woods Meadow Country Park Update

Meeting Date

11 August 2020

Report Author and Tel No

Phil Perkin
Principal Planner (Major Projects)
phil.perkin@eastsuffolk.gov.uk
01502 523073

Is the report Open or Exempt?	Open
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1. Introduction

- 1.1 Following a request of the Committee, a report was presented to the Planning Committee North meeting on 09 June 2020 providing an update on the S106 Agreement for the Woods Meadow development. Several queries were raised at that meeting and the purpose of this report is to provide a further update in respect of all matters raised and developer responsibilities in respect of the Country Park. One other issue, relating to the former Fat and Bone Factory, was also raised.

2. Introduction and background to the Country Park

- 2.1 The concept of a Woods Meadow Country Park was established in the early 1990 's and a Draft Development Brief for the development was prepared in July 1993. Paragraph 1.3 of the Draft Development Brief states:

The brief covers the 46 acres of the housing allocations H5.1 and H5.2 within the Lowestoft and North Waveney Interim Local Plan (LNWILP). It incorporates 26 acres of additional housing which would be released in connection with the provision of a large country park area to the north (of about 50 acres), giving an overall potential development area of 72 acres in total.

- 2.2 Outline planning permission for a mixed-use development comprising of approximately 800 houses, neighbourhood shopping centre, community hall, primary school, play areas and country park was granted in July 2013 subject to conditions and a S106 Agreement.
- 2.3 The S106 Agreement required the transfer of the Country Park land to the Council prior to the occupation of the first dwelling. However, Phase 1 of the development (246 dwellings) was completed in 2018 without the country park land having been transferred to the Council.
- 2.4 An application for Phase 2 of the development (DC/17/1680/ARM) was submitted in May 2017 and considered by the Planning Committee in November 2017. A decision on the application was deferred as Members expressed concern over the lack of progress and timescales for the transfer of the country park land to the Council as required by the S106 Agreement.
- 2.5 The application returned to Planning Committee in January 2019 as by that time the transfer of the country park land to the Council was nearing completion (the delay was due to land contamination issues which are explained in more detail below). Delegated authority to approve the application was granted subject to the completion of the country park land transfer to the Council and the resolution of surface water drainage issues. The country park land was transferred to the Council in February 2019 and the application was approved in October 2019.

3. Delivery of the Country Park

- 3.1 The Council's Delivery Manager for the Country Park has set out the position as of June 2020 as follows:

Background

- 3.2 The piece of land at Woods Meadow was transferred to Waveney District Council as part of a Section 106 Agreement with Persimmon Homes in February 2019. With the transfer comes a contribution to the development and maintenance of the park for amenity purposes for 10 years.
- 3.3 The transfer has taken a long time to come to fruition due to the issue of an area of former landfill adjacent to the northern boundary of the country park, a small part of which actually encroaches into the country park. The Council's Environmental Health Officer needed to be satisfied that any potentially contaminated land within the country park area could be satisfactorily mitigated before the land was transferred to the council.

- 3.4 A main issue with regards to the former landfill site was whether it was causing or contributing to significant pollution of controlled waters (ie ground water). Persimmon Homes finally completed groundwater monitoring in late 2018 to the standard that Environmental Health could determine that there is no significant contamination in the soil groundwater and that there is no need for remediation.
- 3.5 The second issue concerned soil spreading across much of the country park land by Permission. It was not clear whether this soil was from Phase 1 works or Phase 2 and the Environmental Health Officer required reassurance that there was no soil from a contaminated source on the Country Park land.
- 3.6 Persimmon provided details of the amount of soil spread over the country park land, the amount that came from the Phase 2 land and copies of haulage tickets to show that Phase 1 soil has been transported off site. This information was reviewed by the Environmental Health Officer who was of the view that on balance the evidence provided is sufficient to demonstrate that any contaminated soil has been disposed of elsewhere than the country park. Furthermore, the soils will have been mixed and diluted and it is highly unlikely that any of the soil is not fit for use in the country park.

Size

- 3.7 The transfer of land occurred on the 28 Feb 2019. The title number of the country park land with the Land Registry is SK396495. The value stated as at 4 September 2019 was £104,000.
- 3.8 The S106 from 2013 did not set a size for the country park, although Oulton Parish Council highlight that Persimmon stated this would be 50 acres in initial discussions. The actual size that has been transferred is 48.8 Acres. The Parish Council were subject to discussion on this during the transfer period and were present with a representative from Persimmon when the park was measured out. There is, however, a chance that more land could be transferred over, as Persimmon and Suffolk County Council are in disagreement about the boundary land at the school, leaving a strip of no-man's land adjacent to the country park that could come over to ESC (**attachment A**).

Footpaths, Cycleways and Fencing

- 3.9 Footpath 7 crosses the country park. Persimmon Homes are currently putting in a diversion order to move this and it is important to note that they should not carry out any permanent building work over the routes of the existing footpaths until the public path diversion order has been made, confirmed and has taken effect. (**see attachment B for layout**)
- 3.10 ESC cannot make any progress on this public path order until up to date application form have been received from Persimmon, which has not yet been forthcoming.
- 3.11 The issue of the cycle lane was subject to a meeting between officers and Persimmon earlier this year. The cycle lane is going ahead with its original route

where it is adjacent to the phase 2 inside the Park but will then run inside the phase 3 development to avoid detracting further from the park.

- 3.12 County are also keen to use their S106 funding to create a cycleway below the country park, to join with Mobbs Way.
- 3.13 Fences have now been installed delineating the Parks southern boundary, eastern boundary and around the Soakaway. It was noted that Persimmon Homes did not co-operate in moving their heras fence so the fence on southern boundary could not be completed, due to the security style bolts on the fence. An update on 9th July from Persimmon notes that more co-operation has been forthcoming and they are now working with the country park warden to move the fencing.

Management of the Park

- 3.14 Waveney Norse entered into a ten-year agreement to take over the management of the country park through their countryside ranger team. A dedicated staff member (Countryside Officer) works part time to manage the park and carry out a range of duties to ensure its upkeep (from July 2019). Ringfenced monies are available for staffing, grass cutting, general maintenance and any development works, such as tree planting and footpath building.

The KPIs for the management of the park include:

- Ongoing community consultation and communication with the parish council, local school and local residents – including attending meetings, providing updates and holding / attending events, writing articles for newsletters and any other relevant reports.
- Develop a management plan for the park from the initial community consultation and undertake the development of the site from this plan
- Maintenance of the open space for amenity land
- Identification and recording of species on the site and seek to protect any red-book species
- Ensure that H&S is adhered to
- Carry out visitor satisfaction surveys etc, monitor visitor numbers and types of usage
- Ensuring that any reports are written and issues highlighted with the correct procedures
- Set up and manage a volunteer scheme for the park

- Create and maintain the agreed footpaths and signage infrastructure

3.15 Some of the issues that Members raised at the Planning Committee meeting on 9 June 2020 are addressed in this briefing note. Further comment from officers in response to issues raised are as follows:

4. Notification of the transfer of the Country Park land

4.1 The minutes of the November 2019 meeting state, in part, the following:

The Committee supported the proposal that the developer should not commence works until the country park land had been transferred and it was important to make sure the Parish and County Councils were aware when the transfer had taken place.

The Planning Development Manager confirmed that the recommendation in the report advised approval once the delivery of the country park had been satisfactorily resolved. She confirmed that all Planning Committee Members could be advised when the transfer document had been signed.

4.2 As will be noted above the Parish Council were involved in discussions prior to the transfer. The Countryside Officer has advised officers as follows:

I have ensured that Oulton Parish Council has been made aware of any developments re. the Park that I know of.

4.3 The Council's Delivery Manager has provided the following additional comments on this matter:

Oulton Parish Council were kept in the loop through the process during my involvement in the transfer, knew as soon as it had transferred and indeed took part in the staking out of the site. Since we now own the park, the Countryside Officer has done a sterling job in informing both the PC and local residents of what's happening.

4.4 However, officers acknowledge that Planning Committee Members were not advised when the transfer had taken place. Legal matters associated with the transfer of the land did take longer to resolve than was originally envisaged. Officers can therefore only apologise to Members for failing to notify them when the transfer had been completed.

5. Size of the country park

5.1 Officers have looked carefully at the size of the country park and based on the land transfer plan, the area that has been transferred to the Council amounts to some 48.8 acres. Whilst it is acknowledged that this is below the 50 acres that was originally expected there is no breach of the S106 Agreement. As noted above, the S106 Agreement from 2013 does not set a size for the country park but refers to an

area outlined on a plan “or such smaller area as may be agreed by the District Council”. The country park is largely in accordance with the plan in the S106 Agreement. Furthermore, there is no breach of the outline planning permission as this also does not specify a size for the country park.

- 5.2 It is also considered that the size of the country park is in general conformity with the guidance in the Draft Development Brief 1993 which stipulates an area of about 50 acres (see above).
- 5.3 Notwithstanding the above it is likely that the final size of the country park will be closer to the expected 50 acres for the following reasons:
- 5.4 Firstly, there is some 0.75 acres of land immediately to the south of the country park and adjacent to the primary school intended as a community resource car park serving both the country park and the community centre. The primary school will also be free to use it for drop offs. The Council has not yet taken ownership of this car park but will do when the road to it is complete and formally adopted by the Highway Authority. As this carpark will be ancillary to the country park it is considered reasonable to include it in the overall size of the country park. The carpark will come under a car park order allowing 4 hours of free parking for anyone.
- 5.5 Secondly, as will be noted above, there is a chance that approximately 0.1 acres of land adjacent to the primary school could be transferred to ESC (see attachment A).
- 5.6 The additional carpark land and strip alongside the school would take the overall country park area to approximately 49.5 acres.

6. Pegging out of the Country park

- 6.1 With regards to the pegging out of the country park the Countryside Officer has confirmed:

The sites borders are well defined by other property, footpaths etc. The site was pegged out along the border with phase2 and phase 3 Persimmons developments and the area set aside for the Community Centre.

- 6.2 However, as noted above in the Delivery Managers comments (para 3.13), Persimmon Homes have not yet removed some of the security fencing although Persimmon are working with the country park warden to move the fencing.

Update 14 July 2020: Persimmon Homes have confirmed that the heras fencing has been removed which will allow the warden to complete the fencing along the southern boundary of the country park.

7. Concern that the Country Park is being eroded at the edges

- 7.1 The approved layout plan for phase 2 of the development shows a cycle path running in an east-west direction immediately to the north of the housing and curving up into the southernmost part of the country park (**see Attachment C**). The cycle path is critical for connectivity to not only country park itself but the primary school and beyond. Cycle paths are features that are not uncommon within parks and can help to encourage visitors and enhance their experience of them.
- 7.2 As will be noted above Footpath 7 has to be diverted through the country park. Initially this was to have been delineated as a mown grass route. However, to aid accessibility into the country park Persimmon Homes have agreed to provide a hard surface along the entire length of this route. Suffolk County Council Public Rights of Way have confirmed that Persimmon have included a hard surface in their diversion application.
- 7.3 Such a hard surface path will aid accessibility into the country park for wheelchair users and less mobile visitors who otherwise may not have been able to visit. This is an enhanced provision that was not originally envisaged by the Countryside Officer and which is considered to compensate for the slight encroachment of the cycle path into the country park, notwithstanding the fact that the route of the cycle path within the country park is approved.

8. Site of the former Fat and Bone Factory

- 8.1 There are known land contamination issues at the site including large volumes of buried fat and there is a condition on the outline planning permission requiring the submission of a detailed remediation method statement prior to any development on the site. To date Persimmon Homes have carried out significant investigation of the site to further characterise and delineate the contamination present. However, a detailed RMS has yet to be submitted. Until the detailed RMS is submitted and agreed by the Environmental Protection Officer no development on this site can place and Persimmon Homes are aware of this.

9. Conclusion

- 9.1 The Country Park land was transferred to the Council in February last year and since July last year good progress has been made on its implementation. A Countryside Officer works part time to manage the park and carry out a range of duties to ensure its upkeep. The management of the country park will be an ongoing project in consultation with the local community. Key objectives include the creation and maintenance of a welcoming country park that is accessible by all and to transform the arable land into biologically diverse habitats creating an oasis for wildlife.

- 9.2 The expectation from the 1993 Draft Development Brief was that the size of the country park would be approximately 50 acres although this was not stipulated in either the S106 Agreement or the 2013 outline planning permission. The actual size has been calculated as some 48.8 acres although it is possible that the Council will acquire additional land in the future.
- 9.3 Fencing has recently been installed along the southern boundary of the country park. The land is now in the ownership of the Council and a dedicated Countryside Officer in post which will enable the country park to evolve over time into an informal open space that will be of benefit to the welfare and health of local residents and visitors alike.

RECOMMENDATION

That the report be received.

APPENDICES

Appendix A	Left over land
Appendix B	PRoW Amendments
Appendix C	Phase 2 Approved Layout

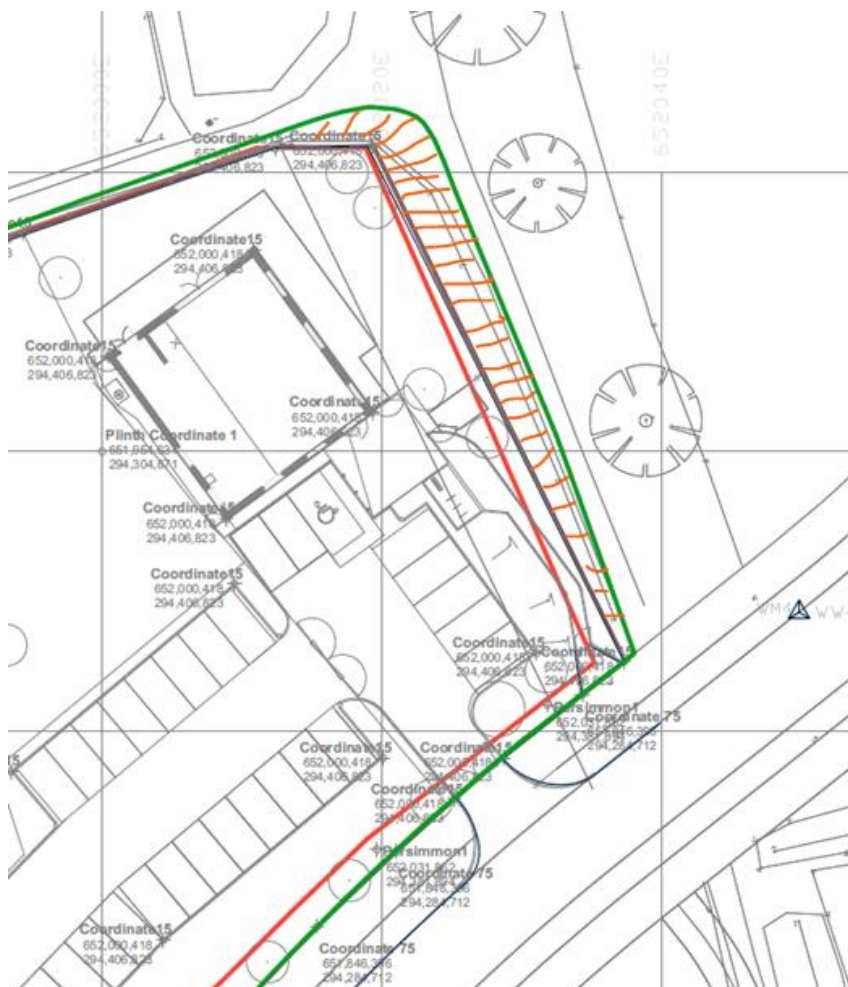
BACKGROUND PAPERS

See Planning Application reference DC/01/0977/OUT

Attachment A – 'left-over land'

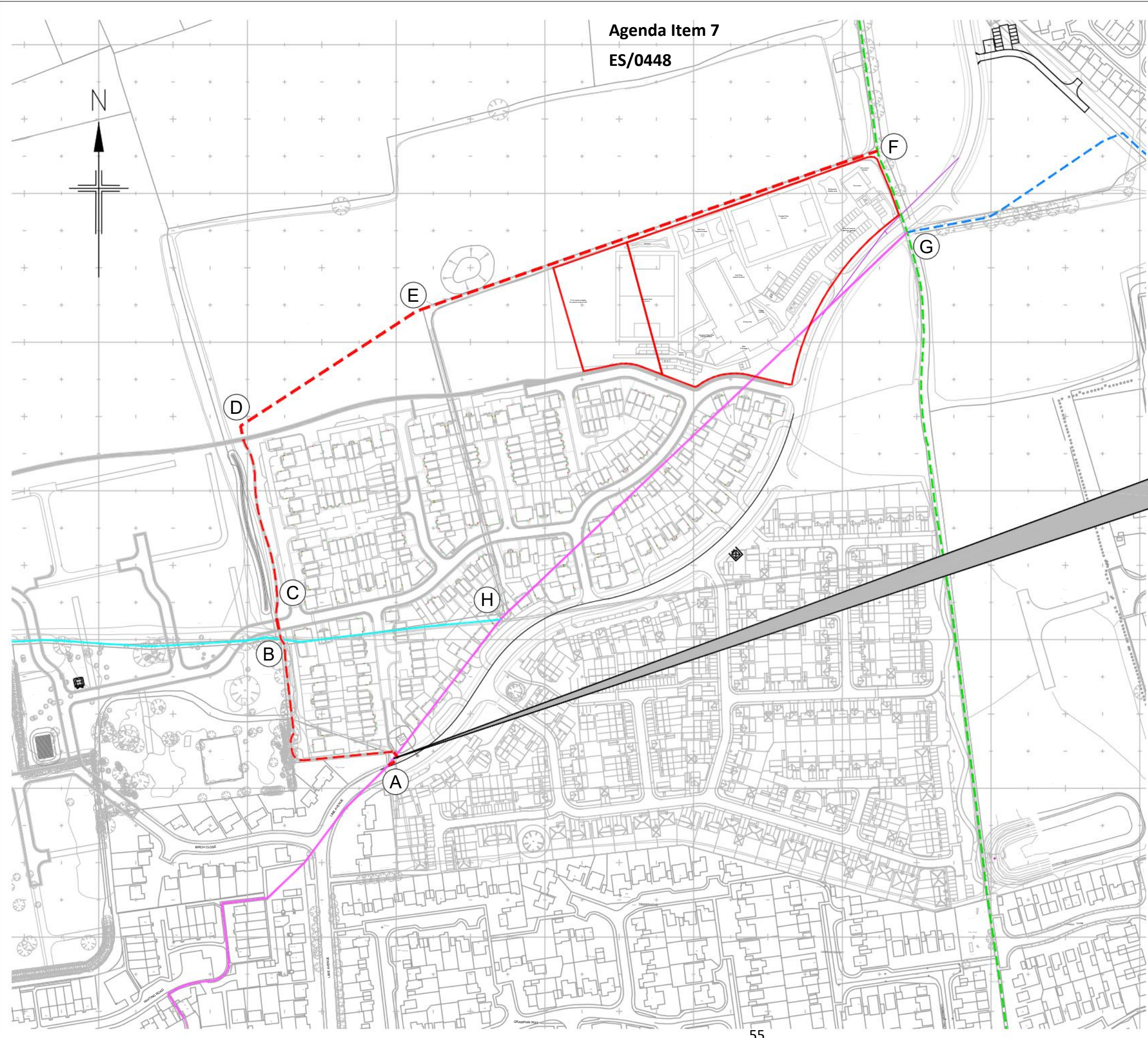
The front boundary line to Lime Avenue is agreed because this meets the back edge of the Persimmon Road which meets with their proposed revised boundary line. The boundary edge which may cause contention with Persimmon is the one to the east (northern corner) of the pre school, hatched in orange below.

SCC would like ESC to take on the orange hatched area, paying for legal fees, so it does not become left-over land. This would meet our expectations for more land for the country park.



Key

- Persimmon Proposed Boundary
- As Built Boundary on Site
- Land Registry Boundary
- SCC Proposed Boundary



Agenda Item 7
ES/0448

KEY

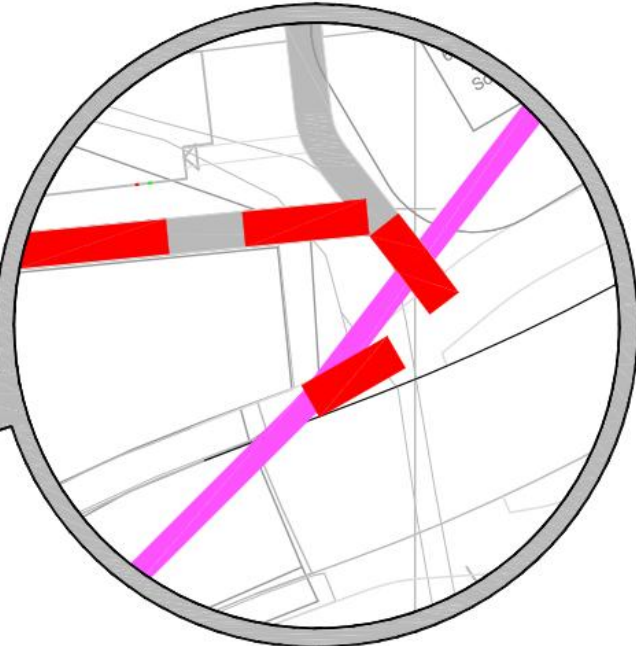
FP4

FP5

FP7

FP8

PROPOSED



D	CHANGES TO PROPOSED FOOTPATH ALIGNMENT BETWEEN POINTS A AND D.	26.07.19
C	MINOR CHANGES TO THE RoW ALIGNMENT BETWEEN POINTS A AND B.	15.04.19
B	AMENDED FOLLOWING COMMENTS FROM RoW SUPPORT OFFICER 20.11.18.	20.11.18
A	DRAWING AMENDED FOLLOWING SITE MEETING HELD ON 04.10.18.	20.10.18
REV		DATE

 **PERSIMMON**

Persimmon Homes Ltd.
Persimmon House
Bankside 100
Peachman Way
Broadland Business Park
Norwich NR7 0WF
Tel 01603 977200

Woods Meadow, Oulton Broad

Drawing:
Proposed Public Rights of Way Amendments

Scale@A3: 1:2500	Drawn By: MG	Date: 22.03.2018
Drawing No: WM-PRoW-04	Rev: D	

