



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

# **Planning Committee South**

## **Members:**

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

Members are invited to a **Meeting of the Planning Committee South** to be held in the Deben Conference Room, East Suffolk House, Melton on **Tuesday, 28 September 2021 at 2:00pm**

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

Ordinarily, East Suffolk Council encourages members of the public to attend its meetings but on this occasion would encourage the public to watch the livestream, via the East Suffolk Council YouTube channel instead at <https://youtu.be/pW7QAel4aGc>.

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

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

An Agenda is set out below.

## **Part One – Open to the Public**

	<b>Pages</b>
<b>1 Apologies for Absence and Substitutions</b>	
<b>2 Declarations of Interest</b> Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.	
<b>3 Declarations of Lobbying and Responses to Lobbying</b> To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.	
<b>4a Minutes - June 2021</b> To confirm as a correct record the Minutes of the Meeting held on 29 June 2021	<b>1 - 44</b>
<b>4b Minutes - August 2021</b> To confirm as a correct record the Minutes of the Meeting held on 24 August 2021	<b>45 - 64</b>
<b>5 East Suffolk Enforcement Action - Case Update ES/0898</b> Report of the Head of Planning and Coastal Management	<b>65 - 83</b>
<b>6 DC/21/1575/ARM - Orwell Crossing Service Area, A14 Nacton East Bound, Nacton ES/0899</b> Report of the Head of Planning and Coastal Management	<b>84 - 126</b>
<b>7 DC/21/3601/FUL - 11 Knights Lane, Kesgrave, IP5 2FS ES/0900</b> Report of the Head of Planning and Coastal Management	<b>127 - 132</b>
<b>8 DC/21/2863/FUL - 38 Hall Farm Road, Melton, IP12 1PJ ES/0901</b> Report of the Head of Planning and Coastal Management	<b>133 - 144</b>
<b>9 DC/21/3273/FUL - Sports Ground 2, Playford Road, Rushmere St Andrew, IP4 5QZ ES/0902</b> Report of the Head of Planning and Coastal Management	<b>145 - 149</b>

There are no Exempt or Confidential items for this Agenda.

**Close**



Stephen Baker, Chief Executive

**Speaking at Planning Committee Meetings**

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

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

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

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

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

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

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**Unconfirmed**



Minutes of a Meeting of the **Planning Committee South** held in the Deben Conference Room, East Suffolk House, on **Tuesday, 29 June 2021 at 1:00pm**

**Members of the Committee present:**

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

**Other Members present:**

Councillor Paul Ashdown, Councillor Lydia Freeman, Councillor David Ritchie

**Officers present:**

Katherine Abbott (Democratic Services Officer), Jamie Behling (Trainee Planner), Karen Cook (Democratic Services Manager), Rachel Lambert (Planner Major Sites), Matt Makin (Democratic Services Officer), Steve Milligan (Planner), Philip Ridley (Head of Planning and Coastal Management), Robert Scrimgeour (Principal Design and Conservation Officer), Katherine Scott (Principal Planner), Rachael Smith (Senior Planner), Ben Woolnough (Planning Manager)

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**1 Apologies for Absence and Substitutions**

No apologies for absence were received.

**2 Declarations of Interest**

Councillor Stuart Bird declared a Local Non-Pecuniary Interest in item 13 of the agenda as a member of Felixstowe Town Council and the Chairman of that authority's Planning & Environment Committee.

Councillor Mike Deacon declared a Local Non-Pecuniary Interest in item 13 of the agenda as a member of Felixstowe Town Council.

Councillor Colin Hedgley declared Local Non-Pecuniary Interests in items 6 and 7 of the agenda as Ward Member for Grundisburgh.

**3 Declarations of Lobbying and Responses to Lobbying**

Councillors Stuart Bird, Chris Blundell, Tony Cooper, Mike Deacon, Debbie McCallum, Mark Newton and Kay Yule all declared that they had been lobbied by post and email on items 6 and 7 of the agenda and had not responded to any lobbying on these items.

Councillor Colin Hedgley declared that he had been lobbied by post and email on items 6 and 7 on the agenda; he had acknowledged receipt of lobbying and offered technical advice when required.

Councillor Tony Fryatt declared that he had been lobbied by post and email on items 6 and 7 on the agenda; he had responded to advise on actions available to individuals.

**4a Minutes - April 2021**

**RESOLVED**

That the Minutes of the Meeting held on 27 April 2021 be agreed as a correct record and signed by the Chairman.

**4b Minutes - May 2021**

On the proposition of Councillor Bird, seconded by Councillor Deacon it was by a unanimous vote

**RESOLVED**

That the Minutes of the Meeting held on 25 May 2021 be agreed as a correct record and signed by the Chairman, subject to the following amendment:

- Item 2, fourth paragraph, first bullet point "A Local Non-Pecuniary Interest in item 6 on the agenda as a both a member of Felixstowe Town Council and as Chairman of the Felixstowe Sports Hub Trust."

**5 East Suffolk Enforcement Action - Case Update**

The Committee received report **ES/0799** of the Head of Planning Coastal Management, which provided a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has been sanctioned under delegated powers up until 25 May 2021. At that time there were 11 such cases.

There being no questions to the officers, the Chairman moved to the recommendation set out in the report.

On the proposition of Councillor Cooper, seconded by Councillor Newton it was by a unanimous vote

**RESOLVED**

That the outstanding enforcement matters up to 25 May 2021 be noted.

**6 DC/20/3362/FUL - Land West of Chapel Road, Grundisburgh**

The Committee received report **ES/0800** of the Head of Planning and Coastal Management, which related to planning application DC/20/3362/FUL.

The application sought full planning permission for the development of 70 houses and associated infrastructure. The application site was allocated in the Suffolk Coastal Local Plan (the SCLP) for the development of approximately 70 houses under Policy SCLP12.51.

This application had been referred to the Committee by the Head of Planning and Coastal Management under the terms of the Scheme of Delegation, set out in the East Suffolk Council Constitution, due to the level of public interest. It was noted that there was a tandem, identical application (reference DC/20/3284/FUL) which was also on the

Committee's agenda for determination.

The Committee received a presentation from the Planner, who was the case officer for the application.

The site's location was outlined, and the Committee was shown an aerial view that demonstrated its relationship to Grundisburgh.

The Committee was shown photographs of:

- The view from Park Road looking east.
- The view from the north-west corner of the site looking south-east.
- The west boundary, facing south.
- Views of the highway and neighbouring facilities.
- The view from the south-west of the site into Grundisburgh Hall parkland.

The proposed layout was displayed, along with proposed elevations for the dwellings that would be constructed. The Planner also outlined the works that would be undertaken to enhance the existing footpath at the north of the site, footpath 20, including removal of trees.

The Committee was shown a map outlining the off-site walking routes that would connect to the application site.

The material planning considerations and key issues were summarised as compliance with policy SCLP12.24 of the the SCLP, highways, suitability and delivery of footpath improvements, the setting of heritage assets, and the impact on the landscape and setting of Grundisburgh.

The recommendation to delegate authority to approve the application, subject to conditions, to the Head of Planning and Coastal Management was outlined to the Committee. It was noted that the recommendation stated that if a Section 106 agreement was not completed within six months then authority to refuse the application should be delegated to the Head of Planning and Coastal Management.

The Chairman invited questions to the officers.

The Planner assured the Committee that the development would be tenure blind in appearance and that the affordable housing would be fully integrated within the scheme. The affordable housing would consist of 11 rented properties and 12 shared ownership properties.

It was confirmed that Suffolk County Council, as the Highways Authority, had thoroughly considered the application against the requirements of key tests within the National Planning Policy Framework (NPPF) and had not objected to the application.

The Planner explained that although units clustered in the north-east corner had been allocated for the affordable housing element of the development, it was appropriate for a site of this scale and the area would fully integrated with surrounding open market housing; the Planner reiterated that the development would be of a tenure

blind design.

In response to a query on the number of conditions recommended within the report, officers advised that the application was complete enough to be determined and that the number of conditions recommended was proportionate to the number of dwellings proposed and would be enforceable.

A member of the Committee considered the roads adjacent to the site to be unsatisfactory for highway safety and asked if footpath 20 would be lit at night, if safety bars would be installed on the raised areas and if cyclists would be able to use it. The Planner advised that there were no plans for lighting or safety bars and that as footpath 20 was not a bridleway it could not be used by cyclists.

In response to a query regarding the expected widening of footpaths and the location of designated passing places, the Planner advised that a passing place had been proposed in Chapel Road that would utilise driveways; the Planning Manager noted that the nationally recognised footpath design width was 1.5 metres, which was the width of the footpaths on Park Road, and was deemed acceptable for two pedestrians to pass by each other. The Planning Manager stated the widening of footpaths would be controlled by a Section 278 agreement.

The Planner confirmed that the site had been subject to ecological surveys relating to four protected species; the ecologist had noted the arable field was unsuitable for stag beetles, which live in decaying wood, and no issues had arisen from the survey other than those related to bats and badgers which would be dealt with via the recommended conditions.

The Planning Manager, in response to a query about the adoption of the design out crime report, noted that a range of urban design elements had been accommodated in the layouts as a compromise to what was in the design out crime report.

The Planning Manager confirmed that footpath 20 was considered to be an appropriate width and its status would allow work to be completed to achieve sustainable access.

The Chairman invited Mr Craig Plant, who objected to the application, to address the Committee.

Mr Plant said that his comments would focus on highways matters; he considered the roads surrounding the site to be narrow and dangerous, where accidents and injuries already occurred. Mr Plant disagreed with the Highways Authority's assessment of only a 20% increase in traffic and questioned its conclusions, deeming them flawed. Mr Plant encourage members of the Committee to drive and walk on the roads to see this for themselves.

Mr Plant was of the view that the existing footways in the area did not go anywhere and that pedestrians would be required to walk on the highway in unlit areas. Mr Plant considered this to be inappropriate and was not confident that improvements to footpaths would actually happen.

It was Mr Plant's view that the development would also result in a loss of farmland and



that there was no analysis of its impact on amenity and environmental loss.

The Chairman invited questions to Mr Plant.

Mr Plant considered that, due to the proximity of his home to the site, his young children would be in danger as a result of the increased traffic, noting that there was nowhere for pedestrians to seek refuge when vehicles approached.

Mr Plant said that residents had not been consulted about the proposed improvements to footpath 20; the footpath crossed over private land and the owners had not been consulted about tree removal.

The Chairman invited Councillor Ann Willetts, Vice Chair of Grundisburgh and Culpho Parish Council, to address the Committee.

Councillor Willetts highlighted that over 1,000 objections from the local community had been made in respect of the application and that if it was approved, its impact on highway safety would be severe. Councillor Willetts said the access roads were narrow and were unsuitable for pedestrians and delivery vehicles, and that plans to widen roads and create passing places would result in the loss of existing hedgerows.

Councillor Willetts advised that Lower Road was a continuation of Park Road and was part of the shortest route to Woodbridge and the A12; she said that pedestrians had no safe refuge from vehicles and considered the omission of Lower Road to have been deliberate. Councillor Willetts said that the development would make Lower Road even more hazardous and that vehicle/pedestrian conflict would be severe.

Councillor Willetts was of the view that the proposals falsely relied on the improvements to footpath 20 to access village amenities and said that existing residents would not benefit from this. Councillor Willetts asked the Committee to refuse the application as it would ruin the village and compound the mistake of allocating this site for development in the SCLP.

The Chairman invited questions to Councillor Willetts.

Councillor Willetts was asked to elaborate on an allegation that information about the site had been withheld from the Planning Inspector during the creation of the current SCLP, made via a letter to the Committee from Grundisburgh and Culpho Parish Council sent prior to the meeting.

Councillor Willetts said that information had been received from Suffolk County Council via a Freedom of Information (FOI) request which indicated that one of the Council's Principal Planners had asked for a site plan to be withheld from the Planning Inspector and not be submitted to the Local Plan Inquiry.

Councillor Willetts advised that Grundisburgh and Culpho Parish Council submitted a complaint to Suffolk County Council and the then Suffolk Coastal District Council at the time, and the response from the Council's Head of Planning and Coastal Management was that the plan in question had too much information. Councillor Willetts considered that the site plan that was submitted as part of the Inquiry had been

sanitised of detail.

The Chairman invited the Council's Head of Planning and Coastal Management to provide context on this point. The Head of Planning and Coastal Management said that the complaint was robustly defended by the Council and Suffolk County Council at the time and noted that the current SCLP was adopted by the Council in September 2020, highlighting that the period for legal objections to it had now passed.

The Head of Planning and Coastal Management assured the Committee that there had been no untoward goings in relation to aiding the Local Plan Inquiry in his consideration of the Local Plan document and was content with the Council's position; he asked that the Committee make its decision on the application based on the adopted SCLP and material planning considerations.

It was noted by the Planning Manager that the 1,000 objections received related to both this application and application DC/20/3284/FUL; 576 objections had been received for this application and a further 553 for application DC/20/3284/FUL.

The Chairman invited Mr Geoff Armstrong, agent for the applicant, to address the Committee. Mr Armstrong was accompanied by Mr Chris Smith of Hopkins Homes and Ms Jessica Pratt of Cannon Consulting Engineers, who were present to answer questions from the Committee.

Mr Armstrong said that the Planner's summary of the application had been comprehensive and noted that Hopkins Homes, the applicant, had worked closely with the Council to create a scheme that was policy compliant.

Mr Armstrong highlighted Hopkins Homes' excellent record on delivering projects and said that should planning permission be granted, the company intended to proceed with preparation works as soon as possible, aiming for completion between 2022 and 2025.

The scheme was described as having a wide range of dwelling types, including affordable housing units, which would be fully accessible. The site would also include two hectares of public open space, with wildflowers, trees, shrubs and a play area. The site would enhance existing and create new pedestrian connections in the area.

Mr Armstrong said that the Parish Council would receive 15% of the total Community Infrastructure Levy (CIL) contribution of £125m, £200,000, to deliver improvement to public services; he added that the Section 278 agreement would deliver another £500,000 towards the improvement of local education services.

The Chairman invited questions to Mr Armstrong, Mr Smith and Ms Pratt.

Mr Smith confirmed that Park Road would definitely be widened to 2.8 metres and that the footpath would not be along the road; he added that a pavement was not part of the proposal and that the road would be designated as a "quiet lane".

A member of the Committee expressed concerns about the layout and how the site would fit in to the existing area. Mr Smith said that the vernacular style proposed had

been picked up from an existing mixed style in Grundisburgh and would have positive design characteristics for a rural locality.

The Chairman invited Councillor Colin Hedgley, Ward Member for Grundisburgh, to address the Committee.

Councillor Hedgley quoted paragraph 78 of the NPPF, on rural housing, noting that it should be "responsive to local circumstances" and considered that this application should be refused due to its punitive impact on highway safety. Councillor Hedgley considered that such a scheme should enhance the natural landscape and recognise the intrinsic value and beauty of the countryside.

Councillor Hedgley advised that he had followed this application for several years, highlighting that several well attended public events had taken place. Councillor Hedgley had been lobbied on the application and it was keenly felt by residents in the area.

Councillor Hedgley said he was not against building more houses but was of the view that the scheme needed to be thought through, questioning if there was sufficient infrastructure in the area to cope with such an influx of new residents. Councillor Hedgley noted that the new school at Brightwell Lakes, cited in the application, had not yet begun construction.

In respect of highway safety, Councillor Hedgley noted that the roads leading to the site were single track roads which would not be able to cope with the additional traffic that would be generated; he noted that in addition to the limited width the roads contained blind bends, with a one-mile stretch of road with no passing places. Councillor Hedgley added that other roads towards Great Bealings and Martlesham were not mentioned by the application. Councillor Hedgley considered that the proposed improvements to footpath 20 were a rushed solution.

Councillor Hedgley acknowledged the need for more housing but said this application should not be approved just to tick a box and urged the Committee to not make life worse for residents.

There being no questions to Councillor Hedgley, the Chairman invited Councillor Tony Fryatt, also Ward Member for Grundisburgh, to address the Committee.

Councillor Fryatt said that those residents objecting to the application were not "NIMBYs" but were concerned about the environment and that the impact of the scheme on the landscape and setting of the village was key.

There being no questions to Councillor Fryatt, the Chairman invited the Committee to debate the application that was before it.

Councillor Bird spoke in support of the application and considered that there was a need to help younger people find suitable and affordable housing, as well as a need to spread housing across the district rather than just situating it in its market towns to avoid NIMBYism. Councillor Bird highlighted the amount of work that went into creating the SCLP, which had been found sound by the Planning Inspectorate and had

been adopted by the Council in September 2020, stating that there would be little point to this work if the SCLP was not adhered to when making planning decisions.

Councillor Bird said that sites had been allocated in the SCLP to avoid speculative applications and that to refuse this application would be to argue against the plan; he highlighted that the Highways Authority did not object to the application and that the Committee should be open minded to new design styles. Councillor Bird was of the view that the application made a generous and sympathetic approach to blend in.

Councillor Blundell noted that despite the proposed allocation of funding, a school did not yet exist at Brightwell Lakes and would not do so for some time. Councillor Blundell highlighted the roads leading to the site being part of wider routes to Martlesham and quite narrow and could not accept the scheme on the grounds of highway safety. Councillor Blundell noted that he did not object to the development itself but was concerned about travel to and from the site, suggesting a more realistic route was needed.

In response to comments on education provision, the Planning Manager informed the Committee that Suffolk County Council, as the Education Authority, would plan catchments for the new development and highlighted that development at Brightwell Lakes would begin in 2022. Suffolk County Council had predicted that pupils would be able to go to other schools in the vicinity in the interim, including Kesgrave and Farlingaye High Schools, therefore it was logical to secure funding to deliver this provision including Section 106 funding that would contribute to school transport provision.

Councillor Yule questioned what primary school provision would be available for residents of the new development, given that Grundisburgh Primary School was at capacity. The Planning Manager advised that the CIL would contribute to deliver additional primary school places and that Suffolk County Council was fully aware of the potential development, and looked at locations where growth was likely and plan for infrastructure requirements for all allocated sites including education contributions from development.

Councillor Cooper concurred with the comments made by Councillor Bird and agreed that more housing was required in East Suffolk. Councillor Cooper reminded the Committee that it needed to consider the application that was before it on its own merits.

Councillor Deacon acknowledged that the site was allocated for development in the SCLP and did not object to the design or location; he was however concerned about the highway safety and said he therefore could not support the application until this issue was addressed.

Councillor Hedgley reiterated his earlier comments as Ward Member and considered the roads leading to the site to be wholly unsuitable for this development.

Councillor Newton said that although he was disappointed with the access to the site, it was allocated in the Local Plan and therefore supported the application.

Councillor Yule concluded that, although she supported the design of the scheme, she could not support it due to highway safety concerns.

Officers reminded the Committee that it needed to rely on the Highways Authority as both the experts on these matters and the statutory body, and should it be minded to refuse the application needed to give justifiable reasons for doing so.

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

The recommendation was proposed by Councillor Bird and seconded by Councillor Cooper. A recorded vote was requested by Councillor Hedgley and was supported by Councillors Deacon and McCallum.

The Chairman moved to a recorded vote. The result of the vote is shown below:

**For delegating authority to approve the application to the Head of Planning and Coastal Management, as set out in the report (4 Members):**

Councillor Stuart Bird, Councillor Tony Cooper, Councillor Debbie McCallum, Councillor Mark Newton.

**Against delegating authority to approve the application to the Head of Planning and Coastal Management, as set out in the report (5 Members):**

Councillor Chris Blundell, Councillor Mike Deacon, Councillor Tony Fryatt, Councillor Colin Hedgley, Councillor Kay Yule.

Therefore the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management **FAILED** by a majority vote. The Chairman sought an alternative recommendation for refusal from the Committee.

Further debate suggested that the application could be refused on the grounds it was contrary to policies SCLP5.2 and SCLP12.51 (paragraph d) of the SCLP as it did not provide adequate pedestrian access and footways and the proposed access would be via surface of an existing footpath route which was not accepted as a safe route.

The Planning Manager reminded the Committee that although it come to an alternative conclusion to that of a statutory body, it needed to provide reasons for refusal where the scheme was contrary to planning policies and material considerations. The Planning Manager acknowledged that the scheme did not satisfy paragraph d of policy SCLP12.51 but that a robust reason for refusal was required.

The Head of Planning and Coastal Management referred to the appeal decisions outlined in the report and suggested that there were no substantial grounds to refuse the application on highways matters, noting there was no technical advice contrary to the Highways Authority's statutory response. The Head of Planning and Coastal Management said that such a refusal could be considered unreasonable at appeal.

In response to a suggestion to refuse the application due to the clustering of the affordable housing element, officers advised that this was not contrary to policy and

would not form a robust reason for refusal.

Councillor Cooper noted that those members of the Committee who had voted against approving the application had done so based on highway safety concerns and that any recommendation for refusal should be based on this.

The Planning Manager suggested to the Committee that it could defer the application to allow officers to seek secondary technical consultancy advice on highways matters, which could then be presented to the Committee. The Planning Manager suggested that it would take several weeks to gather this information and that the application could return to the Committee at either its August 2021 or September 2021.

On the proposition of Councillor Yule, seconded by Councillor Blundell it was by a majority vote

#### **RESOLVED**

That the application be **DEFERRED** to allow officers to seek secondary technical consultancy advice on highways matters, which would then be presented to the Committee prior to the application's determination.

It was suggested by Councillor Deacon that, as the application had been deferred, it would be prudent for the Committee to undertake a site visit to fully understand the highways matters relating to the site.

On the proposition of Councillor Deacon, seconded by Councillor Hedgley it was by a majority vote

#### **RESOLVED**

That the Committee undertake a site visit to fully understand the highways matters relating to the site.

*Following the conclusion of this item, the Chairman adjourned the meeting for a short break. The meeting was adjourned at 3.13pm and was reconvened at 3.26pm.*

- 7 DC/20/3284/FUL - Land West Side of Chapel Road, Grundisburgh**  
*Note: Councillor McCallum left the meeting during the break; Councillor Tony Fryatt, the Committee's Vice-Chairman, acted as the Chairman for the remainder of the meeting.*

The Committee received report **ES/0801** of the Head of Planning and Coastal Management, which related to planning application DC/20/3284/FUL.

The application sought full planning permission for the development of 70 houses and associated infrastructure. The site was allocated in the Suffolk Coastal Local Plan (the SCLP) for the development of approximately 70 houses under Policy SCLP12.51.

This application had been referred to the Committee by the Head of Planning and Coastal Management under the terms of the Scheme of Delegation, set out in the East Suffolk Council Constitution, due to the level of public interest.

The Planning Manager advised the Committee that the application was a duplicate of planning application DC/20/3362/FUL, which had been deferred by the Committee earlier in the meeting, and the presentation that the Committee had already received on that application was also relevant for this application.

The recommendation to delegate authority to approve the application, subject to conditions, to the Head of Planning and Coastal Management was outline to the Committee.

There being no questions to the officers the Acting Chairman invited Mr Craig Plant, who objected to the application, to address the Committee.

Mr Plant reiterated the points he made when he addressed the Committee on application DC/20/3362/FUL. He welcomed the Committee visiting the site and an independent assessment of the highway safety issues; he encouraged the Council to undertake the latter to increase transparency for the benefit of the residents.

Mr Plant asked the Committee to consider reviewing the position and placement of footpath 20 as he contended the information in the application was not correct; he also noted that a civil engineering assessment of the widening of Park Road was not included in the application.

The Acting Chairman invited questions to Mr Plant.

Mr Plant acknowledged that the widening of Park Road would increase safety, providing that additional pedestrian was also included.

The Acting Chairman invited Councillor Ann Willetts, Vice Chair of Grundisburgh and Culpho Parish Council, to address the Committee. Councillor Willetts declined to address the Committee on this application.

The Acting Chairman invited Mr Geoff Armstrong, agent for the applicant, to address the Committee. Mr Armstrong was accompanied by Mr Chris Smith of Hopkins Homes and Ms Jessica Pratt of Cannon Consulting Engineers, who were present to answer any questions from the Committee.

Mr Armstrong asked that any instruction given to a highways consultant to review the safety concerns highlighted by the Committee include agreed timescales that could be shared with the applicant.

The Acting Chairman invited questions to Mr Armstrong, Mr Smith and Ms Pratt.

The Planning Manager confirmed that information on highways consultancy could be shared with the applicant. The Planning Manager said any such instruction would be an independent review of the proposals and the comments of Suffolk County Council as the Highways Authority and would not form a basis for formal proposals or endorsement.

Mr Armstrong confirmed that the addition of pavement at Park Road had been

considered.

There being no debate on the application, the Acting Chairman moved to the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report. This recommendation was not proposed or seconded and therefore **FAILED**.

On the proposition of Councillor Yule, seconded by Councillor Blundell it was by a unanimous vote

## **RESOLVED**

That the application be **DEFERRED** to allow officers to seek secondary technical consultancy advice on highways matters, which would then be presented to the Committee prior to the application's determination.

### **8 DC/21/1942/FUL - The George Community Inn, High Street, Wickham Market, Woodbridge, IP13 0SD**

The Committee received report **ES/0805** of the Head of Planning and Coastal Management, which related to planning application DC/21/1942/FUL.

The application sought full planning permission for the repair and restoration of the fire damaged George Public House, in Wickham Market. The scheme also included part two-storey and part single-storey rear extensions, and associated works to its curtilage. The building was proposed to be used as a public house with community rooms on the first floor. There was also an associated Listed Building Consent Application (DC/21/1943/LBC) for the site, which was on the agenda of this meeting for determination.

Both applications had been recommended for approval by officers, subject to appropriate conditions, contrary to the views of the Parish Council. Therefore the referral process (as set out in the East Suffolk Council Constitution) was triggered and the process route for the determination of the applications was decided by the Planning Referral Panel at its meeting on 15 June 2021; the applications were referred to Committee for determination as the project was considered to be of wider public interest.

The Committee received a presentation from the Principal Planner, who was the case officer for the application.

The site's location was outlined, and aerial photographs were displayed which demonstrated the application site's relationship with Wickham Market's village centre.

The Principal Planner outlined the site's proximity to sites allocated for development in the Suffolk Coastal Local Plan (the SCLP).

Photographs of the George Public House, prior to the fire that had damaged the building, were shown to the Committee, highlighting its relationship with the High Street. The Committee was also shown photographs of the exterior and interior of the



site taken after the fire, demonstrating the damage caused. These photos included the medieval wall that formed part of the building.

The Committee was shown photographs looking into the site from a variety of different locations.

The Principal Planner displayed the plans of the previous/existing extensions which were proposed to be demolished.

The proposed block plan, floor plans, roof plan, elevations and sections were displayed. The Committee also received a drawing demonstrating the site line from High Street.

The material planning considerations were summarised as:

- The principle of development
- Heritage and visual amenity (including Listed Building and Conservation Area)
- Community, social and economic considerations
- Accessibility, highway safety, parking, deliveries and Public Rights of Way
- Residential amenity:
  - Noise, odour and fumes
  - Overlooking/loss of privacy
  - Daylight/sunlight
  - External lighting
- Waste disposal
- Ecology
- Construction phase

The recommendation to approve the application, subject to conditions, was outlined to the Committee.

The Acting Chairman invited questions to the officers.

It was confirmed that the Council's Principal Design and Conservation Officer had not objected to the application.

The Principal Planner noted that there was vehicle access and parking on the site; this had not matched what had been originally approved but was out of time for any enforcement action.

In response to a query regarding the installation of a sprinkler system, the Principal Planner highlighted that this would be controlled by building regulations.

The Principal Planner stated that the building had been in its current state for the last eight years.

It was clarified that although a third party representation had suggested that the proposed chimney would be in operation for 24 hours a day, the application only sought its use during the kitchen's operating hours.

The Acting Chairman invited Mr Andrew West, who objected to the application, to

address the Committee.

Mr West asked the Committee to reject the application on the basis of the number of caveats added by Wickham Market Parish Council to its recent recommendation for approval. Mr West considered the application to be huge for a residential zone and was inappropriate, unsympathetic and insensitive to residents. Mr West said that the area should be protected from an inappropriate extension that would be detrimental to the local area.

Mr West expressed concern about the location of the outdoor pizza oven and noted that despite a lift being proposed for first floor access, no disabled parking was included in the application. Mr West considered that the proposed parking would create traffic issues in the village.

Mr West said that adequate provision needed to be made for parking and the turning of delivery vans.

Mr West concluded by asking the Committee to refuse the application, considering it not to be a restoration given how little of the original building remained.

The Acting Chairman invited questions to Mr West.

Mr West confirmed that he was representing The George Neighbourhood Group, as its Chairman. Mr West stated that there had been no response of consultation from The George Management Committee.

Mr West acknowledged that there had been a public house on the site previously but highlighted that he had expected a replacement of what had existed before. Mr West reiterated that he did not consider the proposals to be a restoration of what the public house had been before.

The Acting Chairman invited Councillor Ivor French, representing Wickham Market Parish Council, to address the Committee.

Councillor French said that the Parish Council, at a recent extraordinary meeting, had resolved to support the application and viewed it as an asset to the village. Councillor French highlighted the concerns raised at its extraordinary meeting, which had been included in the update sheet circulated to the Committee in advance of the meeting.

The Acting Chairman invited questions to Councillor French.

Councillor French acknowledged that the recent meeting of the Parish Council to consider the application had been contentious, but that the Parish Council had resolved to support the application with conditions. The Principal Planner noted that conditions to address many of the concerns had been included in the recommendation.

The Acting Chairman invited Mr Colin Owens, the applicant, to address the Committee.

Mr Owens explained that he was a member of the George Management Committee, which was making the application. Mr Owens considered some of the statements

regarding the design of the proposals to be incorrect and referred to the design information contained in the application.

Mr Owens explained that a volunteer group to restore the pub had been formed following a public meeting in 2016; an extensive management consultation was then undertaken. Mr Owens considered that there had been significant community support to restore the George and this had been included in the draft Wickham Market Neighbourhood Plan. Mr Owens said that the proposals met the requirements of that draft plan.

Mr Owens highlighted to the Committee that the public house would create 12 new jobs and benefit the local community through the promotion of activity space.

The Acting Chairman invited questions to Mr Owens.

Mr Owens confirmed that the extraction chimney flue would only be in operation when the kitchen was being used.

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

Councillor Bird suggested that Wickham Market Parish Council's resolution to support the application meant that its concerns had either been alleviated or were non-existent. Councillor Bird said that the application would restore the building to its former and legally permitted use and highlighted that the Council's Principal Design and Conservation Officer had not objected to the application.

In respect of operating hours, Councillor Bird pointed out that this would be controlled through licensing legislation; he welcomed the restoration of what he considered to be a historic asset.

Councillor Hedgley noted that the building had been in a poor state for some time and supported its restoration, citing that operating hours would be controlled by licensing rather than planning legislation.

Councillor Newton expressed some concern about the parking arrangements but was in support of restoring what had become a derelict building.

Councillor Newton sought the addition of a condition regarding the installation of a sprinkler system. The Planning Manager suggested that the Principal Design and Conservation Officer comment on this proposal and the Acting Chairman invited him to do so.

The Principal Design and Conservation Officer highlighted that the installation of a sprinkler system could have an impact on a listed building and this would be better controlled through the listed building application which was still to be determined by the Committee.

There being no further debate the Acting Chairman moved to the recommendation to approve the application, as set out in the report.

On the proposition of Councillor Hedgley, seconded by Councillor Bird it was by a unanimous vote

## **RESOLVED**

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

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

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

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

The following drawings/documents received on 21 April 2021

- Drawing 240653-PUR-00-XX-DR-A-1000 Revision P03 (Site Location Plan)
- Drawing 240653-PUR-00-XX-DR-A-1014 Revision P03 (Ground Floor Demolition Plan)
- Drawing 240653-PUR-00-XX-DR-A-1015 Revision P03 (First Floor Demolition Plan)
- Drawing 240653-PUR-00-XX-DR-A-1016 Revision P03 (Roof Demolition Plan)
- Drawing 240653-PUR-00-XX-DR-A-2002 Revision P05 (Proposed Basement Plan),
- Window Schedule
- Door Schedule
- Internal Materials Schedule
- Timber frame repairs document

The following drawings/documents received on 4 June 2021:

- Drawing 240653-PUR-00-XX-DR-A-2001 Revision P07 (Proposed Site Plan),
- Drawing 240653-PUR-00-XX-DR-A-2003 Revision P07 (Proposed Ground Floor Plan),
- Drawing 240653-PUR-00-XX-DR-A-2004 Revision P07 (Proposed First Floor Plan),
- Drawing 240653-PUR-00-XX-DR-A-2005 Revision P07 (Proposed Roof Plan),
- Drawing 240653-PUR-00-XX-DR-A-2006 Revision P07 (Proposed Elevation 1),
- Drawing 240653-PUR-00-XX-DR-A-2007 Revision P07 (Proposed Elevation 2),
- Drawing 240653-PUR-00-XX-DR-A-2008 Revision P07 (Proposed Elevation 3),
- Drawing 240653-PUR-00-XX-DR-A-2009 Revision P04 (Proposed Section A),
- Drawing 240653-PUR-00-XX-DR-A-2010 Revision P04 (Proposed Section B),
- Drawing 240653-PUR-00-XX-DR-A-2014 Revision P05 (Ground Floor Plan Fire Strategy)
- Drawing 240653-PUR-00-XX-DR-A-2016 Revision P05 (First Floor Plan Fire Strategy)
- Drawing 240653-PUR-00-XX-DR-A-2017 Revision P04 (Eyeline Elevation)
- Drawing 240653-PUR-00-XX-DR-A-2018 Revision P05 (Interpretation Plan)
- Drawing 240653-PUR-00-XX-DR-A-2020 Revision P04 (Bin Plan)
- Drawing 240653-PUR-00-XX-DR-A-2021 Revision P01 (Proposed Elevation 4 and 5)
- Drawing 5101 Revision P04 (Mechanical Services Ventilation Layout Ground Floor Plan),
- Drawing 5102 Revision P04 (Mechanical Services Ventilation Layout First Floor Plan),
- Drawing 5103 Revision P02 (Mechanical Services Ventilation Layout Roof Plan)
- Combined Design, Access and Heritage Statement, Rev 003 , June 2021 for which

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

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

3. No development shall commence until a detailed method of construction statement has been submitted to and approved by the Local Planning Authority. This statement shall set out hours of construction/activity on site, the location of parking areas for construction vehicles and delivery hours for materials and equipment to the site before and during construction. Thereafter the approved construction statement shall be adhered to throughout the construction of the development.

*Reason: To reduce the potential impacts of noise pollution upon nearby residents during the construction phase of the development.*

4. The premises herein referred to, shall be used as a Public House with community spaces and for no other purpose (including any other purpose of the Schedule to the Town and Country Planning [Use Classes] Order 1987(as amended)) (or any Order revoking or re-enacting the said Order).

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

5. The premises (building and associated outside areas) shall not be open to the public other than between the hours of 07:00 and 00:00 and all members of the public shall have vacated the premises by 00:00, unless otherwise agreed in writing by the local planning authority.

*Reason: In the interests of amenity and the protection of the local environment.  
(Note these hours will also be controlled via any licence).*

6. Deliveries to and collections from the premises and vehicle movements within the site shall be between 8:30am and 9pm Monday to Saturday with none being undertaken on Sundays and Bank Holidays, unless otherwise agreed with the Local Planning Authority.

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

7. Noise from fixed plant or machinery (e.g. heat pumps, compressors, extractor systems, air intakes, fans, air conditioning plant and refrigeration plant) can be annoying and disruptive. This is particularly the case when noise is impulsive or has tonal characteristics. A noise assessment should therefore be submitted to include all proposed plant and machinery and be based on BS4142:2014+A1:2019. A noise rating level (L<sub>A</sub>r,T) of at least 5dB below the typical background sound level (L<sub>A</sub>90,T) should be achieved. Where the noise rating level cannot be achieved, the noise mitigation measures considered should be explained and the achievable noise level should be identified and justified.

*Reason: In the interests of amenity and the protection of the local environment.  
(note in order to achieve these levels the details acoustic fencing referred to in conditions below may need to be included as part of the assessment).*

8. Music Noise Levels from the premises shall comply with the requirements as set out in Section 4.6.1 of the Adrian James Acoustics Limited Stage 3 Acoustics Report for The George Community Pub, dated 10 February 2021.

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

9. The agreed noise levels, and/or noise mitigation work, should be validated prior to first occupation and use. A validation report should therefore be submitted to, and approved in writing by, the Local Planning Authority prior to any occupation or use of the approved development. The validation report must include, but is not limited to:

- Results of surveying and/or monitoring carried out to demonstrate that the measures in the agreed noise report have been implemented and any agreed noise levels achieved.

It is recommended that the validation methodology should be agreed with the Local Planning Authority prior to the assessment being undertaken.

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

10. All extract ventilation shall be vented via a filtered system, capable of preventing cooking odours, fumes, grease, dust, smoke and droplets from escaping the premises.

Before the installation of such a system, details of -  
i) The proposed filtration plant;  
ii) Its ducted route through the building, and  
iii) Its final discharge point 1 metre above roof level;

Shall be submitted to the Local Planning Authority for approval. Details of the proposed means of disposal of grease shall also be submitted to the Local Planning Authority for approval. Only the approved scheme shall be installed at the premises, be fully functional prior to the first operation of the business, and be maintained and retained in the approved form thereafter.

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

11. Prior to works commencing on the structure to enclose the flue, precise details of the height of the structure above the ridge level, and its materials and finish shall be submitted to and agreed by the Local Planning Authority. Thereafter only the approved details shall be implemented.

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

12. Prior to first use of the condensers to serve kitchen (located towards the eastern end of the site) they shall be enclosed with an acoustic enclosure, full details of which

shall be submitted to and agreed by the Local Planning Authority (to include full dimensions, materials of construction and appearance). Thereafter, the enclosure shall be retained and maintained in its approved form, unless otherwise agreed with the Local Planning Authority.

*Reasons: In the interests of amenity and the protection of the local environment, including the setting of the Listed Building and Conservation Area.*

13. Prior to first use of the three air source heat pumps to be installed on the flat roof, they shall be enclosed with an acoustic enclosure, full details of which shall be submitted to and agreed by the Local Planning Authority (to include full dimensions, materials of construction and appearance). Thereafter, the enclosure shall be retained and maintained in its approved form, unless otherwise agreed with the Local Planning Authority.

*Reasons: In the interests of amenity and the protection of the local environment including the Listed Building and Conservation Area.*

14. The areas to be provided for storage and presentation of Refuse/Recycling bins as shown the approved plans shall be provided in their entirety before the development to which they are associated is brought into use and shall be retained thereafter for no other purpose.

*Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users, and to ensure adequate refuse/recycling facilities are accommodated on site in the interests of amenity.*

15. Prior to the building being opened to customers/the public, the areas of hardstanding and soft landscaping shown on the hereby approved drawings shall be laid/created, in accordance with details that shall be submitted to and agreed with the Local Planning Authority prior to commencement of the landscaping works (to include precise details of the proposed pavements pattern, material, colour and finish of the hard surfacing).

*Reason: To ensure that refuse recycling bins are not stored*  
*Wall and Gates to George Lane*

16. Prior to the use of the rear garden area recommencing for patrons of The George, the wall and gates along the northern side of the rear garden area, adjoining George Lane shall be erected and completed in their entirety, in accordance with details that shall be submitted to and agreed with the Local Planning Authority prior to construction (details to include height, width, brick bonding pattern, other detailing and materials (including type, colour and finish)). Thereafter the wall and gates shall be retained in their approved form.

*Reason: In the interests of residential and visual amenity and the protection of the setting of the Listed Building and Conservation Area.*

17. Prior to the use of The George recommencing, an area(s)/structure for cycle parking/storage shall be installed/created and be made available for use,

in accordance that shall be submitted to and agreed with the Local Planning Authority prior to construction (details to include the height, depth and width, materials and appearance of cycle racks/structure). Thereafter the cycle parking/storage shall be retained and maintained for use on site in their approved form, unless alternative provision is permitted.

*Reason: To promote the use of cycling to and from the site, and to ensure that such provision is appropriately designed for the setting of the Listed Building.*

18. Prior to the construction of the hereby permitted smoking shelter, full and precise details shall be submitted to and be approved by the Local Planning Authority (details to include the height, depth and width, and materials/finished appearance).

Thereafter only the approved shelter shall be constructed.

*Reason: In the interests of amenity and the protection of the setting of the Listed Building and Conservation Area.*

19. Prior to the commencement of works to replace/install the lean-to roof on the outbuilding, full and precise details shall be submitted to and be approved by the Local Planning Authority (details to include the eaves and ridge height, gradient, and materials/finished appearance). Thereafter only the approved details shall be constructed.

*Reason: In the interests of amenity and the protection of the setting of the Listed Building and Conservation Area.*

20. Prior to the construction of the hereby permitted pizza oven, full and precise details of the pizza oven and means to control smoke and odours, shall be submitted to and be approved by the Local Planning Authority (details to include the height, depth and width, and materials/finished appearance of the oven and any flue and/or other equipment to control smoke and odours, and if mechanical odour and smoke control is proposed, full details of the noise levels of any such equipment). Thereafter, prior to first use the approved pizza oven and associated equipment shall be installed in their entirety in their approved form and be retained in that form thereafter.

*Reason: In the interests of amenity and the protection of the setting of the Listed Building and Conservation Area.*

21. No external lighting shall be installed within the site either on the buildings, walls or ground mounted unless details have first been submitted to the Local Planning Authority. The approved lighting shall be maintained in its approved form in perpetuity.

*Reason: To ensure any external lighting is designed in a manner having regard to visual amenity and residential amenity in accordance with Policy SCLP11.1 of the Local Plan, and appropriate for the Listed Building, its setting and the Conservation Area.*

22. The hereby approved area of flat roof shall not be used as a recreational or sitting out area, and access to it via the hatch on the southern side of the rear wing shall be



for maintenance purposes only.

*Reason: To enable the local planning authority to retain control, in the interest of amenity.*

23. Prior to the use of The George recommencing, the bat and bird boxes as shown on the hereby approved drawings shall be installed.

*Reason: In the interests of ecological enhancement.*

Informatives:

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

2. The works undertaken must also comply with the conditions on the associated Listed Building Consent (reference number DC/21/1943/LBC).

3. There is a public right of way (PROW) in the vicinity of the proposed site: Footpath 9 and Footpath 10 Wickham Market. The Definitive Map for Suffolk (divided into parishes) can be seen at <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-insuffolk/view-definitive-maps-of-public-rights-of-way/>. A more detailed plot of public rights of way can be provided. Please contact [DefinitiveMaps@suffolk.gov.uk](mailto:DefinitiveMaps@suffolk.gov.uk) for more information. Note, there is a fee for this service.

The Applicant is advised to take the following into account:

A) PROW are divided into the following classifications:

- . Public Footpath - only for use on foot or with a mobility vehicle
- . Public Bridleway - use as per a public footpath, and on horseback or by bicycle
- . Restricted Byway - use as per a bridleway, and by a 'non-motorised vehicle', e.g. a horse and carriage
- . Byway Open to All Traffic (BOAT) - can be used by all vehicles, in addition to people on foot, mobility vehicle, horseback and bicycle.

All currently recorded PROW are shown on the Definitive Map and described in the Definitive Statement (together forming the legal record of all currently recorded PROW).

There may be other PROW that exist which have not been registered on the Definitive Map.

These paths are either historical paths that were not claimed under the National Parks and Access to the Countryside Act 1949 or since, or paths that have been created by years of public use. To check for any unrecorded rights or anomalies, please contact [DefinitiveMaps@suffolk.gov.uk](mailto:DefinitiveMaps@suffolk.gov.uk).

B) PROW MUST remain open, unobstructed, and safe for the public to use at all

times, including throughout any construction period. If it is necessary to temporarily close or divert a PROW, the appropriate process must be followed as per point D below.

C) The applicant, and any future owners, residents etc, must have private rights to take motorised vehicles over a PROW other than a BOAT. To do so without lawful authority is an offence under the Road Traffic Act 1988. Any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy.

We do not keep records of private rights and suggest that a solicitor is contacted.

D) The granting of planning permission IS SEPARATE to any consents that may be required in relation to PROW. It DOES NOT give authorisation for structures such as gates to be erected on a PROW, or the temporary or permanent closure or diversion of a PROW.

Nothing may be done to close, alter the alignment, width, surface, or condition of a PROW, or to create a structure such as a gate upon a PROW, without the due legal process being followed, and permission being granted from the Rights of Way & Access Team as appropriate. Permission may or may not be granted depending on all the circumstances. To apply for permission from Suffolk County Council (as the highway authority for Suffolk) please see below:

. To apply for permission to carry out work on a PROW, or seek a temporary closure - <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/rights-and-responsibilities/> or telephone 0345 606 6071. PLEASE NOTE that any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy.

. To discuss applying for permission for structures such as gates to be constructed on a PROW - contact the relevant Area Rights of Way Team <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> or telephone 0345 606 6071.

E) To apply for permission for a PROW to be stopped up or diverted within a development site, the officer at the appropriate borough or district council should be contacted at as early an opportunity as possible to discuss the making of an order under s257 of the Town and Country Planning Act 1990 - <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> PLEASE NOTE that nothing may be done to stop up or divert the legal alignment of a PROW until the due legal process has been completed and the order has come into force.

F) Under Section 167 of the Highways Act 1980 any structural retaining wall within 3.66 metres of a PROW with a retained height in excess of 1.37 metres, must not

be constructed without the prior written approval of drawings and specifications by Suffolk County Council. The process to be followed to gain approval will depend on the nature and complexity of the proposals. Construction of any retaining wall or structure that supports a PROW or is likely to affect the stability of the PROW may also need prior approval at the discretion of Suffolk County Council. Applicants are strongly encouraged to discuss preliminary proposals at an early stage.

G) Any hedges adjacent to PROW must be planted a minimum of 1 metre from the edge of the path in order to allow for annual growth and cutting and should not be allowed to obstruct the PROW. Some hedge types may need more space, and this should be taken into account by the applicant. In addition, any fencing should be positioned a minimum of 0.5 metres from the edge of the path in order to allow for cutting and maintenance of the path and should not be allowed to obstruct the PROW.

In the experience of the County Council, early contact with the relevant PROW officer avoids problems later on, when they may be more time consuming and expensive for the applicant to address. More information about Public Rights of Way can be found at <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/>.

4. Note: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

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

The County Council's East Area Manager must be contacted on Telephone: 01728 652400.

Further information can be found at: <https://www.suffolk.gov.uk/environment-andtransport/highways/dropped-kerbs-vehicular-accesses/>.

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

5. The applicant is advised that the proposed use of the building will require a license, which will need to be sought and complied with alongside the conditions on this planning permission.

6. The applicant is advised that the proposed development will require approval under the Building Regulations. Any amendments to the hereby permitted scheme that may be necessary to comply with the Building Regulations must also be approved by the local planning authority in order that any planning implications arising from those amendments may be properly considered.

7. The applicant is advised that the granting of planning permission for the hereby approved development does not override any other legislation, private access rights or land ownership issues which may exist. The onus rests with the owner of the property

to ensure they comply with all the necessary legislation (e.g. acts relating to environmental protection) and it is the applicants/developers responsibility to ensure that comply with all the necessary legislative requirements, and obtain all the necessary consents/permits.

8. The development included (or appears to include) one or more of the following:
- i. works to an existing wall or structure shared with another property;
  - ii. the construction of a wall or building on or close to a property boundary;
  - iii. excavations near a neighbouring buildings.

You are advised that the provision of the Party Wall Act 1996 may apply to this development. An explanatory booklet concerning the implications of this Act is available from the Department for Communities and Local Government - <https://www.gov.uk/party-wall-etcact-1996-guidance>.

9. Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

10. The applicant is advised that advertisements fixed to the building and any other advertisements on and/or around the premises may require advertisement consent under the Town and Country Planning (Control of Advertisements) (England) Regulations (2007) and/or Listed Building Consent.

Informal guidance on the possible need for consent can be sought via

- the 'Interactive Terrace' at

[https://www.planningportal.co.uk/info/200125/do\\_you\\_need\\_permission/119/interactive\\_terrace](https://www.planningportal.co.uk/info/200125/do_you_need_permission/119/interactive_terrace)

- on the East Suffolk Council website via

<https://www.eastsuffolk.gov.uk/planning/planningapplications-and-enforcement/find-out-if-you-need-planning-permission/advertisementconsent/>

- or from the Local Planning Authority by submitting an application for 'pre-application advice', details of which can be obtained via

<https://www.eastsuffolk.gov.uk/planning/planning-applications-and-enforcement/find-outif-you-need-planning-permission/pre-application-advice-service/>

11. The applicant is advised that East Suffolk Council's Environmental Protection Team have stated that they would be happy to discuss the requirements of the noise conditions with the applicant and their consultants at a suitable time. The Environmental Protection Team can be contacted via [environment@eastsuffolk.gov.uk](mailto:environment@eastsuffolk.gov.uk).

12. This consent includes conditions which require discharge prior to certain works taking place and/or the use commencing. These will require formal approval via a discharge of condition application(s). Multiple conditions on a single consent can be submitted for discharge/approval via a single discharge of condition application, with a single application fee. A number of the conditions are interdependent/affect one another (e.g. those relating to noise levels and equipment that maybe noise generating), and therefore it is recommended that the details for these conditions are submitted for approval under the same discharge of condition application.

**9 DC/21/1943/LBC - The George Community Inn, High Street, Wickham Market, Woodbridge, IP13 0SD**

The Committee received report **ES/0806** of the Head of Planning and Coastal Management, which related to planning application DC/21/1943/LBC.

The application sought Listed Building Consent for the repair and restoration of the fire damaged George Public House, in Wickham Market. The scheme also included part two-storey and part single-storey rear extensions, and associated works to its curtilage. The building was proposed to be used as a public house with community rooms on the first floor. The associated planning application DC/21/1942/FUL, had been approved by the Committee earlier in the meeting.

Both applications had been recommended for approval by officers, subject to appropriate conditions, contrary to the views of the Parish Council. Therefore the referral process (as set out in the East Suffolk Council Constitution) was triggered and the process route for the determination of the applications was decided by the Planning Referral Panel at its meeting on 15 June 2021; the applications were referred to Committee for determination as the project was considered to be of wider public interest.

The Committee received a presentation from the Principal Planner, who was the case officer for the application.

An aerial photograph of the site was displayed, outlining the site's relationship to the village centre.

The Committee received street view photographs of the building, taken before the fire in 2011. Photographs of the site taken in 2021, showing the damage to the building, were also displayed.

The Principal Planner displayed the plans of the previous/existing extensions which were proposed to be demolished.

The proposed block plan, floor plans, roof plan, elevations and sections were displayed.

The material planning considerations were summarised as:

- The impacts upon the heritage of the Listed Building:
  - Restoration of the long term historic use as a Public House
  - The impacts of the extensions upon the Listed Building
  - Restoration/reinstatement of the fire damaged building, and securing its long term future

The Principal Planner noted that the proposals would preserve the special interest of the Grade II Listed Building, its setting and the setting of the nearby listed buildings, and that the scheme complied with the requirements of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990, the NPPF, and Local Plan Policies SCLP11.2 (Historic Environment) and SCLP11.4 (Listed Buildings).

The recommendation to approve the application, subject to conditions, was outlined to the Committee.

There being no questions to the officers the Acting Chairman invited Mr Andrew West, who objected to the application, to address the Committee.

Mr West outlined his concerns about the extraction chimney flue; he considered it would be an incongruous structure and noted it would be running for 24 hours a day due to no windows or other ventilation for the kitchen.

Mr West said that this would result in noise pollution which had been a concern of Environmental Health, and suggested controlling conditions to prevent reverberation occurring, should the application be approved. Mr West added that there had been no assessment of air flow and considered that there were too many unaccepted and unresolved factors related to the proposals.

At the conclusion of Mr West's address, The Planning Manager advised the Committee that many of Mr West's comments had related to planning matters and not listed building matters and reiterated that this application was for Listed Building Consent.

There being no questions to Mr West the Acting Chairman invited Councillor Ivor French, representing Wickham Market Parish Council, to address the Committee.

Councillor French advised that his address to the Committee on the previous application (see item 8 of these Minutes) was applicable to this application also.

There being no questions to Councillor French the Acting Chairman invited Mr Owens, the applicant, to address the Committee.

Mr Owens considered there had been misdirection in previous statements made about the application; he said that the Listed Building Consent sought to restore the building to its use as a viable public house and that if the application was not approved, this could not be achieved and would result in a heritage asset deficit.

There being no questions to Mr Owens, the Acting Chairman invited the Committee to debate the application that was before it.

Councillor Deacon noted that it was disappointing that the Ward Member for Wickham Market had not attended the meeting.

There being no further debate the Acting Chairman moved to the recommendation to approve the application, as set out in the report.

On the proposition of Councillor Deacon, seconded by Councillor Cooper it was by a unanimous vote

## **RESOLVED**

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

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

*Reason: This condition is imposed in accordance with Section 18 of the Act (as amended) Plans/Documents Approved*

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

The following drawings/documents received on 21 April 2021

- Drawing 240653-PUR-00-XX-DR-A-1000 Revision P03 (Site Location Plan)
- Drawing 240653-PUR-00-XX-DR-A-1014 Revision P03 (Ground Floor Demolition Plan)
- Drawing 240653-PUR-00-XX-DR-A-1015 Revision P03 (First Floor Demolition Plan)
- Drawing 240653-PUR-00-XX-DR-A-1016 Revision P03 (Roof Demolition Plan)
- Drawing 240653-PUR-00-XX-DR-A-2002 Revision P05 (Proposed Basement Plan),
- Window Schedule
- Door Schedule
- Internal Materials Schedule
- Timber frame repairs document

The following drawings/documents received on 4 June 2021:

- Drawing 240653-PUR-00-XX-DR-A-2001 Revision P07 (Proposed Site Plan),
- Drawing 240653-PUR-00-XX-DR-A-2003 Revision P07 (Proposed Ground Floor Plan),
- Drawing 240653-PUR-00-XX-DR-A-2004 Revision P07 (Proposed First Floor Plan),
- Drawing 240653-PUR-00-XX-DR-A-2005 Revision P07 (Proposed Roof Plan),
- Drawing 240653-PUR-00-XX-DR-A-2006 Revision P07 (Proposed Elevation 1),
- Drawing 240653-PUR-00-XX-DR-A-2007 Revision P07 (Proposed Elevation 2),
- Drawing 240653-PUR-00-XX-DR-A-2008 Revision P07 (Proposed Elevation 3),
- Drawing 240653-PUR-00-XX-DR-A-2009 Revision P04 (Proposed Section A),
- Drawing 240653-PUR-00-XX-DR-A-2010 Revision P04 (Proposed Section B),
- Drawing 240653-PUR-00-XX-DR-A-2014 Revision P05 (Ground Floor Plan

Fire Strategy)

- Drawing 240653-PUR-00-XX-DR-A-2016 Revision P05 (First Floor Plan Fire Strategy)
- Drawing 240653-PUR-00-XX-DR-A-2017 Revision P04 (Eyeline Elevation)
- Drawing 240653-PUR-00-XX-DR-A-2018 Revision P05 (Interpretation Plan)
- Drawing 240653-PUR-00-XX-DR-A-2020 Revision P04 (Bin Plan)
- Drawing 240653-PUR-00-XX-DR-A-2021 Revision P01 (Proposed Elevation 4 and 5)
- Drawing 5101 Revision P04 (Mechanical Services Ventilation Layout Ground Floor Plan),
- Drawing 5102 Revision P04 (Mechanical Services Ventilation Layout First Floor Plan),
- Drawing 5103 Revision P02 (Mechanical Services Ventilation Layout Roof Plan)
- Combined Design, Access and Heritage Statement, Rev 003 , June 2021 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. No building work shall commence until details of the following have been submitted

to and approved by the local planning authority:

- I. The replacement roof structure to the historic range (to show materials, joints, general arrangement of structural elements and junctions with the existing elements, in both plan and section).
- II. roof covering (i.e. specific tile for the pitched elements and material for flat roofed area),
- III. Roof edging detailing including eaves, verge, barge boards and capping pieces (including shape, material and finish),
- IV. External wall materials (including material, colour and finish),
- V. Representative details of new and replacement windows in both the historic range and extension (including full details of their appearance, profile of frame and glazing bars, method of opening, ironmongery, materials and finish).
- VI. Representative details of new and replacement internal doors in both the historic range and the new extension (including full details of appearance, materials, finish and ironmongery).
- VII. Representative details of new and replacement external doors in both the historic range and the new extension (including full details of appearance, materials, finish and ironmongery).
- VIII. Ventilation intake, grills and exhaust vents (including precise size, position, materials, colour and finish).
- IX. and
- X. Hand painted signage.

Thereafter, all work must be carried out using the approved materials and in accordance with the approved details.

*Reason: To ensure that any new detailing and materials will not harm the traditional/historic character of the building: the application does not include the necessary details for consideration.*

4. The new roof light shall be black painted cast metal conservation-style rooflight with a vertical glazing bar down the middle.

*Reason: In the interests of the conservation of the historic structure and fabric of the building.*

5. All rainwater pipes and gutters shall be black cast iron black circular/half circular (as stated on the application form) and thereafter permanently maintained in that colour unless otherwise agreed in writing with the local planning authority.

*Reason: To ensure the character of the listed building is safeguarded Internal wall finish*

6. All internal plastered walls shall have a lime plaster finish, as stated on the finishes schedule received 21 April 2021, unless otherwise agreed by the Local Planning Authority.

*Reason: To ensure the character of the listed building is safeguarded Submission of Heritage Assessment to HER*



7. No development shall commence, until a copy of the " Historic Building Record of 2015 by Heritage Collective ", submitted with this application has been submitted to the Suffolk Heritage and Environment Record (HER).

*Reason: To ensure the proper recording of the historic building.*

Informatives:

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

2. The works undertaken must also comply with the conditions on the associated Planning Permission (reference number DC/21/1942/FUL).

3. The current contact details for Suffolk Heritage and Environment Record (HER) are Historic Environment Record Officer, Suffolk County Council Archaeological Service, 9-10 The Churchyard Shire Hall, Bury St Edmunds, Suffolk, IP33 1RX, Telephone: 01284 741232, fax 01284 741230, email: [archaeology.her@suffolk.gov.uk](mailto:archaeology.her@suffolk.gov.uk).

**10 DC/21/1226/FUL - 41 Knight Road, Rendlesham, IP12 2GR**

The Committee received report **ES/0807** of the Head of Planning and Coastal Management, which related to planning application DC/21/1226/FUL.

The application sought to change the use of 41 Knight Road, Rendlesham from a C3 residential use to a C2 residential institution to be used as a children's home for up to 5 children.

The application was presented to the Planning Referral Panel on 11 May 2021 as Rendlesham Parish Council had objected to the proposal, which was contrary to the officer recommendation of approval. Members considered that given the Parish Council objection and level of local interest, including from the Ward Member, the application should be determined by the Committee.

The Committee received a presentation from the Senior Planner, who was the case officer for the application.

The site's location was outlined, and the Committee was shown an aerial photograph of the site.

Photographs of the site from street level were displayed, demonstrating various views of the building.

The Committee was shown the proposed floor plans and parking plans.

The recommendation to approve the application, subject to conditions, was outlined to the Committee.

The Acting Chairman invited questions to the officers.

It was confirmed that the parking plan had been submitted by the applicant.

The Chairman invited Ms Susan Ansdell, who objected to the application, to address the Committee.

Ms Ansdell explained that she was the nearest neighbour to the property and objected to the application being made; she considered that there were inconsistencies and omissions in the report presented to the Committee.

Ms Ansdell highlighted that the property was a 4-bedroom house and the plan showed seven proposed bedrooms, which was not addressed in the report. Ms Ansdell said that even with the applicant's claim of no significant change, the change of use would result in more noise.

Ms Ansdell considered there would be no break in the traffic and noise generated by the new use of the site and stated there was no illustration of what the parking would look like during a shift handover, noting that there could be up to eight cars present at any one time. Ms Ansdell added that there was no indication that the proposed parking plan was to scale and there was no mention of disabled parking.

Ms Ansdell queried if new shift patterns would be implemented in the future and suggested that noise levels would rise as people entered and exited the site. Ms Ansdell said that the concerns raised by the Highways Authority and Environmental Health needed to be addressed.

There being no questions to Ms Ansdell the Acting Chairman invited Councillor Dave Moore, representing Rendlesham Parish Council, to address the Committee.

Councillor Moore said that the Parish Council was not opposed to a children's home but objected to this particular application due to the traffic and vehicle movement that would be generated by staff accessing the site and shift changeovers.

Councillor Moore considered that there would be excessive manoeuvring of vehicles on the site late at night due to the lack of parking capacity. Councillor Moore also noted a covenant on the building; although the applicant was intending to address this through indemnity insurance Councillor Moore considered that the covenant could not be overturned and stated that the Parish Council would seek to uphold this covenant.

There being no questions to Councillor Moore the Acting Chairman invited Mr Catalin Condurat and Ms Debbie Hill, the applicants, to address the Committee.

Mr Condurat stated that there was a need to increase provision for children in need in Suffolk and that the application sought to help achieve this.

Ms Hill noted that although the company was new, she and Mr Condurat had several years of experience in running a children's home. Ms Hill said that several houses in the area had a similar number of vehicles and that they had limited parking to five

spaces on the site, when up to nine could be provided.

Ms Hill highlighted that staff would live nearby and that car sharing would be encouraged, and considered that the development would support the local community. Ms Hill assured the Committee that a concerted effort would be made to ensure information was shared with local residents to alleviate any concerns.

The Acting Chairman invited questions to Mr Condurat and Ms Hill.

It was noted that the children accessing the provision would usually come from neighbouring local authorities, but could come from anywhere in the country.

The applicants welcomed the suggestion of a condition to increase the provision of parking on the site through the paving of the green space at the front of the property.

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

Councillor Bird was amenable to the provision of such a facility but had concerns over the parking provision and the potential movements of vehicles on the site, as the site would have visitors as well as staff driving to and from it.

It was confirmed that during the day there would be five care staff on site plus a manager and that at night there would be two care staff on duty.

Councillor Hedgley expressed concerns about parking in what was primarily a residential area.

Councillor Blundell cited a lack of information on how the provision would be financed and supplied.

Councillor Deacon said he supported the addition of a condition to increase the provision of parking on the site through the paving of the green space at the front of the property.

There being no debate the Acting Chairman moved to the recommendation to approve the application, as set out in the report, with the addition of a condition to increase the provision of parking on the site through the paving of the green space at the front of the property.

On the proposition of Councillor Blundell, seconded by Councillor Yule it was by a majority vote

## **RESOLVED**

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

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

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

2. The development hereby permitted shall be completed in all respects (with the exception of the additional parking of Suffolk Drive) strictly in accordance with Site location plan received 18 May 2021 and floor plan and parking plan received 25 May 2021 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. The premises herein referred to, shall be used as a children's residential home and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning [Use Classes] Order 1987) (or any Order revoking or re-enacting the said Order).

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

4. No more than five children shall be in residence at the property at any one time.

*Reason: For the avoidance of doubt what has been considered and approve, in the interest of amenity and protection of the local environment.*

5. Additional condition regarding the paving of the green space, for parking (wording to be drafted).

Informatives:

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

2. The applicant is however reminded of their responsibility to prevent statutory nuisance and the premises should be managed with this in mind.

3. This approval relates only to the grant of planning permission and does not over-rule any restrictive covenant on the site, nor does it permit the use of Suffolk Drive, or any other private space for parking, access or any other purpose in association with the permitted use.

## **11 DC/21/1486/FUL - Stone Farm, Station Road, Blaxhall, IP12 2DF**

The Committee received report **ES/0808** of the Head of Planning and Coastal Management, which related to planning application DC/21/1486/FUL.

The application sought full planning application for the conversion of the barn to a

residential dwelling; the application site was located in the countryside in the Parish of Blaxhall. Prior approval had previously been granted for a similar conversion.

Given the barn is of a relatively modern construction, it was not considered to make a positive contribution to the character of the landscape' as required by Policy SCLP5.5 of the Suffolk Coastal Local Plan (the SCLP) and therefore the proposal was considered to be contrary to the SCLP.

However, given the fallback position of the existing prior approval, officers had considered that the application should be supported as a departure to this policy. The application was therefore presented to the Committee for determination.

The Committee received a presentation from the Senior Planner, who was the case officer for the application.

The site's location was outlined, and the Committee was also shown an aerial photograph of the site.

The Committee received photos of the site demonstrating various views of the barn proposed for conversion.

The existing plans were demonstrated to the Committee, along with the approved plans compared with the proposed plans.

The material planning considerations and key issues were summarised as the principle of development and the fallback position.

The recommendation to approve the application subject to conditions, as set out in the report, was outlined to the Committee.

There being no questions to the officers, the Acting Chairman invited Mr Jason Parker, agent for the applicant, to address the Committee.

Mr Parker outlined the benefits the development would bring, including those of an ecological nature. Mr Parker considered that the extant planning permission established a principle of development and that the application only proposed minor changes from what had been agreed.

There being no questions to Mr Parker, and no debate on the application, the Acting Chairman moved to the recommendation to approve the application, as set out in the report.

On the proposition of Councillor Cooper, seconded by Councillor Hedgley it was by a unanimous vote

## **RESOLVED**

That the application be **APPROVED** subject to no objections being raised by Environmental Protection which cannot be dealt with by condition, and further conditions as detailed below:

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with A 02-04 and A02-05A received 25 March 2021 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

4. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (BasEcology, October 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

5. The use shall not commence until the area within the site on dwg. no. A02-04 for the purposes of Loading, Unloading, manoeuvring and parking of vehicles has been provided and thereafter that area shall be retained and used for no other purposes.

*Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety.*

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

*Reason: To promote sustainable transport choices*

7. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number A02-04 shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) England (Order) 2015 (as amended) or any Order revoking or re-enacting the said Order, no development of any kind specified in Part 1, Classes A-E and Part 2, Class A of Schedule 2 of the said Order shall be carried out unless otherwise agreed in writing with the local planning authority. (These Classes refer to alterations, extensions, outbuildings and means of enclosure).

*Reason: In order that the local planning authority may retain control over this particular form of development in the interests of amenity and the protection of the local environment.*

Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework 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](mailto: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](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>

3. The applicant is advised that the proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business premises. For details of the address charges please see our website <https://www.eastsuffolk.gov.uk/planning/street-naming-and-numbering> or email

**12 DC/21/0861/FUL - Coach House Cottage, The Street, Eyke, IP12 2QG**

The Committee received report **ES/0821** of the Head of Planning and Coastal Management, which related to planning application DC/21/0861/FUL.

The proposed development sought permission to erect a single-story dwelling and detached garage/ cart lodge in the rear garden of Coach House Cottage, The Street, Eyke.

The application was before the Committee for determination due to part of the site falling outside of the settlement boundary of Eyke and therefore the proposal was considered contrary to policy in regard to the erection of housing within the countryside.

The Committee received a presentation from the Trainee Planner, who was the case officer for the application.

The site's location was outlined, and the Committee was shown 3D aerial views of the site.

The proposed block plan was displayed. The Committee was also shown a drawing outlining the site's relationship with the Eyke settlement boundary.

The Committee was shown photographs looking in and out of the site, the site access, and the rear garden of the host dwelling.

The proposed floor plans, elevations, sections and heights were displayed.

The key concerns and considerations were summarised as the location and accessibility, unsuitable access, levels, trees, landscape and setting, design, and residential amenity, overlooking and loss of privacy.

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

The Acting Chairman invited questions to the officer.

It was noted that vertical and horizontal cladding and glazing was proposed.

The Planning Manager acknowledged that the application did depart from the Council's Development Plan but said that looking at the application pragmatically the majority of the site was within the settlement boundary and therefore officers did not consider it to be contrary to the Development Plan.

The Trainee Planner confirmed that the settlement boundary broadly followed the rear gardens of dwellings on The Street.



The Acting Chairman invited Mr Peter Wells, agent for the applicant, to address the Committee.

Mr Wells noted that the settlement boundary passed through the rear garden of the host dwelling and did not follow a physical line. Mr Wells considered the application to offer a well designed contemporary dwelling which the applicant would move in to and leave the larger host dwelling to relatives.

Mr Wells acknowledged the comments of neighbours and highlighted that what was proposed was of a similar size to other dwellings in the area. Mr Wells said there were no windows that would overlook neighbouring properties.

Mr Wells said that the applicant had worked with officers carefully when developing the scheme and outlined the materials proposed in the report.

There being no questions to Mr Wells, the Acting Chairman invited the Committee to debate the application that was before it.

Councillor Bird said that taking a pragmatic approach did not grant a 'blank cheque' to departing from the Development Plan and said that each application should be considered on its own merits. Councillor Bird considered that a common sense approach should be taken.

Councillor Newton noted that the settlement boundary did not follow any physical line.

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

On the proposition of Councillor Bird, seconded by Councillor Newton it was by a unanimous vote

## **RESOLVED**

That **AUTHORITY TO APPROVE** the application be delegated to the Head of Planning and Coastal Management subject to the receipt of RAMS payment and subject to the following controlling conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with PW1123/ PL02 Rev A and PL03 Rev A received 09/04/2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

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

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

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

*Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7 of Suffolk Coastal Local Plan (2020) and the National Planning Policy Framework (2019).*

5. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 4 and the provision made for analysis, publication and dissemination of results and archive deposition.

*Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7 of Suffolk Coastal Local Plan (2020) and the National Planning Policy Framework (2019).*

6. The use shall not commence until the area(s) within the site on dwg. no. PW1123\_PL02 for the purposes of Loading, Unloading, manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

*Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety*

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

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

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

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

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

Informatives:

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

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

The proposed development referred to in this planning permission may be

chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

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

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

CIL forms can be downloaded direct from the planning portal:  
[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](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>

### **13 DC/21/2166/VOC - Proposed Cafe/Restaurant, Coastguard Walk, Felixstowe**

The Committee received report **ES/0809** of the Head of Planning and Coastal Management, which related to planning application DC/21/2166/VOC.

The application sought to vary conditions on this approved development to enable an area of the building previously proposed for community use to be used as the kitchen serving the café/restaurant. The proposal also sought to confirm table and seating arrangements for the outside garden area along with the extraction and ventilation plant and equipment for the building.

The application before the Committee for determination as the site was owned and being developed by the Council, although the application had been made by the future operator.

The Committee received a presentation from the Planner, on behalf of the case officer for the application.

The site's location was outlined, and the Committee was shown the elevations of the building.

The Committee was shown photographs of the ongoing development, which highlighted the area of the building where changes were proposed.

The existing and proposed block plans, and the ventilation and plant equipment drawings, were displayed.

The material planning considerations and key issues were summarised as:

- The loss of dedicated community spaces and alternatives put forward

- The effect of this on the overall consent previously approved
- The effect of the details submitted in respect of ventilation and extraction - noise and odour, including the larger kitchen
- Proposed landscaping now accommodating seating on the landscaped area in front of the building and external terrace, including visual and amenity effects

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

There being no questions to officers the Acting Chairman invited Mr Chris Game, agent for the applicant, to address the Committee.

Mr Game explained that since the original application had been approved, a need to adapt to the 'new normal' of social distancing had become apparent. Mr Game said the improved facilities would comprise of a better use of the space than currently consented for.

Mr Game outlined that in response to a community consultation, only one neighbour had objected to the proposed changes. In regard to the concerns raised by Environmental Health, Mr Game confirmed that an acoustic consultant had issued clarification and documentation had been updated as a result.

The Acting Chairman invited questions to Mr Game.

Mr Game confirmed that there had been only one objection to the proposed changes.

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

On the proposition of Councillor Hedgley, seconded by Councillor Yule it was by a unanimous vote

## **RESOLVED**

That **AUTHORITY TO APPROVE** the variations of conditions be delegated to the Head of Planning and Coastal Management, subject to the receipt of final details and approval of extraction and ventilation equipment and a revised block plan, repositioning planters beside the path (these should be provided in advance of the Planning Committee meeting) and subject to an additional condition being imposed for the agreement and implementation of stage two of the community use agreement.

Conditions:

1. Following 12 months from the opening of the Café/Restaurant use, stage two of the community use agreement or strategy shall be submitted to the Local Planning Authority for consideration detailing the extent of use of the building for community purposes and activities along with any other facilities relied up in the area for this purpose. This will need to be agreed, implemented and maintained within 18 months from the opening.

*Reason: To ensure that the original community space is catered for in the longer term through alternative means.*

2. The development hereby permitted shall not be brought into use until it has been completed in all respects strictly in accordance with the following plans received 31 July 2018,

PL343-A01-01 - Location Plan

Revised Internal Layout drawing ID01-04A,

PL343 - A02-12 Proposed Elevations

PL343 - A04-11 Proposed External Works Plan

PL343 A02-02C (in respect of some landscaping, access and bin storage previously agreed)

A02-13 Proposed Roof Plant Plan.

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

*Reason: To secure a properly planned development.*

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

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

4. The working hours in connection with the use/building[s] hereby permitted, shall not be other than between 8am and 11pm Monday to Saturday; 8am and 10pm on Sundays and Bank Holidays.

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

5. The ventilation and extraction equipment Detailed on drawings and documents (to be confirmed) shall be the only the equipment approved by means of this condition and shall be installed and operated.

*Reason: In the interest of residential amenity*

6. The delivery of goods and removal of waste shall restricted to undertaken only between 8am and 6pm Mondays to Saturdays and at no times outside of these hours.

*Reason: In the interest of residential amenity*

7. There shall be no live or amplified music outside of the building hereby approved.

*Reason: In the interest of residential amenity*

8. Prior to the commencement of development, a Construction Management and

Deliveries Plan shall be submitted to the Local Planning Authority for approval. The construction of the dwelling hereby approved shall be undertaken in strict accordance with the approved Plan.

*Reason: In the interest of residential amenity and to reduce and / or remove as far as is reasonably possible the effects of HGV traffic in sensitive areas.*

9. The access shall be completed in all respects in accordance with Drawing No. PL343 A02-02C and SCC Standard Drawing DM10; with an entrance width of 4.5m and be available for use before first occupation.

Thereafter it shall be retained in its approved form. At this time all other means of access within the frontage of the application site shall be permanently and effectively closed to the satisfaction of the Highways Authority "stopped up" in a manner which previously shall have been approved in writing by the Local Planning Authority.

*Reason: In the interests of highway safety to ensure the approved layout is properly constructed and laid out and to avoid multiple accesses which would be detrimental to highway safety.*

10. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number PL343 A02-02C shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

11. The use shall not commence until the area(s) within the site shown on drawing number PL343 A02-02C for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles has been provided and thereafter that area(s) 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 order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.*

12. Before the use is commenced approved details of the areas to be provided for secure cycle storage shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure the provision of sustainable secure cycle storage.

13. Before the access is first used means to prevent the discharge of surface water from the development onto the highway shall be carried out in its entirety and shall be retained thereafter in its approved form.

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

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.

The meeting concluded at 6:15pm.

.....  
Chairman



<p><b>Unconfirmed</b></p>
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Minutes of a Meeting of the **Planning Committee South** held in the Deben Conference Room, East Suffolk House, Melton, on **Tuesday, 24 August 2021 at 2:00pm**

**Members of the Committee present:**

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

**Other Members present:**

Councillor Paul Ashdown, Councillor Linda Coulam, Councillor David Ritchie

**Officers present:**

Sarah Carter (Democratic Services Officer), Rachel Lambert (Planner - Major Sites), Matt Makin (Democratic Services Officer), Steve Milligan (Planner), Katherine Scott (Principal Planner), Ben Woolnough (Planning Development Manager), Nicola Wotton (Deputy Democratic Services Manager)

**1 Apologies for Absence and Substitutions**

No apologies for absence were received.

**2 Declarations of Interest**

Councillor Stuart Bird declared:

- Local Non-Pecuniary Interests in both items 6 and 7 of the agenda as the Suffolk County Councillor for Trimley St Martin.
- Local Non-Pecuniary Interests in both items 8 and 9 of the agenda as a member of Felixstowe Town Council and Chairman of that authority's Planning & Environment Committee.

Councillor Mike Deacon declared:

- Local Non-Pecuniary Interests in items 6 and 7 of the agenda as the applicant was a near neighbour to him.
- Local Non-Pecuniary Interests in items 8 and 9 of the agenda as a member of Felixstowe Town Council.

**3 Declarations of Lobbying and Responses to Lobbying**

Councillor Debbie McCallum declared that she had been lobbied on items 6 and 7 of the agenda; she had been contacted by one of the objectors to the application, who had been a fellow East Suffolk Councillor at the time of the discussion. Councillor McCallum declared that she remained of an open mind on the application.

Councillor Stuart Bird declared that he had been lobbied on items 6 and 7 of the agenda; he had been contacted by an objector to discuss their concerns about the application and had made it clear that he could not comment on any possible determination of the application.

**4 Minutes  
RESOLVED**

That the Minutes of the Meeting held on 27 July 2021 be agreed as a correct record and signed by the Chairman.

**5 East Suffolk Enforcement Action - Case Update**

The Committee received report **ES/0856** of the Head of Planning and Coastal Management, which provided a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 23 July 2021. At that time there were nine such cases.

The Chairman invited questions to the officers.

The Planning Manager advised that no further information was available on the case at Top Street, Martlesham and that officers were awaiting the issue of court summons for the scheduled hearing on 15 October 2021.

Councillor Cooper sought clarity around the status of the enforcement case at Park Farm, Bucklesham, as he considered the report to be unclear on the matter. The Planning Manager said he would seek a further update from the Enforcement team and update Councillor Cooper outside the meeting.

Councillor Hedgley asked if the Council's Legal team had progressed the enforcement case relating to Homeland House, Swilland. The Planning Manager advised that no further information was available on the case and that officers were awaiting the issue of court summons for the scheduled hearing on 15 October 2021.

It was confirmed that a site visit had taken place to Load n Go at Sandy Lane, Martlesham and that further information would be available from the case officer in due course, who was currently determining an appropriate course of action. Councillor Blundell asked for an update on this case outside of the meeting.

The Planning Manager noted that the cases he had discussed previously with Councillor Deacon, located within his Ward, had not yet progressed to the point where an enforcement notice was required.

On the proposition of Councillor Cooper, seconded by Councillor Hedgley it was by a unanimous vote

**RESOLVED**

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

**6 DC/20/4179/VOC - Alston Barns, Grimston Lane, Trimley St Martin, IP11 0SD**

The Committee received report **ES/0858** of the Head of Planning and Coastal Management, which related to planning application DC/20/4179/VOC.

The application sought to vary Condition 2 of DC/19/1967/COU (change of use of Alston Barns from agriculture to B1(c) use). Changes included the alteration to previously approved drawings - including variation in positioning of fenestrations, a raised platform addition, installation of air-conditioning units, repositioning of bin storage area and installation of screening.

This application was partially retrospective; all of the works proposed had been implemented with the exception of the proposed raised platform along the north-west elevation.

The application was considered by the Planning Referral Panel at its meeting of 3 August 2021 at the request of the Chairman of the Committee, due to the ongoing concerns raised by the neighbour (a former East Suffolk Councillor) and the short time that there had been from the Member leaving the Council. The application was referred to the Committee for determination due to the history of the site and concerns raised by the neighbour.

The Committee received a presentation from the Planner, who was the case officer for the application.

The context of the site and its location in the Area of Outstanding Natural Beauty (AONB) was outlined; the Committee was also shown an aerial view of the site which detailed the application site's relationship with Alston Hall and its annexe building. The site location plan was displayed to the Committee.

The Committee was shown both the approved and proposed elevations; the Planner highlighted the proposed changes to what had been approved. The Committee was also shown the proposed floorplan.

The Committee was shown the following photographs of the site:

- The window along the south-east elevation and willow fencing along the boundary, and trees along the boundary.
- The north-east elevation; air conditioning units screened by willow fencing.
- The south-west elevation; changes to the fenestration.
- The south-west elevations; changes to the fenestration, willow fencing and with Alston Hall to the rear.
- The raised access along the north-west elevation (it was noted that the fencing in this photograph had since been reduced to single height).
- The willow fencing along the north-west elevation, from Grimston Lane.
- The relationship between the application site and Alston Hall.
- Photographs taken by a neighbour from the corner of their garden, showing the delivery area and the bin store.

The material planning considerations were summarised as the impact on residential

amenity, landscape impacts, the design aesthetics and visual amenity.

The recommendation to approve the application, subject to conditions, was outlined to the Committee.

The Chairman invited questions to the officers.

In response to concerns raised in respect of the retrospective nature of the application, the Planning Manager advised that the application needed to be considered on merit, regardless of works already having been undertaken and that the Committee was required to consider if the changes from the approved planning permission were materially different to the impact of the development.

The Planner considered that the fenestration on the south-east elevation would not cause overlooking or a loss of privacy, given the screening from trees and fencing on the opposite boundary. The Committee was advised that the objectors had expressed concern about the overlooking from the raised access for deliveries but that the impact of this was, in officers' opinion, minimal due to the operational restrictions imposed on the site.

The Planner confirmed that an environmental noise assessment had been undertaken and reviewed by the Council's Environmental Health team, who had considered the impact on neighbouring dwellings to be low. The assessment had concluded that the air conditioning units were not audible from the adjacent property.

The Chairman invited Mr Terence Purnell, who objected to the application, to address the Committee. Mr Purnell was accompanied by Mrs Melissa Purnell, who was present to answer any questions from the Committee.

Mr Purnell noted that he and Mrs Purnell had lived in the area for 17 years; he was very concerned about the raised access and highlighted that since planning permission was granted on the site, the applicant had undertaken several alterations without consent. Mr Purnell considered that the situation was causing his family stress and upset, and was impacting on their daily lives.

It was Mr Purnell's view that the number of vehicle movements on the site was considerably higher than what had been consented and that heavy goods vehicles had been accessing the site. Mr Purnell said that the removal of fencing by the applicant had exposed the bin store and considered that the remaining fencing would deteriorate further. Mr Purnell said it was not unusual for him to be woken up by bin lorries accessing the site in the early hours of a Friday morning.

Mr Purnell was of the view that the willow fencing and trees did not screen his home from the new raised access and that this access was now level with his garden, and when this was levelled down to the same level as his summerhouse, there would be overlooking from the raised access. Mr Purnell considered that additional screening at the access would prevent overlooking and loss of privacy.

Mr Purnell queried why the application had been recommended for approval and noted that it was not very different from a previous application that had been refused

in February 2020. Mr Purnell urged the Committee to make the right decision and asked that should the application be approved additional screening be placed at the raised access.

The Chairman invited questions to Mr and Mrs Purnell.

It was confirmed that bin lorries accessed the site on Friday mornings.

The Chairman invited Ms Louise Newton, agent for the applicant, to address the Committee. Ms Newton was accompanied by Ms Laura Dix, the applicant, who was present to answer any questions from the Committee.

Ms Newton considered that the application proposed only minor alterations to the approved planning permission and would not have a negative impact on the site's neighbours or the general public. Ms Newton said that the changes would improve working conditions for employees and provide a boost to the site's economic outlook. Ms Newton noted that the site employed local people and was restricted in its hours of operation.

It was highlighted by Ms Newton that the changes to the fenestration resulted in fewer openings facing Alston Hall and was of the view that the objectors' chief concern was the raised access, used for receiving deliveries. Ms Newton considered that the application was in accordance with planning policies and that the raised access was important for receiving deliveries in a safe way.

Ms Newton stated that should the application be refused, this would have a negative economic impact to the applicant's business. Alternatives to the raised access had been explored and it had been concluded that the proposed access was the best option.

Ms Newton highlighted that the air conditioning units had been screened from view and that the completed noise assessment had concluded that they had no impact on the neighbours' residential amenity. Ms Newton added that the bin store would be being moved as part of a separate change of use application that had been approved.

Ms Newton confirmed that a log of vehicle movements on the site had been kept, which did not reflect the number of movements on the site alleged by the objectors. Ms Newton sought the Committee's support for the application.

The Chairman invited questions to Ms Newton and Ms Dix.

Ms Dix was able to confirm that she employed seven people; one person worked from home and the other six worked on site, one part time and the other five full time.

Ms Newton noted that the approved planning permission had included a condition requiring a log of vehicle movements on the site be kept. This record noted staff movements on and off the site along with deliveries received.

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

Councillor Hedgley said he was not convinced that overlooking was a significant issue and considered that the early bin collections were a fact of life; he indicated that he was in support of the application.

Councillor Blundell suggested that the applicant could be asked to provide additional screening to prevent overlooking to Alston Hall. The Chairman sought advice if such a condition could be added; the Planner highlighted that this issue had been discussed with the applicant and had been refused as they considered it would have a negative impact on the landscape. It was noted that an additional condition could be included to specify a more substantial form of fencing.

Councillor Deacon considered that the application had been sensitive to the site's neighbours and highlighted that this business had relocated to the site from his Ward; he stated that when it was located in his Ward the business had been a responsible company that took care of the area it was in. Councillor Deacon said it was regrettable that alterations had been made without consent but highlighted the seven jobs the site provided.

Councillor Cooper highlighted the informatives around fire safety; the Planning Manager advised the Committee that informatives could not be discharged as planning conditions and that the relevant authority would be responsible for enforcing fire safety on the site.

Councillor Bird supported adding a condition regarding fencing and landscaping, and suggested adding another condition that the access on the north-west elevation be used only for deliveries.

There being no further debate the Chairman moved to the recommendation to approve the application, as set out in the report and including the two additional conditions proposed during the debate.

On the proposition of Councillor Hedgley, seconded by Councillor Deacon it was by a unanimous vote

## **RESOLVED**

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

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

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

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

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

- Proposed elevations; and
- Fencing plan (drawing number A.50.935a).

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

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

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

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

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

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

*Reason: To safeguard biodiversity and protected species in accordance with Policy SP14 and Policy DM27 of the Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (2013) and the National Planning Policy Framework (2019).*

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

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

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

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

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

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

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

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

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

10. Additional condition regarding landscaping and fencing (final wording to be drafted).

11. Additional condition regarding use of access on the north-west elevation (final wording to be drafted).

Informatives:

1. The local planning authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework (2019) and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

2. Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2006 Edition, incorporating 2010 and 2013 amendments Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for fire fighting, in which case those standards should be quoted in correspondence. Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2006 Edition, incorporating 2010 and 2013 amendments.

3. Suffolk Fire and Rescue Service recommends that fire hydrants be installed within this development on a suitable route for laying hose (i.e. avoiding obstructions). However, it is not possible, at this time, to determine the number of fire hydrants required for fire fighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.

4. Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system. (Please see sprinkler information enclosed with this letter). Consultation should be made with the Water Authorities to determine flow rates in all cases. Should you need any further advice or information on access and fire fighting facilities, you are advised to contact your local Building Control in the first instance. For further advice and information regarding water supplies, please contact the Water Officer at Endeavour House, 8 Russell Road, Ipswich, Suffolk, IP1 2BX.

5. The applicant is advised that the proposed development will require approval under Building Regulations (2010). Any amendments to the hereby permitted scheme that



may be necessary to comply with Building Regulations (2010) must also be approved in writing by the local planning authority in order that any planning implications arising from those amendments may be properly considered.

**7 DC/20/4916/FUL - Alston Barns, Grimston Lane, Trimley St Martin, IP11 0SD**

The Committee received report **ES/0859** of the Head of Planning and Coastal Management, which related to planning application DC/20/4916/FUL.

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

The application was referred to the Committee for determination by the Chairman of the South Planning Committee during the Planning Referral Panel meeting held on 3 August 2021, when addressing the adjacent application (DC/20/4916/VOC). Members requested that both items be determined by the Committee due to the history of the site and concerns raised by the neighbour - allowing the proposed/retrospectives works to be assessed as one 'masterplan'.

The Committee received a presentation from the Planner, who was the case officer for the application.

The context of the site and its location in the Area of Outstanding Natural Beauty (AONB) was outlined; the Committee was also shown an aerial view of the site which detailed the application site's relationship with Alston Hall and its annexe building. The site location plan was displayed to the Committee.

The Committee was shown both the existing and proposed elevations and floorplans.

The Committee was shown photographs of the site displaying views of the barn both from Grimston Lane and within the site.

The material planning considerations were summarised as the business use in the countryside, impact on residential amenity, landscape impacts within the AONB, ecological impacts, design aesthetics and visual amenity, and highway impacts relating to traffic/parking provision.

The recommendation to approve the application, subject to conditions, was outlined to the Committee.

There being no questions to the officers, the Chairman invited Ms Newton, agent for the applicant, to address the Committee. Ms Newton was accompanied by Ms Laura Dix, the applicant, who was present to answer any questions from the Committee.

Ms Newton said the application was fully policy compliant and there was only a single objection from neighbours of the site. Ms Newton considered the application would benefit the rural economy and noted that the Council's own planning policies supported converting redundant agricultural buildings for business use.

Ms Newton advised that the proposed cladding would restrict views in and out of the

storage area and noted that the barn was a significant distance from Alston Hall. Ms Newton was of the view that the proposed development was in keeping with the rural character of the area and would not negatively impact on the AONB.

Ms Newton stated that the conversion of the barn would not result in an increase of vehicle movements on the site and in fact would allow for larger, and therefore fewer, deliveries to be accommodated. Ms Newton said that there had been no objection from Suffolk County Council as the Highways Authority and the change of use would be an improvement over the number of agricultural vehicle movements that the site could generate.

The Committee was advised that no statutory consultee had objected to the application and Ms Newton considered the application to be for a sustainable form of development. Ms Newton urged the Committee to consider the visual and economic benefits the development would bring, in line with planning policies.

The Chairman invited questions to Ms Newton and Ms Dix.

Ms Newton confirmed that the barn had originally been used for temporary storage during construction work; it later became apparent to the applicant that there was insufficient storage on the site and the barn had been used for storage since the current planning permission had been granted.

Ms Dix confirmed that the original barn owl box on the site remained in place and that two bat boxes had been installed. The installation of other barn owl boxes had been delayed pending the outcome of this application so their location could be determined.

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

Councillor Yule considered it regrettable that works had been carried out without consent but did not object to the application in principle.

Councillor Bird reminded the Committee that the application should be considered on merit and should not be prejudiced by any retrospective elements.

Councillor Deacon said he was very familiar with the site and considered the improvements would be very welcome.

There being no further debate the Chairman moved to the recommendation to approve the application, as set out in the report.

On the proposition of Councillor Hedgley, seconded by Councillor Deacon it was by a unanimous vote

## **RESOLVED**

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

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

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

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

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

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

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

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

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

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

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

*Reason: To ensure that nesting birds are protected.*

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

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

7. Details of any external lighting (including position and height of mounting features, height and angle of lights including aiming points, light fixing type, size and appearance, and the luminance levels) shall be submitted to and approved by the local planning

authority. This scheme shall thereafter be implemented and no additional external lighting shall be installed.

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

8. No activities shall be carried out on the site other than between the following hours, unless otherwise agreed in writing with the local planning authority:

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

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

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

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

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

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

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

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

Informatives:

1. The local planning authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework (2019) and local plan to promote

the delivery of sustainable development and to approach decision taking in a positive way.

2. Protected species may be present at the site (bats, slow worms, newts). It is an offence to deliberately capture, injure or kill any such creature or to damage or destroy a breeding or resting place. A licence may need to be obtained from Natural England before any work is commenced, including demolition work, site clearance, timber treatment etc.

3. Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2019 Edition, Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for firefighting, in which case those standards should be quoted in correspondence.

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

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

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

## **8 DC/21/1868/FUL - South Seafront and North East of Pier, Undercliff Road West, Felixstowe**

The Committee received report **ES/0860** of the Head of Planning and Coastal Management, which related to planning application DC/21/1868/FUL.

The application sought full planning permission for the provision of two new beach huts both positioned seaward side of the promenade: one to the north-east of the pier (a tourist information kiosk); and the other along the south seafront positioned centrally between the Arwela and Manwick beach shelters (a concession kiosk).

As the applicant and landowner was East Suffolk Council, the application had been referred to the Committee for determination in accordance with the Scheme of Delegation, as set out in the East Suffolk Council Constitution.

The Committee received a presentation from the Planner, who was the case officer for the application.

The site's context was outlined and the Planner identified the locations of the two kiosks in relation to the wider area. The Committee was also shown the site location plan.

The Committee received the proposed elevations and floor plans.

The Committee was shown site photos of the areas at the south seafront and land east of Felixstowe Pier where the kiosks would be located.

The material planning considerations were summarised as the new retail development outside of the town centre, tourism development, the conservation area and visual amenity, and coastal environment and flood risk.

The recommendation to delegate authority to approve the application, subject to conditions, to the Head of Planning and Coastal Management was outlined to the Committee. The Planner highlighted that confirmation had been received from East Suffolk Council Coastal Management team that the submitted CEVA satisfied its requirements and that this element of the recommendation was no longer required.

The Chairman invited questions to the officers.

It was confirmed that the concession kiosk would be removed from the beach during the winter months but that the information kiosk would remain situated on the beach all year round.

In response to an enquiry regarding utility supplies, the Planner said she was not aware if the kiosks would have running water; she was able to confirm that the concession kiosk would have an electrical hookup.

There being no public speaking on the application, the Chairman invited the Committee to debate the application that was before it.

Councillor Cooper supported the application; he suggested that the concession kiosk would need access to running water in order to maintain health and hygiene standards, and considered this to be particularly important due to COVID-19. The Planning Manager noted that this was beyond what could be controlled through planning legislation and that this would be controlled by Environmental Health.

Councillor Blundell highlighted that toiletry facilities were located adjacent to the site and considered the proposals to be an excellent idea.

Councillor Deacon noted that several other concession kiosks operated on Felixstowe seafront and considered that they would have access to means to maintain health and hygiene standards.

There being no further debate the Chairman moved to the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report and removing the condition that this would be subject to receiving confirmation from East Suffolk Council Coastal Management team that the submitted CEVA satisfied its requirements, as this had already been received.

On the proposition of Councillor Cooper, seconded by Councillor Deacon it was by a unanimous vote

## **RESOLVED**

That **AUTHORITY TO APPROVE** the application, subject to the following conditions, be delegated to the Head of Planning and Coastal Management:

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

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

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

### East of the pier

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

### South seafront

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

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

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

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

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

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

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

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

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

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

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

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

Informatives:

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

### 2. Environmental permit - advice to applicant

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

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

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

### 3. Marine Licensing

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

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



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

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

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

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

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

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

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

## **9 DC/21/2701/FUL - Martello Ramp (adjacent New Cafe), Corner Sea Road Orford Road, Felixstowe**

The Committee received report **ES/0861** of the Head of Planning and Coastal Management, which related to planning application DC/21/2701/FUL.

The application sought full planning permission for the provision of a new replacement beach access ramp over the existing sea defence wall, located to the south of the newly constructed Martello Café.

As the applicant and landowner was East Suffolk Council, the application had been referred to the Committee for determination in accordance with the Scheme of Delegation, as set out in the East Suffolk Council Constitution.

The Committee received a presentation from the Planner, who was acting as the case officer for the application.

The Committee received an overview of the proposed scheme and the Planner demonstrated the site's context and location.

There being no public speaking on the application and no debate, the Chairman moved to the recommendation to delegate authority to approve the application to the Head

of Planning and Coastal Management, as set out in the report.

On the proposition of Councillor Newton, seconded by Councillor Blundell it was by a unanimous vote

## **RESOLVED**

That **AUTHORITY TO APPROVE** the application (subject to the conditions below) be delegated to the Head of Planning and Coastal Management, subject to the consideration of any formal comments received from the Environment Agency and confirmation from East Suffolk Council Coastal Management team that the submitted Coastal Erosion Vulnerability Assessment satisfies their requirements.

Conditions:

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

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

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

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

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

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

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

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

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

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

*Reason: In the interests of coastal change management and to ensure that access to*

*coastal defences is not inhibited by new and/or replacement development.*

Informatives:

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

2. Works activities taking place below the mean high-water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009. Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high-water springs mark or in any tidal river to the extent of the tidal influence. Applicants are directed to the MMO's online portal to register for an application for marine licence:  
[www.gov.uk/guidance/make-a-marine-licenceapplication](http://www.gov.uk/guidance/make-a-marine-licenceapplication).

### 3. Marine Licensing

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

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

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

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

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

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

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

- local planning authority name,
- planning officer name and contact details,

- planning application reference.

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

The meeting concluded at 3:10pm.

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Chairman

## PLANNING COMMITTEE SOUTH

**Title of Report:**

**East Suffolk Enforcement Action – Case Update**

**Meeting Date**

**28 September 2021**

**Report Author and Tel No**

**Mia Glass**  
**01502 523081**

Is the report Open or Exempt?

Open

## REPORT

The attached is a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has either been sanctioned under delegated powers or through the Committee up until 31 August 2021. At present there are 9 such cases.

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

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

## RECOMMENDATION

That the report concerning Outstanding Enforcement matters up to 31 August 2021 be noted.

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
EN08/0264 & ENF/2013/0191	15/01/2010	North	Pine Lodge Caravan Park, Hazels Lane, Hinton	Erection of a building and new vehicular access; Change of use of the land to a touring caravan site (Exemption Certificate revoked) and use of land for the site of a mobile home for gypsy/traveller use. Various unauthorised utility buildings for use on caravan site.	<ul style="list-style-type: none"> <li>• 15/10/2010 - EN served</li> <li>• 08/02/2010 - Appeal received</li> <li>• 10/11/2010 - Appeal dismissed</li> <li>• 25/06/2013 - Three Planning applications received</li> <li>• 06/11/2013 – The three applications refused at Planning Committee.</li> <li>• 13/12/2013 - Appeal Lodged</li> <li>• 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</li> <li>• 31/01/2015 – New planning appeal received for refusal of Application DC/13/3708</li> <li>• 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.</li> <li>• 10/11/2015 – Informal hearing held</li> </ul>	30/09/2021

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

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"> <li>Review site regarding day block and access after decision notice released for enforcement notice served in connection with unauthorised occupancy /use of barn.</li> <li>27/06/2018 – Compliance visit conducted to check on whether the 2010.</li> <li>06/07/2018 – Legal advice being sought.</li> <li>10/09/2018 – Site revisited to check for compliance with Notices.</li> <li>11/09/2018 – Case referred back to Legal Department for further action to be considered.</li> <li>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).</li> <li>01/11/2018 – Court Hearing at the High Court in relation to the 2010 Enforcement Notice. Injunctive</li> </ul>	



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

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

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

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

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2014/0104	16/08/2016	South	Top Street, Martlesham	Storage of vehicles	<ul style="list-style-type: none"> <li>• 23/11/2016 – Authorisation granted to serve an Enforcement Notice</li> <li>• 22/03/2017 – Enforcement Notice served. Notice takes effect on 26/04/2017. Compliance period is 4 months.</li> <li>• 17/07/2017 – Enforcement Notice withdrawn and to be re-served</li> <li>• 11/10/2017 – Notice re-served, effective on 13/11/2017 – 3 months for compliance</li> <li>• 23/02/2018 – Site visited. No compliance with Enforcement Notice. Case to be referred to Legal Department for further action.</li> <li>• Notice withdrawn</li> <li>• 09/07/2018 – Notice reserved, compliance date 3 months from 06/08/2018 (expires 06/11/2018)</li> <li>• 01/10/2018 – PINS has refused to accept Appeal as received after the time limit.</li> <li>• Time for compliance is by 06/12/2018</li> </ul>	30/09/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>• Site visit to be completed after the 06/12/2018 to check for compliance with the Notice</li> <li>• 07/12/2018 – Site visit completed, no compliance, case passed to Legal for further action.</li> <li>• 17/01/2019 – Committee updated that Enforcement Notice has been withdrawn and will be re-served following advice from Counsel.</li> <li>• 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.</li> <li>• 01/04/2019 – Enforcement Notice served.</li> <li>• 28/05/2019 – Enforcement Appeal has been submitted to the Planning Inspectorate.</li> <li>• Start date has now been received, Statements are due by 12/12/2019.</li> <li>• Awaiting Planning Inspectorate Decision</li> </ul>	

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"> <li>• Appeal Dismissed with variations. Compliance by 20 January 2021</li> <li>• Site visit due at end of January 2021.</li> <li>• 24/02/2021 – Visit conducted, some compliance, extension agreed until 24/05/2021</li> <li>• 03/06/2021 – site re visited, no compliance, case passed to Legal Department for further action to be considered.</li> <li>• Legal action being considered.</li> </ul>	
ENF/2016/0292	11/08/2016	South	Houseboat Friendship, New Quay Lane, Melton	Change of use of land	<ul style="list-style-type: none"> <li>• 11/08/2016 – Authorisation granted to serve Enforcement Notice with an 8 year compliance period.</li> <li>• Enforcement Notice to be drafted</li> <li>• Enforcement Notice served on 20/10/2016, Notice effective on 24/11/ 2016 – 8 year compliance period (expires 24/11/2024).</li> </ul>	24/11/2024

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2016/0016 /SIGN	21/07/2017	South	Homeland House, Ashboking Road, Swilland	Storage of mini buses and coaches	<ul style="list-style-type: none"> <li>• 21/07/2017 – Enforcement Notice served</li> <li>• Non compliance with Notice reported.</li> <li>• Correspondence sent to owner requiring compliance</li> <li>• Site visited - No compliance</li> <li>• 10/06/2021 – Case referred to Legal Department for further action to be taken.</li> <li>• <b>Legal action being considered.</b></li> </ul>	30/09/2021
ENF/2017/0170	21/07/2017	North	Land Adj to Oak Spring, The Street, Darsham	Installation on land of residential mobile home, erection of a structure, stationing of containers and portacabins	<ul style="list-style-type: none"> <li>• 16/11/2017 – Authorisation given to serve EN.</li> <li>• 22/02/2018 – EN issued. Notice comes into effect on 30/03/2018 and has a 4 month compliance period</li> <li>• Appeal submitted. Awaiting Start date</li> <li>• Appeal started, final comments due by 08/02/2019.</li> <li>• Waiting for decision from Planning Inspectorate.</li> <li>• 17/10/2019 – Appeal Decision issued by PINS. Enforcement Notice relating to the Use of the</li> </ul>	30/09/2021



LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>land quashed and to be re-issued as soon as possible, Notice relating to the operational development was upheld with an amendment.</p> <ul style="list-style-type: none"> <li>• 13/11/2019 – EN served in relation to the residential use of the site. Compliance by 13/04/2020</li> <li>• Site visited. Case conference to be held</li> <li>• Appeal received in relation to the EN for the residential use</li> <li>• Appeal started. Statement submitted for 16<sup>th</sup> June 2020</li> <li>• Awaiting Planning Inspectorate Decision</li> <li>• Appeal dismissed with some amendments. Compliance by 11/12/2020</li> <li>• Site visit to be undertaken after 11/12/20</li> <li>• Site visited, no compliance with Enforcement Notices, case passed to Legal Department for further action.</li> <li>• Further visit to be done on 25/03/2021.</li> </ul>	

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"> <li>Site visit completed, Notices not complied with, file passed to Legal services for further action.</li> </ul>	
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"> <li>Initial complaint logged by parish on 22/09/2015</li> <li>Case was reopened following further information on the 08/12/2016/</li> <li>Retrospective app received 01/03/2017.</li> <li>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.</li> <li>Notice sever by recorded delivery 05/09/2018.</li> <li>Appeal has been submitted. Awaiting Start date.</li> </ul>	30/09/2021

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

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"> <li>• Further visit conducted on 04/05/2021 to check for compliance on Notice relating to the lake. No compliance. Case being reviewed.</li> <li>• 05/07/2021 – Court hearing, owner was found guilty of two charges and had already pleaded guilty to one offence. Fined £550 and £700 costs</li> <li>• 12/07/2021 – Letter sent to owner giving until the 10<sup>th</sup> August 2021 for the structures to be removed</li> <li>• <b>Site visited on 13/08/21 all structures removed from the site.</b></li> </ul>	
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"> <li>• Temporary Stop Notice Served 02/05/2019 and ceases 30/05/2019</li> <li>• Enforcement Notice served 24/05/2019, comes into effect on 28/06/2019</li> </ul>	31/10/2021

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.	<ul style="list-style-type: none"> <li>• Stop Notice Served 25/05/2019 comes into effect 28/05/2019.</li> <li>• Appeal has been submitted. Awaiting Start date.</li> <li>• Appeal to be dealt with as a Hearing. Deadline for Statements 03/08/2020</li> <li>• Awaiting date of hearing from Planning Inspectorate.</li> <li>• Hearing date set for 02/02/2021.</li> <li>• Hearing adjourned until 09/03/2021</li> <li>• Hearing adjourned again until 21/04/2021 as was not completed on 09/03/2021.</li> <li>• Awaiting Decision</li> <li>• Appeal dismissed and partial costs to the Council</li> <li>• Compliance with Notice by 18/08/2021</li> <li>• <b>Extension of time granted for compliance until 31/10/21.</b></li> </ul>	

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"> <li>• Enforcement Notice served 10/12/2019</li> <li>• Awaiting site visit to check on compliance</li> <li>• Site visit undertaken, summer house still in situ. Further action to be considered.</li> <li>• Property has now changed hands. Contact with new owner to be established.</li> <li>• Officers are now in contact with the new owners and are discussing a way forward.</li> <li>• Six weeks given for summerhouse, decking and steps to be removed.</li> <li>• New planning application has been submitted. Case on hold until determined.</li> <li>• Planning permission has been granted for retention of the decking element. Removal of summerhouse and steps have been conditioned.</li> <li>• Summerhouse to be removed by 10<sup>th</sup> June 2021</li> </ul>	30/09/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> <li>Site visit to be undertaken.</li> </ul>	

**Committee Report**

**Planning Committee South - 28 September 2021**

**Application no** DC/21/1575/ARM

**Location**

Orwell Crossing Service Area  
A14 Nacton East Bound  
Nacton  
Suffolk

**Expiry date** 28 June 2021

**Application type** Approval of Reserved Matters

**Applicant** Orwell Truck Stop Limited

**Parish** Purdis Farm

**Proposal** Reserved Matters approval sought for details of access, appearance, layout, landscaping and scale pursuant to condition 1 of outline planning permission ref. DC/17/4257/OUT dated 28th June 2018 comprising the erection of 4 no. warehouse buildings with associated parking and servicing arrangements, along with details submitted pursuant to conditions nos. 7 (phasing management plan), 9 (construction management plan), 10 (site wide masterplan document), 14 (parameter plan), 18 (link road), 8 (surface water management strategy), 11 (external facing and roofing materials), 12 (roads and footways), 13 (electric vehicle charging points), 16 (boundary and boundary enhancements), 17 (noise attenuation measures, 4 (framework travel plan) and 5 (external lighting)".

**Case Officer** Grant Heal  
07833 403193  
grant.heal@east Suffolk.gov.uk



## **1. Summary**

- 1.1 This report considers an application which seeks approval for the Reserved Matters (including details of access, appearance, landscaping, layout and scale etc.) pursuant to condition no.1 of Outline Planning Permission DC/17/4257/OUT (Class B8 Storage and Distribution and Ancillary Class B1 Office Uses including associated infrastructure, car and lorry parking) at Orwell Crossing Service Area, A14 East Bound, Nacton.
- 1.2 In addition, the application also seeks to discharge planning conditions 4 (Travel Plan), 5 (External lighting), 7 (Phasing Management Plan), 8 (Surface Water Management Strategy) 9 (Construction Management Plan), 10 (Site Wide Masterplan Document), 11 (External facing and roofing materials), 12 (Roads and footways), 13 (Electric vehicle charging), 14 (Parameter plan), 16 (Boundary treatments details), 17 (Noise attenuation assessment) and 18 (Link road details) of DC/17/4257/OUT.
- 1.3 Considered against all relevant material planning matters, the application is deemed compliant with the parameters and expectations of the outline consent as well and sustainable and policy compliant and therefore recommended for approval in accordance with the NPPF and relevant policies of the adopted development plan.
- 1.4 Reviewed against the Council's adopted scheme of delegation, the Head of Planning and Coastal Management is minded that the application is of significant public interest and should therefore be referred to planning committee for consideration by democratically elected members.

## **2. Site description**

- 2.1 The approximately 26.6 hectare application site lies wholly within East Suffolk Council's administrative boundary, while its western extremity abuts that of Ipswich Borough Council. This a part of a 30 hectare site allocated under Policy SCLP12.21 (Ransomes, Nacton Heath) for new employment provision for a mix of B1, B2 and B8 uses.
- 2.2 The majority of the site's northern boundary is separated from a row of two-storey dwellings (fronting Felixstowe Road) by the Ipswich to Felixstowe railway line; which is intersected by two level-crossing points known locally as 'Routs' and 'Shepherd and Dog'.
- 2.3 A small group of businesses (including vehicle and hot tub retailers) also front Felixstowe Road close to the manually controlled 'Routs' crossing that provides access to a considerable area of land separating the application site's eastern and western parcels. This area is within separate ownership and contains several large agricultural structures, including former piggery buildings, serving a number of small businesses.
- 2.4 Much of the western half of the site has previously been developed and is therefore considered brownfield. It abuts the Ransomes industrial/commercial estate, which has a ground level approx. two metres higher at the party boundary.
- 2.5 Conversely, the site's eastern parcel is undeveloped greenfield land that lies within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). It is solely accessible from the north via a footway level-crossing (Shepherd and Dog) which grants pedestrians a link to a Public Right of Way (PRoW) known 'footpath ref. 1, Nacton Parish'.

- 2.6 The eastbound A14 trunk road abuts much of the site's southern/eastern boundary and the existing Orwell Crossing (between junction 57/58) access provides the principal vehicular entrance into the site.
- 2.7 The southern portion of the site comprises a network of internal access roads and parking areas associated with the Orwell Crossing Truckstop and service buildings (diner/ rest facilities) positioned nearby. A number of other buildings and parking areas associated with existing logistics and vehicle hire businesses are also evident between the western half of the site and the A14 further south. A separate application (DC/21/3486/FUL) has since been submitted to redevelop the majority of this area with new buildings for Class B2 and B8 Uses, along with access and servicing arrangements, vehicle parking, landscaping and associated works. As such, this current reserved matters application does not concern the loss of the Orwell Crossing Truckstop and associated service buildings as this will be considered within the determination of DC/21/3486/FUL.

### **3. Proposal**

- 3.1 This application seeks approval for the Reserved Matters (including details of access, appearance, landscaping, layout and scale etc.) pursuant to condition no.1 of Outline Planning Permission DC/17/4257/OUT (Class B8 Storage and Distribution and Ancillary Class B1 Office Uses including associated infrastructure, car and lorry parking) at Orwell Crossing Service Area, A14 East Bound, Nacton.
- 3.2 Outline permission with all matters reserved (DC/17/4257/OUT) was granted on 28 June 2018. The reserved matters are set out within condition no.1, which is worded as follows:

'Plans and particulars showing the detailed proposals for all the following aspects of the development ("the reserved matters") shall be submitted to the Local Planning Authority and development shall not be commenced before these details have been approved:

1. The layout including the positions and widths of roads and footpaths including levels and gradients;
2. The siting of all buildings and the means of access thereto from an existing or proposed highway;
3. The design of all buildings;
4. Proposed landscaping within the site and on the site's boundaries;
5. A landscape design showing the planting proposed to be undertaken, the means of forming enclosures, the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels;
6. The arrangements to be made for the future maintenance of landscaped and other open areas;
7. Measures to minimise water and energy consumption and to provide for recycling of waste;
8. The layout of foul sewers and surface water drains;
9. The provision to be made for the parking, loading and unloading of vehicles;
10. The alignment, height and materials of all walls and fences and other means of enclosure.'

- 3.3 Indicative proposals submitted in support of DC/17/4257/OUT established the planning principle for the following:
- Four (Class B8 Use) storage and distribution warehouse buildings (with a gross internal area of 97,198 square metres) with dedicated car parking and servicing arrangements.
- 3.4 Pursuant to the design requirements set out within condition no. 1 (access, appearance, landscaping, layout and scale etc.), this current reserved matters application provides details of a development with the following key features:
- Three (Class B8 Use) storage and distribution warehouse unit buildings (with a gross internal area of 98,039 square metres) with a maximum ridge height of 21 metres;
  - All units to have a uniform appearance comprising silver/grey/anthracite metal cladding with expanses of glazing/curtain walling;
  - All units built to BREEAM 'very good' rating with inclusion of photovoltaics and Air Source Heat Pumps (ASHP) for on-site generation;
  - Site-wide vehicular access via the existing Orwell Crossing A14 eastbound (between junction 57/58);
  - Separate vehicular and pedestrian access for each unit within the site;
  - Separate gatehouse, transport office and loading/unloading bays for each unit;
  - Separate car parking for each unit with a combined total of 915 car parking spaces (with Electric Vehicle Charging) and 396 cycle spaces (including cycle shelters);
  - 213 total HGV parking spaces (associated with the three units);
  - Improvements to existing merge/diverge A14 access;
  - Retention and improvement of existing Public Rights of Way (PRoW - footpath ref. 1, Nacton Parish) pedestrian/cycle route;
  - Inclusion of a new pedestrian/cycle connection to Ransomes Industrial Estate;
  - New street lighting, crossing points and dropped kerbs throughout;
  - Comprehensive landscaping/planting scheme with details of all fencing and boundary treatments.
  - Comprehensive site wide drainage strategy including foul and surface water management.
- 3.5 In addition, this reserved matters application also seeks to discharge the detailed information required by the following planning conditions. Typically details submitted to discharge conditions are not presented to Planning Committee for determination and do not tend to involve public consultation, however in this case they have been submitted as an integral part of the reserved matters planning application for determination under one decision:
- \*Condition 4 - Travel Plan\***
- 'Before any of the buildings hereby approved are occupied details of the travel arrangements to and from the development in the form of a Travel Plan, including monitoring provisions, shall be submitted to and approved in writing by the Local Planning Authority and such approved arrangements shall be implemented before the development is first brought into use and thereafter adhered to'.
- \*Condition 5 - External lighting\***

'There shall be no external lighting installed until the details of such have first been approved in writing by the Local Planning Authority and the scheme shall be implemented as approved'.

**\*Condition 7 - Phasing Management Plan\***

'Prior to the commencement of development, a phasing management plan to include timescales and order of phasing, shall be submitted to and approved by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved phasing management plan'.

**\*Condition 8 - Surface Water Management Strategy\***

'Before each phase of the development, as agreed in the phasing plan required under condition 7 is commenced a surface water management strategy shall be submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority'.

**\*Condition 9 - Construction Management Plan\***

'Prior to the commencement of development hereby approved, a Construction Management Plan shall be submitted to the Local Planning Authority for approval. This statement should set out the site management practices for the development of the site. The construction of each phase of the development shall be carried out strictly in accordance with the Construction Management Plan'.

**\*Condition 10 - Site Wide Masterplan Document (SWMD)\***

'Notwithstanding the submitted Indicative Masterplan, a Site Wide Masterplan Document (SWMD) shall be submitted to the Local Planning Authority either prior to or alongside the first application for approval of reserved matters. The SWMD shall include the following set of Design Principles:

- a) the principles for determining the design, form, heights and general arrangement of external architectural features of buildings;
- b) the principles of the hierarchy for roads and public spaces;
- c) potential arrangements for car parking;
- d) the principles for the design of the public realm
- e) the proposed materials to be used throughout the site; and

The SWMD shall also include a two-dimensional layout drawing that shows:

- a) the broad arrangement of buildings;
- b) maximum building heights;
- c) existing landscape features to be retained; and
- d) proposed structural planting'.

Submissions for the approval of the reserved matters shall accord with the approved SWMD'.

**\*Condition 11 - External facing and roofing materials\***

'Before each phase of the development, as agreed in the phasing plan required under condition 7 is commenced details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details'.

**\*Condition 12 - Roads and footways\***

'Before the each phase of the development as agreed in the phasing plan required under condition 7 is commenced, details of the roads and footways within the site, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority'.

**\*Condition 13 - Electric vehicle charging\***

'Before each phase of the development, as agreed in the phasing plan required under condition 7 is commenced full details of the electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing. The charging points shall be available for beneficial use before the occupation of any buildings hereby approved and retained in such position'.

**\*Condition 14 - Parameter plan\***

'Prior to or concurrent with the submission of the first reserved matters application, a parameter plan showing heights and positions of all buildings on site shall be submitted to and approved in writing by the Local Planning Authority. The reserved matters submissions shall be undertaken in complete accordance with the parameter plan'.

**\*Condition 16 - Boundary treatments details\***

'Before each phase of the development, as agreed in the phasing plan required under condition 7 is commenced details of boundaries and boundary enhancements shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in complete accordance with the approved details'.

**\*Condition 17 - Noise attenuation assessment\***

'Before each phase of the development, as agreed in the phasing plan required under condition 7 is commenced, a noise attenuation assessment shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken, and retained in perpetuity, in complete accordance with the approved details'.

**\*Condition 18 - Link road\***

'Before the commencement of the development hereby approved, details showing a link road up to the boundary of the site with Lytham Road shall be submitted to and approved in writing by the Local Planning Authority. The road shall be retained in such form and free from obstruction in perpetuity'.

#### **4. Consultations/comments**

- 4.1 The Council has received 19 third-party letters of objection and four neutral representations which collectively raise the following summary of concerns and observations relating to material planning matters:

Principle

- The proposal would result in the loss of the Orwell Crossing Truckstop which provides vital parking and service facilities for the haulage industry in area already underserved by such facilities.

Design

- The scale of the proposal would result in an overdevelopment of the site.

- The height of the proposed warehouses would have an overbearing/ domineering impact on existing neighbouring properties.
- The proposed landscaping scheme is insufficient to negate the adverse visual effects of the development.
- A lack of sustainability measures are included within the proposal, such as vehicle charging and on-site solar power generation.

#### Amenity

- The proximity of proposed built-forms would result in an unacceptable erosion of the rear-facing outlook of residential properties fronting Felixstowe Road.
- The proposed use would have a harmful impact on neighbouring resident's wellbeing resulting from increased light, dust and noise pollution emanating from the proposal's 24-hour operation.
- The proposed siting of buildings and landscaping will restrict neighbouring residents' access to daylight/ sunlight.

#### Environment

- The proposal would have a detrimental visual impact on the site's semi-rural location from increased light and noise pollution that would negatively impact the Suffolk Coasts and Heaths Area of Outstanding Natural beauty (AONB).
- Air pollution within the area would rise due to a significant increase in vehicle movement around the proposal site.
- Ground nesting birds present on the eastern half of the site would lose important habitat.
- Flood lighting and illuminated advertisement boards resulting from the development should be restricted due to increased light pollution and the resulting impacts on visual amenity and biodiversity.

#### Access

- The proposed single point of vehicular access from the east bound A14 is insufficient for the scale of development proposed. This has the potential to implicate existing highway safety along an important strategic route.
- Increased visitors to the site would exacerbate safety issues at nearby railway level-crossings.
- The proposal lacks permeability with the neighbouring Ransomes site and would result in the obstruction of an existing public right of way (PROW).

#### Flood risk

- Development of the site would result in increased surface water runoff onto A14 which would have implications for highway safety.

4.2 The following concerns were also raised relating to wholly civil matters which are immaterial considerations in the determination of this reserved matters application:

- Land ownership is contested by a neighbouring resident.
- The development would devalue neighbouring residential properties.

## 5. Consultees

### Parish/Town Council

Consultee	Date consulted	Date reply received
Purdis Farm Parish Council	21 April 2021 and 23 July 2021	5 May 2021 and 23 August 2021
<p>Summary of comments:</p> <p><u>23 August 2021</u></p> <p><i>'The Parish Council has carefully considered the revised proposals but can find no reason to change our strong objections to this proposal. Whilst we are pleased that pedestrian and cycle access has now been guaranteed to the site through the Ransomes Europark we remain concerned about the other two access points. Pedestrian access is also via a narrow, unlit, badly maintained virtually redundant footpath which goes across the rail line and between two residential properties to the Felixstowe Road. We continue to believe that this is not a suitable access to the site due to the crossing of the rail line by an uncontrolled pedestrian crossing and the likely traffic hazards caused by people being dropped off and picked up from the end of the footpath. Many people consider the existing entrance and exit to the Orwell Truck Stop off the A14 dangerous due to the short length of the entry and exit lanes and sharp turns involved. This is particularly dangerous at peak times and at night, this danger will only increase with the increased number of lorries entering and leaving the site. It is unclear what changes are going to be made to this entrance and whether or not it meets the current standards for such a junction. The revised proposal reduces the number of warehouses from 4 to 3 but increases their height by up to another three metres. Such a large development will have a serious impact on the residential amenity of local residents as expressed in their letters of objection. The Parish council fully supports the local residents in their view that this development should not take place and for the reasons stated above strongly objects to this proposal'.</i></p> <p><u>5 May 2021</u></p> <p><i>'The Parish Council strongly objects to this Reserved Matters application for the development of the Orwell Crossing Logistics Park. The Parish Council continues to object to the principal of constructing such a large development on a 25.07-hectare island site with limited access in what many people consider to be a rural area. As highlighted by local residents such a development will have a devastating effect on their lives and wellbeing. It will operate 24 hours a day 365 days a year and they will be constantly subject to vastly increased noise, light and air pollution. The outlook of the closest residents will change from a rural field to a 20m wall of steel, which will tower above the existing properties. In addition to these general concerns, we have specific concerns about access to the site and how these have been addressed in the Reserved Matters application. As identified by Suffolk County Council (SCC) Highways at the time the outline planning application DC/17/4257/OUT, there are a lack of sustainable links to the site. There are two proposed pedestrian &amp; cycle only routes into the site both of which cannot be guaranteed (as they would connect to third party land without any form of agreement with the third party). One access is from Felixstowe Road along a narrow footpath and across an unguarded pedestrian level crossing across the busy Felixstowe branch line. This level crossing is due to be closed by Network Rail. The applicant has stated in their latest newsletter that they are liaising with the relevant authorities on the future of pedestrian access across the railway line. In addition, it was agreed at the time of the outline application that a footway would need to be constructed along Felixstowe Road to link this</i></p>		

footpath with the residential area of Ipswich at Murrills Road, if this was considered to be a viable access to the site. The applicant has not included the construction of such a footway in its current plans. The second pedestrian and cycle access described in the application and travel plan, but not shown on the masterplan, is via the emergency road which links to Lytham Road on the Ransomes Europark. This was subject to a specific condition in the outline planning permission. Whilst it is intended to build this road up to the site boundary there are no guarantees that this access will be available for use by pedestrians and cyclists as it would mean entering Ransomes Europark which is private land with no public right of way. The applicant has assured us that access has been agreed with the landowner for emergency vehicles but we have received no such assurance or evidence about pedestrian and cycle access. Has the Planning Authority seen any agreement between the two parties for such access? It is clear that either or both of these access points must be guaranteed to make the Travel Plan (which is a condition of outline permission) realistic. We fully support the comments made by SCC Highways about the inadequate nature of the Travel Plan and the steps being taken by the applicant to provide sustainable links to the site which means that the existing conditions relating to the outline planning permission cannot be discharged. For all these reasons we object to this Reserved Matters Application’.

Consultee	Date consulted	Date reply received
Kirton Parish Council	N/A	12 August 2021
<p>Summary of comments:</p> <p>‘Kirton &amp; Falkenham Parish Council has considered the above application and object to the proposals over traffic aspects. Only vehicles approaching the site from A14 west will have ready access to the facility. Traffic from the east on A14 will need to travel on to the Nacton interchange or even further to the Copdock interchange to execute a U turn to travel back along A14 in order to reach the service area. Equally those leaving the site, to travel west, will have first to proceed east to the Seven Hills interchange. None of these interchanges are particularly suited to this kind of manoeuvre from increased heavy goods traffic’.</p>		

### Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	8 April 2021 and 23 July 2021	23 April 2021 and 9 August 2021
<p>Summary of comments:</p> <p><u>9 August 2021</u></p> <ul style="list-style-type: none"> <li>• Previous concerns have been addressed.</li> <li>• Travel Plan elevation and support contribution sort.</li> <li>• Recommend conditions.</li> </ul> <p><u>23 April 2021</u></p> <ul style="list-style-type: none"> <li>• Recommend holding objection due to insufficient information.</li> <li>• Recommend discharge of conditions 4, 5, 12, 13 and 18.</li> </ul>		



Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	8 April 2021 and 23 July 2021	16 April 2021 and 4 August 2021
<p>Summary of comments:</p> <p><u>4 August 2021</u></p> <ul style="list-style-type: none"> <li>No further comment.</li> </ul> <p><u>16 April 2021</u></p> <ul style="list-style-type: none"> <li>No grounds for objection.</li> <li>Recommend conditions.</li> </ul>		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	8 April 2021 And 23 July 2021	29 April 2021; 20 May 2021 And 10 August 2021
<p>Summary of comments:</p> <p><u>10 August 2021</u></p> <ul style="list-style-type: none"> <li>No further comments.</li> </ul> <p><u>20 May 2021</u></p> <ul style="list-style-type: none"> <li>Recommend approval subject to conditions.</li> </ul> <p><u>29 April 2021</u></p> <ul style="list-style-type: none"> <li>Recommend holding objection due to insufficient information relating to surface water management.</li> </ul>		

Consultee	Date consulted	Date reply received
Natural England	8 April 2021 And 23 July 2021	13 April 2021; 22 April 2021 And 29 July 2021
<p>Summary of comments:</p> <p><u>29 July 2021</u></p> <ul style="list-style-type: none"> <li>No objection.</li> </ul> <p><u>22 April 2021</u></p> <ul style="list-style-type: none"> <li>No objection.</li> </ul> <p><u>13 April 2021;</u></p> <ul style="list-style-type: none"> <li>No objection.</li> </ul>		

Consultee	Date consulted	Date reply received
SCC Rights Of Way	8 April 2021 And 23 July 2021	23 April 2021 And 10 August 2021
<p>Summary of comments:</p> <p><u>10 August 2021</u></p> <ul style="list-style-type: none"> <li>No further comment.</li> </ul> <p><u>23 April 2021</u></p> <ul style="list-style-type: none"> <li>No objection to diversion of existing PROW.</li> <li>Confirm support for enhancements to new route.</li> </ul>		

Consultee	Date consulted	Date reply received
Network Rail Property (Eastern Region - Anglia)	8 April 2021 And 23 July 2021	17 May 2021 And 1 September 2021
<p>Summary of comments:</p> <p><u>01 September 2021</u></p> <ul style="list-style-type: none"> <li>No objection subject to increase in use of 'Shepherd and dog' level crossing near to site's northern boundary.</li> </ul> <p><u>17 May 2021</u></p> <ul style="list-style-type: none"> <li>Objections to intensified use of 'Shepherd and dog' level crossing near to site's northern boundary.</li> </ul>		

Consultee	Date consulted	Date reply received
SCC Minerals And Waste	8 April 2021 And 23 July 2021	6 May 2021
<p>Summary of comments:</p> <ul style="list-style-type: none"> <li>Recommend trial testing for on-site mineral extraction due to site's position within minerals safeguarding zone.</li> </ul>		

Consultee	Date consulted	Date reply received
Highways England	8 April 2021 And 23 July 2021	27 April 2021; 10 June 2021 And 12 August 2021
<p>Summary of comments:</p> <p><u>12 August 2021</u></p> <ul style="list-style-type: none"> <li>No objection.</li> <li>Recommend conditions.</li> </ul> <p><u>10 June 2021</u></p>		

- Recommend holding objection due to insufficient information.

27 April 2021

- Recommend holding objection due to insufficient information.

Consultee	Date consulted	Date reply received
Ipswich Borough Council	8 April 2021 And 23 July 2021	5 May 2021 And 28 July 2021
Summary of comments:		
<u>28 July 2021</u>		
<ul style="list-style-type: none"> <li>• No further comments.</li> </ul>		
<u>5 May 2021</u>		
<ul style="list-style-type: none"> <li>• Recommend improvements to connectivity and biodiversity enhancements.</li> </ul>		

### Non statutory consultees

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	8 April 2021 And 23 July 2021	27 April 2021
Summary of comments:		
<ul style="list-style-type: none"> <li>• Recommend the removal of non-native species from proposed planting scheme.</li> </ul>		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	8 April 2021 And 23 July 2021	6 May 2021
Summary of comments:		
<ul style="list-style-type: none"> <li>• Internal consultation - recommend conditions relating to noise mitigation and air quality.</li> </ul>		

Consultee	Date consulted	Date reply received
East Suffolk Arboriculture and Landscape Team	8 April 2021 And 23 July 2021	21 April 2021 And 5 August 2021
Summary of comments:		
<u>5 August 2021</u>		
<ul style="list-style-type: none"> <li>• Internal consultation - no further comment.</li> </ul>		
<u>21 April 2021</u>		
<ul style="list-style-type: none"> <li>• Internal consultation – no objection (see officer report assessment below).</li> </ul>		

Consultee	Date consulted	Date reply received
East Suffolk Drainage Board	8 April 2021 and 23 July 2021	7 June 2021 And 5 August 2021
<p>Summary of comments:</p> <p><u>5 August 2021</u></p> <ul style="list-style-type: none"> <li>No further comments.</li> </ul> <p><u>7 June 2021</u></p> <ul style="list-style-type: none"> <li>No objection.</li> </ul>		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	8 April 2021 And 23 July 2021	No comment required.
<p>Summary of comments:</p> <ul style="list-style-type: none"> <li>Internal consultation - no comment required.</li> </ul>		

Consultee	Date consulted	Date reply received
East Suffolk Economic Development	8 April 2021 And 23 July 2021	7 May 2021 And 5 August 2021
<p>Summary of comments:</p> <p><u>5 August 2021</u></p> <ul style="list-style-type: none"> <li>Internal consultation - no further comment.</li> </ul> <p><u>7 May 2021</u></p> <ul style="list-style-type: none"> <li>Internal consultation – support the proposal.</li> </ul>		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	23 July 2021	11 August 2021
<p>Summary of comments:</p> <ul style="list-style-type: none"> <li>Internal consultation – No objection (see officer report).</li> </ul>		

Consultee	Date consulted	Date reply received
Port Of Felixstowe	8 April 2021 And 23 July 2021	6 August 2021
<p>Summary of comments:</p> <ul style="list-style-type: none"> <li>Support.</li> </ul>		

## Publicity

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

Category	Published	Expiry	Publication
Major Application	15 April 2021	7 May 2021	Eastern Daily Press

## Site notices

General Site Notice	Reason for site notice: Major Application Date posted: 16 April 2021 Expiry date: 10 May 2021
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## 6. Planning policy

- National Planning Policy Framework 2021

East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020

- SCLP3.1 - Strategy for Growth
- SCLP2.1 - Growth in the Ipswich Strategic Planning Area
- SCLP4.1 - Existing Employment Areas
- SCLP4.5 - Economic Development in Rural Areas
- SCLP7.1 - Sustainable Transport
- SCLP7.2 - Parking Proposals and Standards)
- SCLP9.1 - Low Carbon & Renewable Energy
- SCLP9.2 - Sustainable Construction
- SCLP9.5 - Flood Risk
- SCLP9.6 - Sustainable Drainage Systems
- SCLP9.7 - Holistic Water Management
- SCLP10.1 - Biodiversity and Geodiversity
- SCLP10.3 - Environmental Quality
- SCLP10.4 - Landscape Character
- SCLP11.1 - Design Quality
- SCLP11.2 - Residential Amenity
- SCLP12.34 - Strategy for the Rural Areas
- SCLP12.21 - Ransomes, Nacton Heath

## 7. Planning considerations

### Planning principle:

- 7.1 Outline planning permission DC/17/4257/OUT established the planning principle for the application site's use for the purposes of storage and distribution (Class B8 Use), along with ancillary office space (Class B1(a) Use), associated infrastructure and vehicle parking.
- 7.2 While all matters of design (including access, appearance, landscaping, layout and scale etc.) were otherwise reserved for a latter detailed application (as sought herein), an

indicative scheme submitted in support of DC/17/4257/OUT demonstrated a development including four storage and distribution warehouse buildings with a total gross internal area (GIA) of 98,039 square metres, along with dedicated parking and servicing arrangements. The proposal remains fully compliant with the parameters and expectations of the outline consent.

#### Legislative and policy changes:

- 7.3 It is important to note that since the approval of DC/17/4257/OUT on 28<sup>th</sup> June 2018, several changes have taken place which represent notable adjustments to the legislative and policy landscape through which this current reserved matters application will be assessed. These are summarised as follows:
- (i) The East Suffolk Council - Suffolk Coastal Local Plan - was adopted on 23 September 2020 and forms part of the Development Plan. Upon its adoption all policies within the pre-existing Suffolk Coastal District Local Plan were abandoned, including those within the following documents:
    - East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (Adopted July 2013);
    - East Suffolk Council - Suffolk Coastal District Local Plan - Site Allocations and Site Specific Policies Development Plan Document (Adopted January 2017);
    - East Suffolk Council - Suffolk Coastal District Local Plan - The Felixstowe Peninsula Area Action Plan (adopted on 26 January 2017);
    - East Suffolk Council - The 'Saved' Policies of the Suffolk Coastal Local Plan incorporating the first and second alterations.
  - (ii) Updates were made to the Town and Country Planning (Use Classes) Order 1987 (as amended) on 1 September 2020 which revoked a number of the former use classes, including Class B1(a) (business/ office) which was reclassified as Class E(g) (commercial, business and service/ office). Generally, the Use Classes in effect when the application was submitted will be used to determine it.
  - (iii) Various revisions have been made to the National Planning Policy Framework (The Framework), since the outline consent on 24<sup>th</sup> July 2018, 19<sup>th</sup> June 2019 and most recently on 20<sup>th</sup> July 2021. The latest revision places greater emphasis on beauty, place-making, the environment, sustainable development and underlines the importance of local design codes. The changes made in July 2018 following the outline consent also introduced a new paragraph (now paragraph 109) which states: *'Planning policies and decisions should recognise the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance. Proposals for new or expanded distribution centres should make provision for sufficient lorry parking to cater for their anticipated use'*.

#### Planning principle overview:

- 7.4 While the above legislative and policy changes do not prejudice the validity of the planning principle already established by extant outline consent DC/17/4257/OUT, it is nevertheless

important to understand how the proposed detailed information included within this current reserved matters application measures against the strategic growth principles of current planning policy, with specific regard to the NPPF and Suffolk Coastal Local Plan.

7.5 As such, attention is first drawn to Local Plan policy map no.41 (Nacton with parts of Purdis Farm and Levington) which identifies the entirety of the application site as an existing employment allocation as per Policy SCLP12.21: Ransome, Nacton Heath. Indeed, this policy allocation includes all land up to the Ipswich Borough Council administrative boundary (west), as identified by the eastern edge of the Ransomes industrial/commercial estate. The Ipswich to Felixstowe railway line bounds the full length of the allocation area's northern edge, while its south-eastern edge abuts the A14 trunk road and includes an area of the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB).

7.6 The wording of Policy SCLP12.21 (Ransomes, Nacton Heath) is as follows:

'30ha of land is identified at Ransomes, Nacton Heath as shown on the Policies Map for new employment provision for a mix of B1, B2 and B8 uses.

Development will be expected to accord with the following criteria:

- a) Minimising impact on landscape including the nationally designated Area of Outstanding Natural Beauty, including through the use of appropriate mitigation measures, informed through Landscape and Visual Impact Assessment;
- b) Further investigation into any designated and non designated heritage assets required;
- c) Impact on the local and strategic highway network including provision for access to public transport, and access via foot and cycle, and provision of any mitigation measures required;
- d) Ensure an appropriate design, scale and massing of buildings for example through the introduction of a design code, and minimise impacts arising from lighting;
- e) Evidence is required to demonstrate there is adequate Water Recycling Centre capacity or that capacity can be made available;
- f) Potential contamination of the site will need to be investigated and addressed where necessary;
- g) Integration of new uses with existing businesses within the site;
- h) An archaeological assessment will be required;
- i) A site wide surface water management strategy;
- j) A site-specific Flood Risk Assessment is required; and
- k) Confirmation of adequate capacity in the foul sewerage network or action to upgrade to create the required capacity'.

7.7 Policy SCLP12.21 is underpinned by strategic growth policy SCLP2.1 (Growth in the Ipswich Strategic Planning Area) which mandates the role of the Suffolk Coastal Local Plan in supporting the economic growth of the Ipswich Strategic Planning Area, including a contribution to the creation of at least 30,320 jobs through the provision of at least 49.8ha of employment land over the plan period 2018-2036, while enhancing quality of life, protecting high-quality environments and supporting the continued role of Ipswich as County Town. Indeed, the 'Settlement Hierarchy' (SCLP3.2) identifies Ipswich as a 'Major Centre' where development requirements will principally be met through site allocations.

7.8 Policy SCLP12.21 also reflects the Council's 'Strategy for Growth' across the wider district as set out within policy SCLP3.1 which, amongst other things, commits the district to

supporting and facilitating economic growth through the supply of more than the baseline requirement of 11.7ha of land for employment uses to deliver at least 6,500 jobs and to enable key economic activities to maintain and enhance their role within the UK economy. Further, this strategy also seeks to provide opportunities for economic growth towards creating and enhancing sustainable and inclusive communities via the provision of infrastructure needed to support growth and new employment allocations based around key transport corridors, including a focus on growth along the A12 and A14 corridors.

- 7.9 To that end, a planning statement submitted in support of this reserved matters application estimates that the proposals as herein sought will serve to provide the creation of approx. 1,180 new full and part time employment opportunities, as well as 300 construction jobs over a two year build program.
- 7.10 With relevance to this reserved matters application, policy SCLP4.1 (Existing employment areas) makes clear that existing employment areas are those identified in Area Specific Strategy Policies in Section 12 of the Local Plan (including SCLP12.21: Ransomes, Nacton Heath). Further, SCLP4.1 confirms that new development for employment uses which takes place during the plan period (including sites currently with consent for employment use) will be treated as existing employment areas.
- 7.11 In-line with the above overview of current Local Plan policy, it is clear that the planning principles established by extant outline consent DC/17/4257/OUT remain consistent with the overriding aims of the Suffolk Coastal Local Plan, including its long-term economic growth strategy for the plan period. In these ways, the application site's development in accordance with policy allocation SCLP12.21 reinforces The Framework's (para.83) economic objectives by recognising the specific locational and operational requirements of the storage and distribution sector within a suitably accessible location.
- 7.12 While the Council otherwise acknowledge the concerns raised by consultees relating to the potential loss of haulier service facilities currently offered by the Orwell Crossing Truckstop, it is noted that neither the extant Outline planning permission nor this current reserved matters application includes the land containing these facilities. A separate full planning application (DC/21/3486/FUL) has however since been received by the Council to redevelop this area with new buildings for Class B2 and B8 Uses, along with access and servicing arrangements, vehicle parking, landscaping and associated works. The determination of DC/21/3486/FUL will therefore be considered at a later date and it need not influence the determination of this application.
- 7.13 In conclusion, it is therefore found that, subject to a satisfactory assessment of the reserved matters information against the requirements of all other relevant planning policies, including those relating to design, landscape, amenity, environment, access, flood risk, drainage, as set out within SCLP12.21, the planning principle of the site's development for the storage and distribution purposes, as established by DC/17/4257/OUT, remain broadly consistent with the objectives of the NPPF and adopted Local Plan.
- 7.14 This report will now consider information submitted in relation to each of the outstanding planning conditions attributed to DC/17/4257/OUT starting with the Reserved Matters, as required by condition no.1.

\*Condition 1 - The Reserved Matters \*



- 7.15 Condition 1 of DC/17/4257/OUT requires the submission of plans detailing proposals for all the reserved matters for approval by the Local Planning Authority prior to commencement. These matters include details of the layout, access, building design, hard/soft landscaping and levels, landscape maintenance, energy/water consumption and waste management, drainage, vehicle parking/manoeuvring/loading areas and means of enclosure.

### Layout

- 7.16 Part one of the reserved matters condition seeks all details of the proposed development's layout, including the position and width of all roads and footpaths, including levels and gradients.
- 7.17 The relevant documents submitted to fulfil this part of the condition include:
- 18168 P0116 Rev. G (Masterplan);
  - 18168 P0102 Rev. F (Units 1-2 Site Plan);
  - 18168 P0103 Rev. C (Unit 4 Site Plan);
  - 128400/2004 Rev. B (Proposed Cut and Fill);
  - 2113-21-05 Rev. B (Site Wide Cross Sections);
  - 128400/2003 Rev. A (Proposed Finished Levels Sheet 2);
  - 128400/2002 Rev. B (Proposed Finished Levels Sheet 1).
- 7.18 The submitted masterplan depicts three (Class B8 Use) storage/distribution warehouse unit buildings representing a total gross internal area of 98,039 square metres.
- 7.19 Unit '1' and '2' would be positioned in a parallel arrangement within the eastern half of the site, while the larger unit '4' would be positioned within the site's western half. Individual development areas for each unit are as follows:
- The footprint of unit '1' would cover approx. 25,932 square metres, with an additional office area of 1,679 square metres.
  - The footprint of unit '2' would cover approx. 22,064 square metres, with an additional office area of 1,393 square metres.
  - The footprint of unit '4' would cover approx. 43,994 square metres, with an additional office area of 2,197 square metres.
- 7.20 Each unit would also have a separate dedicated gatehouse covering approx. 28 square metres and transport office covering approx. 232 square metres.
- 7.21 Separate vehicular and pedestrian routes/access points for each unit are proposed, along with dedicated space for manoeuvring/loading/unloading and parking of HGVs, towards promoting permeability while ensuring the avoidance of conflict between travel modes throughout the site.
- 7.22 With regard to the proposal's impact on the amenity currently enjoyed by the occupants of nearby dwellings accessible from Felxistowe Road, the submitted layout has been devised so that each warehouse unit's external working area would be orientated away from these properties towards ensuring that operational noises from the development would be suitably mitigated. To that end, the northern boundaries of the external service

areas serving units '1' and '2' would also be bound by a two-metre-high close-boarded acoustic fence to contain and deflect operational noise away from dwellings. Further, the external service area of unit '4' would be positioned between the warehouse and A14, thereby ensuring a significant degree of separation from these dwellings, with any excess sounds being deflected by the unit itself.

- 7.23 Concerning the impacts of the development on residential outlook and access to daylight, a site-wide cross section (see drawing no. 2113-21-05 Rev. B) submitted in support of this application usefully demonstrates the level of separation between the proposed units and nearby dwellings. Existing and proposed boundary features are also included, such as proposed landscaping and planting features, as well as the potential affects of the warehouses on sunlight to these properties during both the summer and winter equinox (45 and 30 degrees respectively), given the prevailing sunpath. Following a review of this information, it is clear that none of the proposed units would be sited close enough to any of these dwellings to have any meaningful impact on their existing access to daylight. Indeed, the closest dwelling 'Laurels' would be separated by a distance of approx. 66 metres from unit '4', with this distance increasing between dwellings positioned further east and west. Indeed, these properties' access to daylight would not be undermined by overshadowing from the proposed buildings. In addition, a landscape buffer, including a raised earth bund planted with coniferous trees and thicket hedging proposed along the majority of the site's northern boundary, would greatly assist in mitigating the development's impact on residents' southern outlook. While it is otherwise accepted that there will undoubtedly be some level of unavoidable impact on residents' outlook during the construction phase and prior to the landscape buffer's establishment, it is considered that such adversities could be sufficiently mitigated by these measures in the longer term.
- 7.24 It is otherwise considered that the proposed landscaping, circulation routes and office entrance features would work to promote legibility across the site, while ensuring a well-integrated and functional development.
- 7.25 It is thus found that the submitted information satisfies the requirements of the relevant condition part and the proposal would not undermine the requirements of the NPPF nor the relevant policies of the adopted Local Plan, including SCLP7.2 (Parking proposals and standards), SCLP7.1 (Sustainable transport), SCLP10.4 (Landscape character), SCLP11.1 (Design quality), SCLP11.2 (Residential amenity) and SCLP12.21 (Ransomes, Nacton Heath).
- 7.26 This reserved matter is therefore fulfilled and should be approved.

### Access

- 7.27 Part two of the reserved matters seeks all details of the siting of all buildings and the means of access from an existing or proposed highway. The principle of the single main vehicular access for the site onto the A14 was established under the outline planning permission alongside the effects of traffic generation from this scale of development on the highway network. Therefore, although access details were not approved in detail as part of the outline they did require thorough consideration within the original Transport Assessment and approval of Highways England in order to accept the principle of that consent. This application confirms the detailed design of access improvements along with all internal access arrangements.

- 7.28 The relevant documents submitted to fulfil this part include:
- 18168 P0116 Rev. G (Masterplan);
  - 18168 P0108 Rev. E (Units 1-2 Site Plan - Pedestrian Routes);
  - 18168 P0106 Rev. E (Units 1-2 Site Plan - Tracking);
  - 18168 P0102 Rev. F (Units 1-2 Site Plan);
  - 18168 P0109 Rev. C (Unit 4 site plan - Pedestrian Routes);
  - 18168 P0107 Rev. C (Unit 4 site plan - Tracking);
  - 18168 P0103 Rev. C (Unit 4 site plan);
  - FX-LE-GEN-XX-DR-CE-010 Rev. A (Highway lighting layout);
  - FX-LE-GEN-XX-DR-CE-009 (Highway kerbing and construction);
  - FX-LE-GEN-XX-DR-CE-008 Rev. A (Highway drainage layout);
  - FX-LE-GEN-XX-DR-CE-006 Rev. A (Highway typical cross sections);
  - FX-LE-GEN-XX-DR-CE-004 Rev. A (Highway drainage details);
  - FX-LE-GEN-XX-DR-CE-003 Rev. A (Planning swept path analysis);
  - FX-LE-GEN-XX-DR-CE-002 Rev. A (Highway geometry alignment);
  - FX-LE-GEN-XX-DR-CE-001 Rev. C (Highway general arrangement);
  - 18168 P0120 Rev. A (Emergency access road).
- 7.29 Site-wide access is proposed via the existing Orwell Crossing A14 eastbound (between junction 57/58) vehicular entrance which is a 'left in, left out' merge/diverge arrangement. It is proposed that this access will be upgraded via a condition and Section 278 agreement. This aspect is the responsibility of Highways England as statutory consultee as the A14 is a trunk road. They have confirmed that they have no objection to the site access arrangements.
- 7.30 Within the site, a network of new accessways will serve separate dedicated entrances to each of the three proposed warehouses, while new shared pedestrian footways/cycleways will lead to each unit's wheelchair accessible entrance buildings. The proposed arrangement will help mitigate conflict between large commercial vehicles and private car users while assisting each individual operator with the secure management of their warehouse unit and associated curtilage. Internal access arrangements are the responsibility of the Highway Authority as a statutory consultee and they have confirmed that they have no objection to the plans. It is however anticipated that the internal roads of the site will not be adopted highway and will instead be privately managed roads.
- 7.31 A new vehicular/pedestrian/cycleway connection is also proposed to Lytham Road, thereby providing an important link to the Ransomes Industrial Estate towards ensuring the development is appropriately integrated with other neighbouring land uses. Permeability for pedestrian/cycle users will also be secured, thereby enabling access to other sustainable transport options, including local Bus links and cycle networks.
- 7.32 Further, it is proposed that the existing Public Rights of Way (PRoW) - known as footpath ref. 1, Nacton Parish - which currently dissects the site's eastern half, will be diverted and upgraded to provide a shared pedestrian/cycleway, with new street lighting, crossing points and dropped kerbs, which will link the existing footway serving the northern 'Shepherd and Dog' level-crossing and the site's southern entrance. While it is noted that consultation responses from Network Rail have sought to resist linkages to the 'Shepherd and Dog' crossing due to safety concerns relating to the intensification of its use - as may be brought about by the PROW diversion/improvements within the application site - Council officers are minded that, due to the long-standing nature of the established

crossing point outside of the site, the proposed enhancement of linkages to it should not be used as a reason to prejudice the proposal, as sought herein.

7.33 In consultation with Suffolk County Council Highway Authority, Network Rail, Highways England and Ipswich Borough Council, it is therefore considered that the submitted information sufficiently satisfies the requirements of the relevant condition.

7.34 It is thus concluded that the proposal would not undermine the requirements of the NPPF nor the relevant policies of the adopted Local Plan, including SCLP7.2 (Parking proposals and standards), SCLP7.1 (Sustainable transport), SCLP11.1 (Design quality) and SCLP12.21 (Ransomes, Nacton Heath).

7.35 This reserved matter is therefore fulfilled and should be approved.

### Building design

7.36 Part three of the reserved matters seeks all design details of all proposed buildings.

7.37 The relevant documents submitted to fulfil this part include:

- 18168 P1001 Rev. C (Unit 1 - Warehouse Plan);
- 18168 P1004 Rev. C (Unit 1 - Elevations and Section);
- 18168 P1005 Rev. B (Unit 1 - Roof Plan);
- 18168 P1002 Rev. C (Unit 1 - Main Office Plan);
- 18168 P1003 Rev. B (Unit 1 - Transport Office Plan);
- 18168 P1006 Rev. B (Unit 1 - Gatehouse Layout and Elevations);
- 18168 P2001 Rev. C (Unit 2 - Warehouse Plan);
- 18168 P2003 Rev. C (Unit 2 - Elevations and Section);
- 18168 P2004 Rev. B (Unit 2 - Roof Plan);
- 18168 P2002 Rev. C (Unit 2 - Main Office Plan);
- 18168 P2005 Rev. A (Unit 2 - Transport Office Plan);
- 18168 P2006 Rev. A (Unit 2 - Gatehouse Layout and Elevations);
- 18168 P0112 Rev. D (Units 1-2 - Cycle and smoking shelter details);
- 18168 P4001 Rev. B (Unit 4 - Warehouse Plan);
- 18168 P4004 Rev. B (Unit 4 - Elevations);
- 18168 P4005 Rev. A (Unit 4 - Roof Plan);
- 18168 P4002 Rev. A (Unit 4 - Main Office Plan);
- 18168 P4003 Rev. A (Unit 4 - transport office plan);
- 18168 P4006 Rev. A (Unit 4 - gatehouse layout and elevations);
- 18168 P0113 Rev. B (Unit 4 - Cycle and smoking shelter details);
- 18168 P0119 Rev. A (External facing and roofing materials).

7.38 The warehouse units and ancillary structures will have a neutral utilitarian appearance comprising matching silver/grey/anthracite metal cladding which will provide a sense of visual cohesion across the wider site.

7.39 Each unit has been orientated with a frontage towards the A14 where the use of glazing and curtain walling around building entrances will improve legibility for visitors, while providing each with a sense of arrival. This arrangement also provides occupants with a commercial frontage through which to visually convey brand identity.

- 7.40 While the scale of the buildings are extensive, the site is otherwise considered to hold sufficient capacity to accommodate the proposal without resulting in its overdevelopment. Further, the massing and height of the warehouses, which have been optimised for the commercial requirements of occupants, are not - given the degree of separation, the site's topography, proposed landscaping/planting and other boundary features - considered to represent an unacceptable visual intrusion on the prevailing landscape or outlook of dwellings fronting Felixstowe Road.
- 7.41 It is thus considered that the submitted information satisfies the requirements of the relevant condition part. Accordingly, the proposal would not undermine the requirements of the NPPF nor the relevant policies of the adopted Local Plan, including SCLP10.4 (Landscape character), SCLP11.1 (Design quality), SCLP11.2 (Residential amenity) and SCLP12.21 (Ransomes, Nacton Heath).
- 7.42 This reserved matter is therefore fulfilled and should be approved.

#### Hard/soft landscaping and levels

- 7.43 Parts four and five of the reserved matters seek all details of landscaping proposed within the site and on the site's boundaries, as well as a landscaping designs showing the planting proposed to be undertaken, the means of forming enclosures, the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels.
- 7.44 The relevant documents submitted to fulfil this part include:
- 18168 P0110 Rev. E (Units 1-2 Site Plan - External Finishes);
  - 18168 P0104 Rev. E (Units 1-2 Site Plan - Fence Layout);
  - 18168 P0102 Rev. F (Units 1-2 Site Plan);
  - 18168 P0105 Rev. C (Unit 4 site plan - fence layout);
  - 18168 P0103 Rev. C (Unit 4 site plan);
  - 18168 P0111 Rev. C (Unit 4 site plan - external finishes);
  - 2113/21-RP02 Rev. A (Landscape design statement);
  - 2113-21-16 Rev. A (Detailed landscape plan sheet 5 of 5 - unit 3);
  - 2113-21-15 Rev. A (Detailed landscape plan sheet 4 of 5 - unit 3);
  - 2113-21-14 Rev. A (Detailed landscape plan sheet 3 of 5 - unit 2);
  - 2113-21-13 Rev. A (Detailed landscape plan sheet 2 of 5 - unit 2);
  - 2113-21-12 Rev. A (Detailed landscape plan sheet 1 of 5 - unit 1);
  - 2113-21-11 Rev. B (Tree protection retention and removal plan);
  - 2113-21-10 Rev. B (Tree protection retention and removal plan);
  - 2113-21-09 Rev. A (Tree constraints plan sheet 3 of 3);
  - 2113-21-08 Rev. A (Tree constraints plan sheet 2 of 3);
  - 2113-21-07 Rev. A (Tree constraints plan sheet 1 of 3);
  - 2113-21-05 Rev. B (Tree constraints plan sheet 1 of 3);
  - 2113-21-04 Rev. C (Landscape concept sections);
  - 2113-21-03 Rev. F (Landscape concept plan sheet 2 of 2);
  - 2113-21-02 Rev. F (Landscape concept plan sheet 1 of 2);
  - 2113-21-05 Rev. B (Site wide cross sections);
  - 128400/2004 Rev. B (Proposed Cut and Fill);
  - 128400/2003 Rev. A (Proposed Finished Levels Sheet 2);
  - 128400/2002 Rev. B (Proposed Finished Levels Sheet 1).

- 7.45 The submitted information includes a comprehensive landscaping/planting scheme with details of all boundary treatments, surfacing materials and site levels.
- 7.46 The proposed fencing scheme for each of the warehouse units includes the use of 2.4-metre-high paladin security fencing (coloured black) to operational service yard/ HGV parking areas. The use of 2.4-metre-high timber 'hit and miss' fencing would also be applied to contain each unit's refuse storage area and close-boarded acoustic fencing is included where appropriate.
- 7.47 The submitted landscape planting plans are comprehensive in their detail and show substantial tree and scrub planting around the site with internal ornamental planting around the service buildings and car park areas. Existing on-site trees and those just off-site have been assessed according to the guidance contained in BS5837:2012. The majority of trees can be retained and where trees need to be removed, such losses will be suitably mitigated by the proposed new planting.
- 7.48 Proposed surfacing treatments, including concreted service yards, tarmacked access roads, block paved parking areas and grassed/gravel areas would appear congruent with the proposed use.
- 7.49 In consultation with the Council's Ecologist and Arboricultural & Landscape Manager, it is thus considered that the submitted information satisfies the requirements of the relevant condition part.
- 7.50 Accordingly, the proposal would not undermine the requirements of the NPPF nor the relevant policies of the adopted Local Plan, including SCLP10.1 (Biodiversity and geodiversity), SCLP10.3 (Environmental quality), SCLP10.4 (Landscape character), SCLP11.1 (Design quality), SCLP11.2 (Residential amenity) and SCLP12.21 (Ransomes, Nacton Heath).
- 7.51 This reserved matter is therefore fulfilled and should be approved.

#### Landscape maintenance

- 7.52 Part six of the reserved matters seeks details of the arrangements to be made for the future maintenance of landscaped and other open areas.
- 7.53 The relevant document submitted to fulfil this part is:
- 2113/21-RP01 Rev. B (Landscape maintenance and management plan).
- 7.54 The submitted plan provides a detailed matrix of maintenance and management operations to be undertaken by the landscape contractor for the first year following practical completion, and for ten years thereafter by the site's management. A regime for monitoring and reviewing these operations is also included.
- 7.55 In consultation with the Council's Arboricultural and Landscape Manager, it is considered that the submitted information satisfies the requirements of the relevant condition part.
- 7.56 It is thus concluded that the proposal would not undermine the requirements of the NPPF nor the relevant policies of the adopted Local Plan, including SCLP10.1 (Biodiversity and

geodiversity), SCLP10.3 (Environmental quality), SCLP10.4 (Landscape character), SCLP11.1 (Design quality) and SCLP12.21 (Ransomes, Nacton Heath).

7.57 This reserved matter is therefore fulfilled and should be approved.

#### Energy/ water consumption and waste management

7.58 Part seven of the reserved matters seeks details of the measures sought to minimise water and energy consumption and to provide for recycling of waste.

7.59 The relevant documents submitted to fulfil this part include:

- 20-029 P2 (BREEAM 2018 Pre-assessment);
- Energy Strategy (Rev. P2 - June 2021);

7.60 The submitted information demonstrates that each of the warehouse units would be built to a BREEAM standards 'very good' rating, which is confirmed as suitable for the proposed development. The inclusion of photovoltaics and Air Source Heat Pumps (ASHP) for on-site generation is also included, as well as passive design principles, rainwater harvesting measures, high efficiency lighting and refuse/recycling storage areas.

7.61 It is thus considered that the submitted information satisfies the requirements of the relevant condition part and it is therefore concluded that the proposal would not undermine the requirements of the NPPF nor the relevant policies of the adopted Local Plan, including SCLP9.1 (Low carbon and renewable energy), SCLP9.2 (Sustainable construction), SCLP10.3 (Environmental quality), SCLP11.1 (Design quality) and SCLP12.21 (Ransomes, Nacton Heath).

7.62 This part of condition 1 is therefore fulfilled and should be discharged.

#### Drainage

7.63 Part eight of the reserved matters seeks details of the layout of foul sewers and surface water drains.

7.64 The relevant documents submitted to fulfil this part include:

- 128400 Rev. 4.1 (Drainage Strategy Review);
- 128400/2000 Rev. C (Proposed Drainage Layout Sheet 1);
- 128400/2001 Rev. A (Proposed Drainage Layout Sheet 2);
- 128400/2004 Rev. B (Proposed Cut and Fill);
- 128400/2003 Rev. A (Proposed Finished Levels Sheet 2);
- 128400/2002 Rev. B (Proposed Finished Levels Sheet 1);
- FX-LE-GEN-XX-DR-CE-008 Rev. A (Highway drainage layout);
- FX-LE-GEN-XX-DR-CE-004 Rev. A (Highway drainage details).

7.65 A comprehensive site wide drainage strategy, including details of foul and surface water management, has been submitted which demonstrate the proposed surface water management strategy and engineering works established acceptable principles for how surface water will be managed as an integral part of the development.

- 7.66 The submitted information otherwise confirms that discussion is currently ongoing with Anglian Water to requisition a connection to the public sewer network for the proposed site with flows first draining to a centrally located foul pumping station prior to being pumped to the point of connection to the public sewer. In the meantime, cesspits will be provided to serve each plot as a temporary solution until a connection to the public sewer has been agreed and made.
- 7.67 In consultation with the Suffolk County Council as Lead Local Flood Authority (LLFA) and Suffolk County Council Highway Authority, it is considered that the submitted information satisfies the requirements of the relevant condition part.
- 7.68 It is thus concluded that the proposal would not undermine the requirements of the NPPF nor the relevant policies of the adopted Local Plan, including SCLP9.5 (Flood Risk), SCLP9.6 (Sustainable drainage systems), SCLP9.7 (Holistic water management), SCLP10.3 (Environmental quality), SCLP11.1 (Design quality), and SCLP12.21 (Ransomes, Nacton Heath).
- 7.69 This part is therefore fulfilled and should be discharged.

#### Vehicle parking/manoeuvring/loading areas

- 7.70 Part nine of the reserved matters seeks details of the provision to be made for the parking, loading and unloading of vehicles.
- 7.71 The relevant documents submitted to fulfil this part include:
- 18168 P0102 Rev. F (Units 1-2 Site Plan);
  - 18168 P0103 Rev. C (Unit 4 site plan);
  - 18168 P0113 Rev. B (Unit 4 - Cycle and smoking shelter details);
  - 18168 P0112 Rev. D (Units 1-2 - Cycle Shelter Details).
- 7.72 Separate car parking for each unit is proposed with a combined total of 915 car parking spaces, 396 cycle spaces (including cycle shelters) and a suitable proportion of disability accessible spaces close to building entrances.
- 7.73 The aggregate of parking spaces dedicated to each unit is as follows:
- Unit 1 - 243 car parking spaces (including 13 disabled) and 88 cycle parking spaces;
  - Unit 2 - 248 car parking spaces (including 13 disabled) and 88 cycle parking spaces;
  - Unit 4 - 424 car parking spaces (including 22 disabled) and 220 cycle parking spaces.
- 7.74 In addition, it is proposed that 20 per cent of all car parking spaces will offer active electric vehicle charging (i.e. the equipped with the physical apparatus to plug-in and charge vehicles), while a further 20 per cent of spaces equip with the means to be upgraded to active provision in the future (i.e. passive).
- 7.75 A total 213 HGV parking spaces will also be provided across the wider site. For the purpose of Paragraph 109 of the NPPF this facility will adequately address the HGV parking needs of each unit. This is not proposed as general parking for passing HGV and this application is not required to deliver such a facility. The existing truck stop is a part of the current full planning application for the site.



- 7.76 In consultation with the Suffolk County Council Highway Authority, it is considered that the submitted information satisfies the requirements of the relevant condition part.
- 7.77 It is thus concluded that the proposal would not undermine the requirements of the NPPF nor the relevant policies of the adopted Local Plan, including SCLP7.2 (Parking proposals and standards), SCLP7.1 (Sustainable transport), SCLP11.1 (Design quality) and SCLP12.21 (Ransomes, Nacton Heath).
- 7.78 This reserved matter is therefore fulfilled and should be approved.

#### Means of enclosure

- 7.79 Part ten of the reserved matters seeks details of the alignment, height and materials of all walls and fences and other means of enclosure.
- 7.80 The relevant documents submitted to fulfil this part include:
- 18168 P0104 Rev. E (Units 1-2 Site Plan - Fence Layout);
  - 18168 P0105 Rev. C (Unit 4 site plan - Fence Layout);
  - Noise Assessment' (784-B026698 - June 2021).
- 7.81 The above drawings demonstrate a boundary fencing scheme for each of the proposed warehouse units curtilage areas, including the use of 2.4 metre high paladin security fencing (coloured black) to each units operational service yard/ HGV parking areas. The use of 2.4 metre high timber 'hit and miss' fencing would also be applied to contain each unit's refuse storage area.
- 7.82 In-line with the mitigation measures outlined within the submitted Noise Assessment, additional close boarded acoustic fence will be installed to a height of 2 metres along the northern curtilage boundaries of units 1 and 2 to reduce the impacts of operational noise emanating from each unit's associated service yard.
- 7.83 In consultation with the Council's Arboricultural and Landscape Manager, it is considered that the submitted information satisfies the requirements of the relevant condition part.
- 7.84 It is thus concluded that the proposal would not undermine the requirements of the NPPF nor the relevant policies of the adopted Local Plan, including SCLP10.4 (Landscape character), SCLP11.1 (Design quality), SCLP11.2 (Residential amenity) and SCLP12.21 (Ransomes, Nacton Heath).
- 7.85 This part is therefore fulfilled and should be discharged.

#### \*Condition 4 - Travel Plan\*

- 7.86 Condition 4 of DC/17/4257/OUT requires the submission of a Travel Plan setting out details of the travel arrangements to and from the application site, including monitoring provisions.
- 7.87 The relevant document submitted to fulfil this condition is:
- 'Orwell Crossing, Nacton Heath: Framework Travel Plan' (version 3 - June 2021).

- 7.88 An initial consultation response from Suffolk County Council Highway Authority (dated 23 April 2021) requested further information on several outstanding matters, including landowner confirmation of a formal pedestrian and cycle link between the site and Ransomes via Lytham Road. Other matters, such as the setting up of a management group and appointment of a Travel Plan coordinator, were also sought. Proposed cycle shelters were also found to be inadequate for long-stay parking and insufficient information on the program for Travel Plan monitoring, including annual funding commitments from the applicant to support Suffolk County Council in their oversight of the Travel Plan for a minimum of five years, were also outstanding.
- 7.89 A subsequent consultation response from Suffolk County Council Highway Authority (dated 10 August 2021) confirmed that prior concerns had been sufficiently addressed within the latest Framework Travel Plan document submission and that, subject to the applicant's agreement to commit an annual payment to enable Suffolk County Council to oversee delivery and monitoring of the Travel Plan, all concerns would be suitably addressed.
- 7.90 It is noted that Suffolk County Council Highway Authority have sought agreement by the applicant to secure a Travel Plan Evaluation and Support Contribution in order to fund the resource needed to oversee the annual implementation and monitoring of the submitted Travel Plan. Council officers are currently exploring the feasibility of such a request given the reserved matters nature of this application. Such matters will be detailed further within the planning committee update sheet.
- 7.91 In consultation with Highways England and Suffolk County Council Highway Authority, it is considered that the submitted information satisfies the requirements of the relevant condition.
- 7.92 It is thus found that the submitted information satisfies the requirements of the relevant condition and the proposal would not undermine the requirements of the NPPF nor the relevant policies of the adopted Local Plan, including SCLP7.1 (Sustainable transport) and SCLP12.21 (Ransomes, Nacton Heath).
- 7.93 This condition is therefore fulfilled and should be discharged.

**\*Condition 5 - External lighting\***

- 7.94 Condition 5 of DC/17/4257/OUT requires the submission of all external lighting details for approval by the Local Planning Authority Prior to installation.
- 7.95 The relevant documents submitted to fulfil this condition are:
- '20-029-ex-001 rev.pl2 - indicative site external lighting layout';
  - '20-029 rev. 2 (June 2021) - external led lighting assessment report'.
- 7.96 In consultation with Natural England and the Council's Ecologist, Landscape Manager and Environmental Protection Team, no concerns or objections are raised in response to the proposed external lighting scheme's impact on the wider environment, landscape (including AONB) or biodiversity. Indeed, the submitted documents indicate that proposed external lighting would not significantly illuminate the boundary vegetation above the

level of 1 lux, other than around the site entrance and within a modest area close to the northern boundary adjacent to railway line. The site entrance is currently already well-lit and it is not therefore considered that proposed additional lighting of this area as a result of the new development will result in a significant adverse impact on nocturnal wildlife.

- 7.97 Further, the conclusions of the submitted report demonstrate a carefully considered lighting solution that will ensure the protection of the immediate environment, including neighbouring properties, from glare resulting from the use of lamp shielding/orientation, appropriate mounting heights and choice of luminaires.
- 7.98 In consultation with the Council's Ecologist, Arboriculture & Landscape Manager and Suffolk County Council Highway Authority, it is thus considered that the submitted information satisfies the requirements of the relevant condition.
- 7.99 It is thus concluded that the proposal would not undermine the requirements of the NPPF nor the relevant policies of the adopted Local Plan, including SCLP10.1 (Biodiversity and geodiversity), SCLP10.3 (Environmental quality), SCLP10.4 (Landscape character), SCLP11.1 (Design quality), SCLP11.2 (Residential amenity) and SCLP12.21 (Ransomes, Nacton Heath).
- 7.100 This condition is therefore fulfilled and should be discharged.

**\*Condition 7 - Phasing Management Plan\***

- 7.101 Condition 7 of DC/17/4257/OUT requires the submission a phasing management plan to include timescales and order of phasing for approval by the Local Planning Authority prior to commencement.
- 7.102 The relevant document submitted to fulfil this condition is:
- 18168 P0117 Rev. E (Phasing Plan).
- 7.103 The submitted information demonstrates a suitable arrangement for the phasing of development across the site with 'Phase 1' comprising the proposed site access and the construction of units '1' and '2' towards the west of the site, followed by 'Phase 2' comprising unit '4' within the site's eastern half. This arrangement appears a logical approach to the site's development over an approx. two-year build-period.
- 7.104 It is thus concluded that the proposal would not undermine the requirements of the NPPF nor the relevant policies of the adopted Local Plan, including SCLP10.1 (Biodiversity and geodiversity), SCLP10.3 (Environmental quality), SCLP11.1 (Design quality), SCLP11.2 (Residential amenity) and SCLP12.21 (Ransomes, Nacton Heath).
- 7.105 This condition is therefore fulfilled and should be discharged.

**\*Condition 8 - Surface Water Management Strategy\***

- 7.106 Condition 8 of DC/17/4257/OUT requires the submission of a Surface Water Management Strategy for approval by the Local Planning Authority prior to each phase of the development.
- 7.107 The relevant documents submitted to fulfil this condition are:

- '128400 Rev. 4.1' (Drainage Strategy Review - June 2021);
- '128400/2000 Rev. C' (Proposed Drainage Layout Sheet 1);
- '128400/2001 Rev. A' (Proposed Drainage Layout Sheet 2);
- '128400/2004 Rev. B' (Proposed Cut and Fill);
- '128400/2003 Rev. A' (Proposed Finished Levels Sheet 2);
- '128400/2002 Rev. B' (Proposed Finished Levels Sheet 1).

7.108 In consultation with the East Suffolk Drainage Board and Suffolk County Council - as Lead Local Flood Authority (LLFA) - it is confirmed that the proposed surface water management strategy and engineering works, as set out within the above documents, establish acceptable principles for how surface water will be managed as an integral part of the development.

7.109 Subject to the conditions proposed within the LLFA's response dated 20 May 2021, condition 8 will have therefore been complied with to the Local Planning Authorities satisfaction.

7.110 It is thus concluded that the proposal would not undermine the requirements of the NPPF nor the relevant policies of the adopted Local Plan, including SCLP9.5 (Flood Risk), SCLP9.6 (Sustainable drainage systems), SCLP9.7 (Holistic water management), SCLP10.3 (Environmental quality), SCLP11.1 (Design quality) and SCLP12.21 (Ransomes, Nacton Heath).

7.111 This condition is therefore fulfilled and should be discharged.

**\*Condition 9 - Construction Management Plan\***

7.112 Condition 9 of DC/17/4257/OUT requires the submission of a Construction Management Plan for approval by the Local Planning Authority.

7.113 The relevant document submitted to fulfil this condition is:

- 'Construction Management Plan' (1839C/ March 2021).

7.114 In consultation with the Council's Environmental Protection Team, it is found that the proposed construction methods, techniques and management arrangements/practices, as set out within the above document are acceptable and, subject to the works being carried out in complete accordance with such details, condition 9 will have been complied with to the satisfaction of the Local Planning Authority.

7.115 It is thus considered that the submitted information satisfies the requirements of the relevant condition part and it is therefore concluded that the proposal would not undermine the requirements of the NPPF nor the relevant policies of the adopted Local Plan, including SCLP9.2 (Sustainable construction), SCLP10.3 (Environmental quality), SCLP11.1 (Design quality) and SCLP12.21 (Ransomes, Nacton Heath).

7.116 This condition is therefore fulfilled and should be discharged.

**\*Condition 10 - Site Wide Masterplan Document (SWMD)\***

- 7.117 Condition 10 of DC/17/4257/OUT requires the submission of a SWMD including the form, heights, materials and general arrangement of all buildings; the hierarchy for roads and public spaces, as well as design principles for car parking and the public realm. The condition also requires the submission of a two-dimensional layout drawing showing the arrangement of buildings, their maximum heights, as well as existing landscape features to be retained and proposed structural planting. Such information is to be submitted alongside the first application for approval of the reserved matters.
- 7.118 The relevant documents submitted to fulfil this condition are:
- 18168 P0101 Rev. B (Location plan);
  - 18168 P0118 Rev. E (Parameters Plan);
  - 18168 P0116 Rev. G (Masterplan);
  - 18168 P0102 Rev. F (Units 1-2 Site Plan);
  - 18168 P0103 Rev. C (Unit 4 site plan);
  - 18168 P0119 Rev. A (External facing and roofing materials).
  - 2113-21-11 Rev. B (Tree protection retention and removal plan);
  - 2113-21-10 Rev. B (Tree protection retention and removal plan);
  - 2113/21-RP01 Rev. B (Landscape maintenance and management plan);
  - 2113/21-RP02 Rev. A (Landscape design statement).
- 7.119 As per the above assessment of design, access and landscaping information submitted in support of condition 1 (the 'Reserved Matters') and other conditions as set out below, in consultation with the Council's Arboriculture and Landscape Manager and Suffolk County Council Highway Authority, it is considered that the submitted information satisfies the requirements of the relevant condition.
- 7.120 It is thus found that the submitted information satisfies the requirements of the relevant condition part and the proposal would not undermine the requirements of the NPPF nor the relevant policies of the adopted Local Plan, including SCLP7.2 (Parking proposals and standards), SCLP7.1 (Sustainable transport), SCLP10.4 (Landscape character), SCLP11.1 (Design quality), SCLP11.2 (Residential amenity) and SCLP12.21 (Ransomes, Nacton Heath).
- 7.121 This condition is therefore fulfilled and should be discharged.
- \*Condition 11 - External facing and roofing materials\*
- 7.122 Condition 11 of DC/17/4257/OUT requires the submission of external facing and roofing materials details for approval by the Local Planning Authority prior to each phase of the development.
- 7.123 The relevant document submitted to fulfil this condition is:
- 18168 P0119 Rev. A (External facing and roofing materials).
- 7.124 As per the above assessment of design information submitted in support of condition 1 (the 'Reserved Matters'), in consultation with the Council's Arboriculture and Landscape Manager it is considered that proposed materials would be appropriate and the requirements of this condition have therefore been satisfied to the Local Planning Authority's satisfaction.

7.125 It is thus found that the submitted information satisfies the requirements of the relevant condition part and the proposal would not undermine the requirements of the NPPF nor the relevant policies of the adopted Local Plan, including SCLP10.4 (Landscape character), SCLP11.1 (Design quality), SCLP11.2 (Residential amenity) and SCLP12.21 (Ransomes, Nacton Heath).

7.126 This condition is therefore fulfilled and should be discharged.

**\*Condition 12 - Roads and footways\***

7.127 Condition 12 of DC/17/4257/OUT requires the submission of details of the roads and footways within the site, (including layout, levels, gradients, surfacing and means of surface water drainage) for approval by the Local Planning Authority prior to each phase of the development.

7.128 The relevant documents submitted to fulfil this condition are:

- 18168 P0102 Rev. F (Units 1-2 Site Plan);
- 18168 P0110 Rev. E (Units 1-2 Site Plan - External Finishes);
- 18168 P0108 Rev. E (Units 1-2 Site Plan - Pedestrian Routes);
- 18168 P0106 Rev. E (Units 1-2 Site Plan - Tracking);
- 18168 P0103 Rev. C (Unit 4 site plan);
- 18168 P0111 Rev. C (Unit 4 site plan - external finishes);
- 18168 P0109 Rev. C (Unit 4 site plan - pedestrian routes);
- 18168 P0107 Rev. C (Unit 4 site plan - tracking);
- FX-LE-GEN-XX-DR-CE-010 Rev. A (Highway lighting layout);
- FX-LE-GEN-XX-DR-CE-009 (Highway kerbing and construction);
- FX-LE-GEN-XX-DR-CE-008 Rev. A (Highway drainage layout);
- FX-LE-GEN-XX-DR-CE-006 Rev. A (Highway typical cross sections);
- FX-LE-GEN-XX-DR-CE-004 Rev. A (Highway drainage details);
- FX-LE-GEN-XX-DR-CE-003 Rev. A (Planning swept path analysis);
- FX-LE-GEN-XX-DR-CE-002 Rev. A (Highway geometry alignment);
- FX-LE-GEN-XX-DR-CE-001 Rev. C (Highway general arrangement);
- 18168 P0120 Rev. A (Emergency access road);
- 128400 Rev. 4.1 (Drainage Strategy Review);
- 128400/2000 Rev. C (Proposed Drainage Layout Sheet 1);
- 128400/2001 Rev. A (Proposed Drainage Layout Sheet 2);
- 128400/2004 Rev. B (Proposed Cut and Fill);
- 128400/2003 Rev. A (Proposed Finished Levels Sheet 2);
- 128400/2002 Rev. B (Proposed Finished Levels Sheet 1).

7.129 As per the above assessment of design and access information submitted in support of condition 1 (the 'Reserved Matters'), in consultation with the Suffolk County Council Highway Authority and Lead Local Flood Authority, it is considered that proposed design of roads and footways within the site would be appropriate. The requirement of this condition has therefore been satisfied to the Local Planning Authority's satisfaction.

7.130 It is thus concluded that the proposal would not undermine the requirements of the NPPF nor the relevant policies of the adopted Local Plan, including SCLP7.2 (Parking proposals and standards), SCLP7.1 (Sustainable transport), SCLP11.1 (Design quality) and SCLP12.21 (Ransomes, Nacton Heath).

7.131 This condition is therefore fulfilled and should be discharged.

**\*Condition 13 - Electric vehicle charging\***

7.132 Condition 13 of DC/17/4257/OUT requires the submission of electric vehicle charging facility details for approval by the Local Planning Authority prior to each phase of the development.

7.133 The relevant documents submitted to fulfil this condition are:

- 18168 P0102 Rev. F (Units 1-2 Site Plan);
- 18168 P0103 Rev. C (Unit 4 site plan);
- 20-029-EX-006 Rev. PL2 (Indicative unit 3 EVC layout);
- 20-029-EX-005 Rev. PL2 (Indicative units 1-2 EVC layout).

7.134 As per the above assessment of design information submitted in support of condition 1 (the 'Reserved Matters'), in consultation with Suffolk County Council Highway Authority it is considered that proposed arrangements for electric vehicle charging would be appropriate and the requirements of this condition has been satisfied to the Local Planning Authority's satisfaction.

7.135 It is thus concluded that the proposal would not undermine the requirements of the NPPF nor the relevant policies of the adopted Local Plan, including SCLP7.2 (Parking proposals and standards), SCLP7.1 (Sustainable transport), SCLP11.1 (Design quality) and SCLP12.21 (Ransomes, Nacton Heath).

7.136 This condition is therefore fulfilled and should be discharged.

**\*Condition 14 - Parameter plan\***

7.137 Condition 14 of DC/17/4257/OUT requires the submission a parameter plan showing the heights and position of all buildings on site for approval by the Local Planning Authority within the first phase application.

7.138 The relevant documents submitted to fulfil this condition are:

- 18168 P0118 Rev. E (Parameters Plan);
- Landscape and Visual Impact Appraisal (LVIA): Addendum (June 2021).

7.139 In consultation with the Council's Arboriculture and Landscape Manager, it is found that the conclusions of the submitted LVIA align with those of the original draft LVIA submitted at Outline planning stage; which was based on agreed worst case type parameters.

7.140 Given that the proposed design remains within those parameters, no additional unforeseen adverse effects are considered likely to arise in terms of landscape and visual amenity. Indeed, the site is essentially Ipswich urban fringe and separated from the wider rural landscape by the A14, so the development of the site will remain as of typical urban fringe character.

- 7.141 The site also happens to fall within the AONB which is a historic legacy from pre-A14 times. However, its development will have no impact on the character of the wider AONB as the character of the site itself remains essentially unaltered as urban fringe and wholly atypical of the rural landscape character of the AONB.
- 7.142 Once constructed, the built form of the development would be visible in the immediate surrounding locality of the site and where seen from the local rural landscape, it would be seen against the existing built up edge of Ipswich and would not appear excessively discordant when viewed within that context.
- 7.143 The proposed development is thus found to have negligible effect on the wider landscape because of the site's containment by the A14 and surrounding commercial development. While some dwellings along Felixstowe Road would experience a change in outlook proposed planting will help to mitigate such impacts towards offsetting such changes.
- 7.144 It is thus found that the submitted information satisfies the requirements of the relevant condition and the proposal would not undermine the requirements of the NPPF nor the relevant policies of the adopted Local Plan, including SCLP10.4 (Landscape character), SCLP11.1 (Design quality), SCLP11.2 (Residential amenity) and SCLP12.21 (Ransomes, Nacton Heath).
- 7.145 This condition is therefore fulfilled and should be discharged.

**\*Condition 16 - Boundary treatments details\***

- 7.146 Condition 16 of DC/17/4257/OUT requires the submission of boundary treatments and enhancements for approval by the Local Planning Authority prior to each phase of the development.
- 7.147 The relevant documents submitted to fulfil this condition are:
- 18168 P0116 Rev. G (Masterplan);
  - 18168 P0102 Rev. F (Units 1-2 Site Plan);
  - 18168 P0110 Rev. E (Units 1-2 Site Plan - External Finishes);
  - 18168 P0104 Rev. E (Units 1-2 Site Plan - Fence Layout);
  - 18168 P0103 Rev. C (Unit 4 site plan);
  - 18168 P0111 Rev. C (Unit 4 site plan - external finishes);
  - 18168 P0105 Rev. C (Unit 4 site plan - fence layout);
  - 2113-21-05 Rev. B (Site wide cross sections);
  - 2113-21-16 Rev. A (Detailed landscape plan sheet 5 of 5 - unit 3);
  - 2113-21-15 Rev. A (Detailed landscape plan sheet 4 of 5 - unit 3);
  - 2113-21-14 Rev. A (Detailed landscape plan sheet 3 of 5 - unit 2);
  - 2113-21-13 Rev. A (Detailed landscape plan sheet 2 of 5 - unit 2);
  - 2113-21-12 Rev. A (Detailed landscape plan sheet 1 of 5 - unit 1).
- 7.148 As per the above assessment of design information submitted in support of condition 1 (the 'Reserved Matters'), in consultation with the Council's Arboriculture and Landscape Manager it is considered that proposed boundary treatments and enhancements would be appropriate and the requirements of this condition has been satisfied to the Local Planning Authority's satisfaction.



7.149 It is thus found that the submitted information satisfies the requirements of the relevant condition and the proposal would not undermine the requirements of the NPPF nor the relevant policies of the adopted Local Plan, including SCLP10.4 (Landscape character), SCLP11.1 (Design quality), SCLP11.2 (Residential amenity) and SCLP12.21 (Ransomes, Nacton Heath).

7.150 This condition is therefore fulfilled and should be discharged.

**\*Condition 17 - Noise attenuation assessment\***

7.151 Condition 17 of DC/17/4257/OUT requires the submission of a Noise Attenuation Assessment for approval by the Local Planning Authority prior to each phase of development.

7.152 The relevant document submitted to fulfil this condition is:

- 'Noise Assessment' (784-B026698 - June 2021).

7.153 In consultation with the Council's Environmental Protection Team, it is found that the conclusions set out within the above report demonstrate that with appropriate mitigation measures cumulative operational noise levels during the daytime and night-time periods are predicted to be below the guideline noise intrusion criteria at nearby properties (assuming both a windows-open and a windows-closed scenario). Such measures include:

- The erection of two 2.0m acoustic barriers positioned to the north of the service yards for units one and two in order to screen properties to the north of the Felixstowe Road from delivery activities taking place within these two yards;
- Restrictions for maximum noise level limits for proposed building service plant to achieve a rating level which is at least 10 dB below the existing background noise level during both the daytime and night-time periods at the closest sensitive receptor locations.

7.154 Accordingly, the proposed Phase 1 development is unlikely to result in any unacceptable adverse impact on health or wellbeing of nearby residents. As such, subject to agreed noise levels being observed and proposed mitigation measures installed in complete accordance with the submitted document, condition 17 will have been complied with to the satisfaction of the Local Planning Authority.

7.155 In consultation with the Council's Environmental Protection Team, it is thus concluded that the proposal would not undermine the requirements of the NPPF nor the relevant policies of the adopted Local Plan, including SCLP10.3 (Environmental quality), SCLP11.1 (Design quality), SCLP11.2 (Residential amenity) and SCLP12.21 (Ransomes, Nacton Heath).

7.156 This condition is therefore fulfilled and should be discharged.

**\*Condition 18 - Link road\***

- 7.157 Condition 18 of DC/17/4257/OUT requires the submission of details showing a link road up to the boundary of the site with Lytham Road for approval by the Local Planning Authority prior to commencement.
- 7.158 The relevant documents submitted to fulfil this condition are:
- FX-LE-GEN-XX-DR-CE-010 Rev. A (Highway lighting layout);
  - FX-LE-GEN-XX-DR-CE-009 (Highway kerbing and construction);
  - FX-LE-GEN-XX-DR-CE-008 Rev. A (Highway drainage layout);
  - FX-LE-GEN-XX-DR-CE-006 Rev. A (Highway typical cross sections);
  - FX-LE-GEN-XX-DR-CE-004 Rev. A (Highway drainage details);
  - FX-LE-GEN-XX-DR-CE-003 Rev. A (Planning swept path analysis);
  - FX-LE-GEN-XX-DR-CE-002 Rev. A (Highway geometry alignment);
  - FX-LE-GEN-XX-DR-CE-001 Rev. C (Highway general arrangement);
  - 18168 P0120 Rev. A (Emergency access road).
- 7.159 In consultation with the County Council Highway Authority and County Council Public Rights of Way and Access Team, it is found that information submitted in support of this condition sufficiently demonstrates an appropriate link road arrangement, including emergency access gate and footways/cycleways and crossing point.
- 7.160 It is thus concluded that the proposal would not undermine the requirements of the NPPF nor the relevant policies of the adopted Local Plan, including SCLP7.1 (Sustainable transport), SCLP11.1 (Design quality) and SCLP12.21 (Ransomes, Nacton Heath).
- 7.161 This condition is therefore fulfilled and should be discharged.

## **8. Conclusion**

- 8.1 In conclusion, it is found that the proposals included within this reserved matters application remain consistent with the planning principles established by extant outline consent DC/17/4257/OUT, as well as the overriding aims of the Suffolk Coastal Local Plan, including its long-term economic growth strategy for the plan period and site specific policy allocation SCLP12.21; which reinforces The Framework's (para.83) economic objectives in recognising the specific locational and operational requirements of the storage and distribution sector within a suitably accessible location.
- 8.2 The above assessment of all other material planning matters, including those relating to design, landscape, amenity, environment, access, flood risk, drainage etc demonstrate that the development would remain broadly consistent with the objectives of the NPPF and adopted Local Plan, while also providing significant benefits to the Ipswich and Felixstowe area economy, including the provision of approx. 1,180 new employment opportunities and 300 construction jobs over a two-year build program.

## **9. Recommendation**

- 9.1 In accordance with the assessment undertaken herewith, the application is recommended for approval subject to the following planning conditions.

## Conditions:

1. The development hereby permitted shall not be carried out other than in complete accordance with the following approved drawing(s) and document(s):

### Site wide:

- \*18168 P0101 Rev. B (Location plan);
- \*18168 P0118 Rev. E (Parameters Plan);
- \*18168 P0117 Rev. E (Phasing Plan);
- \*18168 P0116 Rev. G (Masterplan);
- \*18168 P0119 Rev. A (External facing and roofing materials).

### Unit 1:

- \*18168 P1001 Rev. C (Unit 1 - Warehouse Plan);
- \*18168 P1004 Rev. C (Unit 1 - Elevations and Section);
- \*18168 P1005 Rev. B (Unit 1 - Roof Plan);
- \*18168 P1002 Rev. C (Unit 1 - Main Office Plan);
- \*18168 P1003 Rev. B (Unit 1 - Transport Office Plan);
- \*18168 P1006 Rev. B (Unit 1 - Gatehouse Layout and Elevations).

### Unit 2:

- \*18168 P2001 Rev. C (Unit 2 - Warehouse Plan);
- \*18168 P2003 Rev. C (Unit 2 - Elevations and Section);
- \*18168 P2004 Rev. B (Unit 2 - Roof Plan);
- \*18168 P2002 Rev. C (Unit 2 - Main Office Plan);
- \*18168 P2005 Rev. A (Unit 2 - Transport Office Plan);
- \*18168 P2006 Rev. A (Unit 2 - Gatehouse Layout and Elevations).

### Unit 1 and 2:

- \*18168 P0102 Rev. F (Units 1-2 Site Plan);
- \*18168 P0110 Rev. E (Units 1-2 Site Plan - External Finishes);
- \*18168 P0108 Rev. E (Units 1-2 Site Plan - Pedestrian Routes);
- \*18168 P0106 Rev. E (Units 1-2 Site Plan - Tracking);
- \*18168 P0104 Rev. E (Units 1-2 Site Plan - Fence Layout);
- \*18168 P0112 Rev. D (Units 1-2 - Cycle Shelter Details).

### Unit 4:

- \*18168 P4001 Rev. B (Unit 4 - Warehouse Plan);
- \*18168 P4004 Rev. B (Unit 4 - Elevations);
- \*18168 P4005 Rev. A (Unit 4 - Roof Plan);
- \*18168 P4002 Rev. A (Unit 4 - Main Office Plan);
- \*18168 P4003 Rev. A (Unit 4 - transport office plan);
- \*18168 P4006 Rev. A (Unit 4 - gatehouse layout and elevations);
- \*18168 P0103 Rev. C (Unit 4 site plan);
- \*18168 P0111 Rev. C (Unit 4 site plan - external finishes);
- \*18168 P0109 Rev. C (Unit 4 site plan - pedestrian routes);
- \*18168 P0107 Rev. C (Unit 4 site plan - tracking);
- \*18168 P0105 Rev. C (Unit 4 site plan - fence layout);
- \*18168 P0113 Rev. B (Unit 4 - Cycle and smoking shelter details);

#### Landscaping and trees:

- \*2113/21-RP01 Rev. B (Landscape maintenance and management plan);
- \*2113-21-05 Rev. B (Site wide cross sections);
- \*566/21 (Pre-development tree survey);
- \*2113-21-16 Rev. A (Detailed landscape plan sheet 5 of 5 - unit 3);
- \*2113-21-15 Rev. A (Detailed landscape plan sheet 4 of 5 - unit 3);
- \*2113-21-14 Rev. A (Detailed landscape plan sheet 3 of 5 - unit 2);
- \*2113-21-13 Rev. A (Detailed landscape plan sheet 2 of 5 - unit 2);
- \*2113-21-12 Rev. A (Detailed landscape plan sheet 1 of 5 - unit 1);
- \*2113-21-11 Rev. B (Tree protection retention and removal plan);
- \*2113-21-10 Rev. B (Tree protection retention and removal plan);
- \*2113-21-09 Rev. A (Tree constraints plan sheet 3 of 3);
- \*2113-21-08 Rev. A (Tree constraints plan sheet 2 of 3);
- \*2113-21-07 Rev. A (Tree constraints plan sheet 1 of 3);
- \*2113-21-05 Rev. B (Tree constraints plan sheet 1 of 3);
- \*2113-21-04 Rev. C (Landscape concept sections);
- \*2113-21-03 Rev. F (Landscape concept plan sheet 2 of 2);
- \*2113-21-02 Rev. F (Landscape concept plan sheet 1 of 2).

#### Transport:

- \*FX-LE-GEN-XX-DR-CE-010 Rev. A (Highway lighting layout);
- \*FX-LE-GEN-XX-DR-CE-009 (Highway kerbing and construction);
- \*FX-LE-GEN-XX-DR-CE-008 Rev. A (Highway drainage layout);
- \*FX-LE-GEN-XX-DR-CE-006 Rev. A (Highway typical cross sections);
- \*FX-LE-GEN-XX-DR-CE-004 Rev. A (Highway drainage details);
- \*FX-LE-GEN-XX-DR-CE-003 Rev. A (Planning swept path analysis);
- \*FX-LE-GEN-XX-DR-CE-002 Rev. A (Highway geometry alignment);
- \*FX-LE-GEN-XX-DR-CE-001 Rev. C (Highway general arrangement);
- \*18168 P0120 Rev. A (Emergency access road).

#### Construction:

- \*Construction Management Plan - March 2021 (received 30 March 2021).

#### Travel Plan:

- \*Orwell Crossing, Nacton Heath: Framework Travel Plan (version 3 - June 2021).

#### Drainage and levels:

- \*128400 Rev. 4.1 (Drainage Strategy Review);
- \*128400/2000 Rev. C (Proposed Drainage Layout Sheet 1);
- \*128400/2001 Rev. A (Proposed Drainage Layout Sheet 2);
- \*128400/2004 Rev. B (Proposed Cut and Fill);
- \*128400/2003 Rev. A (Proposed Finished Levels Sheet 2);
- \*128400/2002 Rev. B (Proposed Finished Levels Sheet 1).

#### Energy and renewables:

- \*20-029 P2 (BREEAM 2018 Pre-assessment)
- \*20-029-EX-006 Rev. PL2 (Indicative unit 3 EVC layout);
- \*20-029-EX-005 Rev. PL2 (Indicative units 1-2 EVC layout);
- \*Energy Strategy (Rev. P2 - June 2021).

Lighting:

\*20-029-EX-001 Rev.PL2 (Indicative site external lighting layout);

\*External LED Lighting Assessment Report (20-029 rev. 2 - June 2021).

Noise:

\*Noise Assessment (784-B026698 - June 2021).

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

2. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed by the Local Planning Authority.

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

3. The proposed alterations to the site access from the A14 shall be completed prior to occupation of the new development. These shall be in accordance with the approved drawing no. FX-LE-GEN-XX-DR-CE-001 Rev. C (Highway general arrangement) or any subsequent version(s) as approved by the Local Planning Authority in consultation with Highways England.

Reason: To ensure the continued safe and efficient operation of the A14.

4. Prior to the occupation of each phase of the development, the approved lighting scheme (as per approved drawing no. '20-029-EX-001 Rev.PL2' (Indicative site external lighting layout) shall be fully installed and operational. No additional external lighting shall be installed at the site unless details are first submitted to and approved by the Local Planning Authority. Such details shall include position, operating times, details of luminaires, aiming angles and vertical and horizontal illuminance on areas outside the site. Thereafter the lighting scheme shall be implemented and maintained in accordance with the approved scheme.

Reason: In the interest of amenity and the protection of the local environment and biodiversity.

5. The hereby approved development shall at all times be implemented in complete accordance with the mitigation measures outlined within the 'Orwell Crossing Environmental Report' (10818-001\_September 2017) unless otherwise agreed by the Local Planning Authority.

Reason: In the interests of safeguarding the natural environment, biodiversity and protected species.

6. No development shall commence until full details of the strategy for the disposal of surface water on the site have been submitted to and approved by the Local Planning Authority (LPA).

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

7. No development shall commence until full details of the implementation, maintenance and management of the approved strategy for the disposal of surface water across the site have been submitted to and approved by the Local Planning Authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details unless otherwise agreed by the Local Planning Authority.

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

8. Within 28 days of practical completion of each phase of the development, a surface water drainage verification report (which shall sufficiently verify that the surface water drainage system has been fully inspected, is built correctly and functions in accordance with the approved drawings) shall be submitted to and approved by the Local Planning Authority. The report shall include details of all SuDS components and piped networks, in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and to ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk within the county of Suffolk.

9. The hereby approved development shall commence until a full Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) has been submitted to and approved by the Local Planning Authority. The CSWMP shall thereafter be implemented, managed and maintained in accordance with the approved plan for the duration of construction of each phase.

For avoidance of doubt, the approved CSWMP shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals including:

- i. The temporary drainage system;
- ii. All measures for managing pollution / water quality and protecting controlled waters and watercourses;
- iii. All measures for managing any on or offsite flood risk associated with the construction of each phase.

Reason: To ensure the development does not cause increase flood risk or pollution of watercourses or groundwater.

10. The occupation of each phase shall not commence until all areas within the site shown on the approved drawings for the purposes of loading, unloading, manoeuvring, vehicle parking, secure cycle storage and electric vehicle charging have been provided in their entirety. Thereafter, such areas shall be retained and used for no other purpose unless otherwise agreed by the Local Planning Authority.

Reason: To ensure the provision and long-term maintenance of adequate on-site space for vehicle parking, manoeuvring, storage and charging.

11. No phase of the hereby approved development shall be occupied until the pedestrian and cycle access to Lytham Road as per approved drawing no's. 18168 P0116 Rev. G (Masterplan) and '18168 P0120 Rev. A' (Emergency access road) has been fully provided and made available for use. Thereafter this access shall be retained in its approved form unless otherwise agreed by the Local Planning Authority.

Reason: To ensure that the access is made available for use by occupants in the interest of sustainable travel.

13. No phase of the hereby approved development shall be occupied until the diverted Public Right of Way (PROW) as shown on the approved drawings has been fully provided in its approved form and made available for use. Thereafter this accessway shall be retained in its approved form unless otherwise agreed by the Local Planning Authority.

Reason: To ensure that the access is made available for use by occupants in the interest of sustainable travel.

14. The hereby approved landscaping and planting scheme shall be implemented not later than the first planting season following commencement of each phase of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained in complete accordance with the approved document no. '2113/21-RP01 Rev. B' (Landscape maintenance and management plan). 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 local amenity and biodiversity.

15. No development shall commence or any materials, plant or machinery brought on to the site, until the approved scheme of protective tree fencing (compliant with BS.5837) as per approved drawing no's. '2113-21-11 Rev. B' (Tree protection retention and removal plan) and '2113-21-10 Rev. B' (Tree protection retention and removal plan) has been fully implemented. Such fencing shall be retained and maintained in its entirety until the development is complete. At no time during the development shall there be any materials, plant or equipment stored, or building or excavation works of any kind undertaken, beneath the canopies of retained trees and hedges, including those overhanging the application site.

Reason: To protect the trees/hedgerow during the course of development in the interest of visual amenity.

16. None of the trees or hedges shown to be retained on the approved plan shall be lopped, topped, pruned, uprooted, felled, wilfully damaged or in any other way destroyed or removed without the prior written consent of the local planning authority. Any trees or hedges removed, dying, being severely damaged or becoming seriously diseased within five years of the completion of the development shall be replaced during the first available planting season, with trees or hedges of a size and species, which shall previously have been agreed in writing by the local planning authority.

Reason: To safeguard the contribution to the character of the locality provided by the trees and hedgerow.

17. The hereby approved development shall not be brought into use until the noise mitigation measures outlined within the submitted Noise Assessment '784-B026698' (June 2021) have been fully implemented. Thereafter, such measures (i.e. acoustic barriers) shall retained in their approved form unless otherwise agreed by the Local Planning Authority.

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

18. The hereby approved development shall not be brought into use until a noise validation report has been submitted to and approved by the Local Planning Authority. The validation report must include, but is not limited to, the results of surveying and/or monitoring carried out to demonstrate that the measures in the agreed noise report have been implemented and any agreed noise levels have been achieved. It is recommended that the validation methodology should be agreed with the Local Planning Authority prior to the validation report assessment being undertaken.

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

21. No phase of the hereby approved development shall be occupied until a detailed strategy for the long-term discharge of foul drainage generated within the site has been submitted to and agreed by the Local Planning Authority. Thereafter the approved scheme shall be implemented in its entirety and retained in its approved form unless otherwise agreed by the Local Planning Authority.

Reason: To ensure a properly planned and functional development in the interest of local amenity and safeguarding the environment.

22. The hereby approved development shall at all times be constructed in complete accordance with the 'Construction Management Plan' received 30 March 2021.

Reason: To reduce the potential impacts of noise/vibration/dust pollution and additional vehicular movements in the area during the construction phase of the development.

23. No phase of the hereby approved development shall be occupied until details of the areas and enclosures to be provided for the storage of waste and refuse from each unit has been submitted to and agreed by the Local Planning Authority. Thereafter the approved scheme shall be implemented in its entirety and retained in its approved form unless otherwise agreed by the Local Planning Authority.

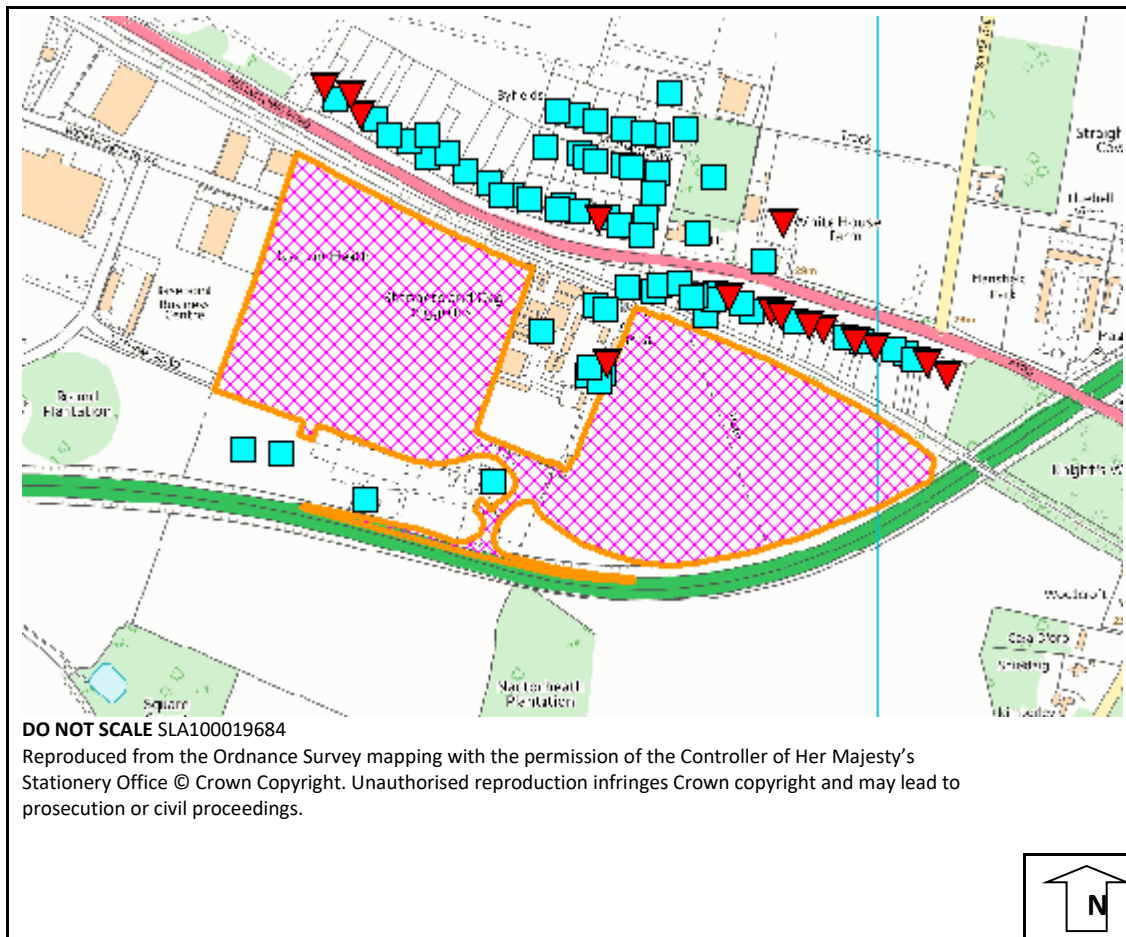
Reason: To ensure a properly planned and functional development in the interest of local amenity and safeguarding the environment.







## **Background information**

See application reference DC/21/1575/ARM on [Public Access](#)

## Map



## Key

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

## **Committee Report**

**Planning Committee South – 28 September 2021**

**Application no** DC/21/3601/FUL

**Location**

11 Knights Lane  
Kesgrave  
Suffolk  
IP5 2FS

**Expiry date** 21 September 2021

**Application type** Full Application

**Applicant** Mr & Mrs Quinton

**Parish** Kesgrave

**Proposal** Single storey extensions to front and rear

**Case Officer** Jamie Behling  
07919 303788  
[Jamie.Behling@eastsuffolk.gov.uk](mailto:Jamie.Behling@eastsuffolk.gov.uk)

### **1. Summary**

- 1.1. The proposed development seeks permission to erect a flat roof rear extension and to create a new porch space with WC.
- 1.2. The application was presented to the referral panel on the 7 September 2021 due to the objection from Kesgrave Town Council being contrary to Officers recommendation of Approval. The referral panel referred the item to the planning committee, to enable debate as to whether the loss of parking space warrants the refusal of the application and if the application proposes overdevelopment of the site.
- 1.3. Officer recommends Approval.

### **2. Site description**

- 2.1. 11 Knights Lane is a link detached, two storey, three bedroom dwelling located within the settlement boundary of Kesgrave. The plot falls on the north side of Knights Lane in the

centre of the cul-de-sac where a turning area is provided in front of the property. There are residential houses surrounding the property with the main plot backing onto the main cycle/walking route through the centre of Kesgrave. The dwelling has an attached garage to the side in formation with the rest of the houses in the area.

- 2.2. The site was built out under Outline Planning Permission ref. C9999/2 which removed the permitted development rights for walls, fences, garages and car ports under condition 34. The reserved matters approval C/91/0927 did not remove any additional permitted development rights.

### **3. Proposal**

- 3.1. The proposal seeks to erect a single storey, flat roofed extension along the full width of the rear of the dwelling, four metres in depth at its deepest point and approx. 2.75 metres in height. It will have a lantern style roof light and be finished in render.
- 3.2. A porch is also proposed on the front of the dwelling containing a small WC. The porch will be approx. 5.27sqm in size, will have a pitched roof and will be finished in the matching orange brick the house is currently made of.

### **4. Consultations/comments**

- 4.1. No third-party representations received.

### **Consultees**

#### **Parish/Town Council**

Consultee	Date consulted	Date reply received
Kesgrave Town Council	3 August 2021	20 August 2021
"Refuse - the committee believe the loss of off road parking makes this proposed extension unviable and overdevelopment of the site."		

### **Publicity**

None

### **Site notices**

General Site Notice

Reason for site notice: General Site Notice

Date posted: 9 August 2021

Expiry date: 31 August 2021

## 5. Planning policy

National Planning Policy Framework 2021

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

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

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

SPG 16 - House alterations & extensions (East Suffolk Council - Suffolk Coastal District Local Plan -Supplementary Planning Guidance)

## 6. Planning considerations

### Visual Amenity, Street Scene and Landscape

- 6.1. The proposed rear extension is relatively low compared to some flat roof extensions and therefore this would help to reduce its bulk at the rear of the dwelling. It would not be seen within the street scene and would not be easily visible from the public footpath/cycle path at the rear of the property. The size and scale are reflective of the dwelling and its form is acceptable, finished in a material (render) which is common to the local area.
- 6.2. Under permitted development the applicant could build a rear extension up to three metres in depth without the need for planning permission. This extension is only one metre beyond that when measured from the back of the garage. Measured from the rear of the house it is only 0.65 metres beyond the permitted limit.
- 6.3. Currently the houses in the area have small canopy roofs over the front doors. The porch proposed is similar to that which No.21 has on the front of their property in the corner of the cul-de-sac. It is not overly large and would not significantly change the form or appearance of the dwelling within the street scene. Although it will add a bulkier porch to the dwelling, it is of a size and character which is sympathetic the appearance of the area. Its finish in matching brick will complement the rest of the dwelling and it will not extend the building line significantly beyond that of the current built frontage.
- 6.4. Under permitted development the property could build a porch at a size of three sqm with the proposal being just over five. It is not considered to be overly large in size or scale and therefore is acceptable.
- 6.5. Overall, the proposals would not substantially harm the character and visual amenity of the area and both elements are considered to comply with policy SCLP11.1.

### Residential Amenity

- 6.6. The neighbour to the east has had no rear extension while the neighbour to the west appears to have had a rear lean-to extension across the full width of the house, approx. three metres in depth. The proposal would extend back slightly further than the

neighbours extension however it is not considered to cause the neighbour to the west a significant loss of light or sense of oppression. The neighbour to the east would be more impacted as they do not have an extension so therefore their windows would be set further back, behind the new wall. Due to its height and flat roofed form, the extension is not considered to significantly reduce the access to light or create an overbearing structure for No. 15 Knights Lane.

- 6.7. The porch is small in size and would not cause any loss of light or shadowing to either neighbour. Both elements are single storey in nature and therefore, there would be no loss to privacy or overlooking caused by either extension.
- 6.8. As no objections have been received, it is judged that the proposal would not cause any substantial harm to the residential amenity of neighbours and therefore the proposal complies with policy SCLP11.2.

#### Parking and Highway Safety

- 6.9. The proposal includes creating a porch within the front garden area and dividing up the garage to create a utility room. The division of the garage would not require planning permission as it is not considered development.
- 6.10. The space in front of the house was originally grassed and has since been block paved to attempt to create a better parking arrangement. This area in front of the house does not meet the space standards for a parking space and therefore cannot be treated as if it were one.
- 6.11. The proposal does not include the addition of any further bedrooms and the loss of the garage space has already been found to be possible without the need for permission.
- 6.12. Although the site already does not have sufficient parking for the number of bedrooms at the property (three), it is considered not to be made any worse by the approval of this application and therefore would not cause any greater harm to the parking provision of the area.

## **7. Conclusion**

- 7.1. As the design is acceptable and as noted above there is no significant impact on neighbour's amenity or the parking provision of the area, the development is therefore considered to comply with the policies listed above.

## **8. Recommendation**

- 8.1. The application is recommended for Approval subject to conditions.

### **Conditions:**

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with 547-01C received 28/07/2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

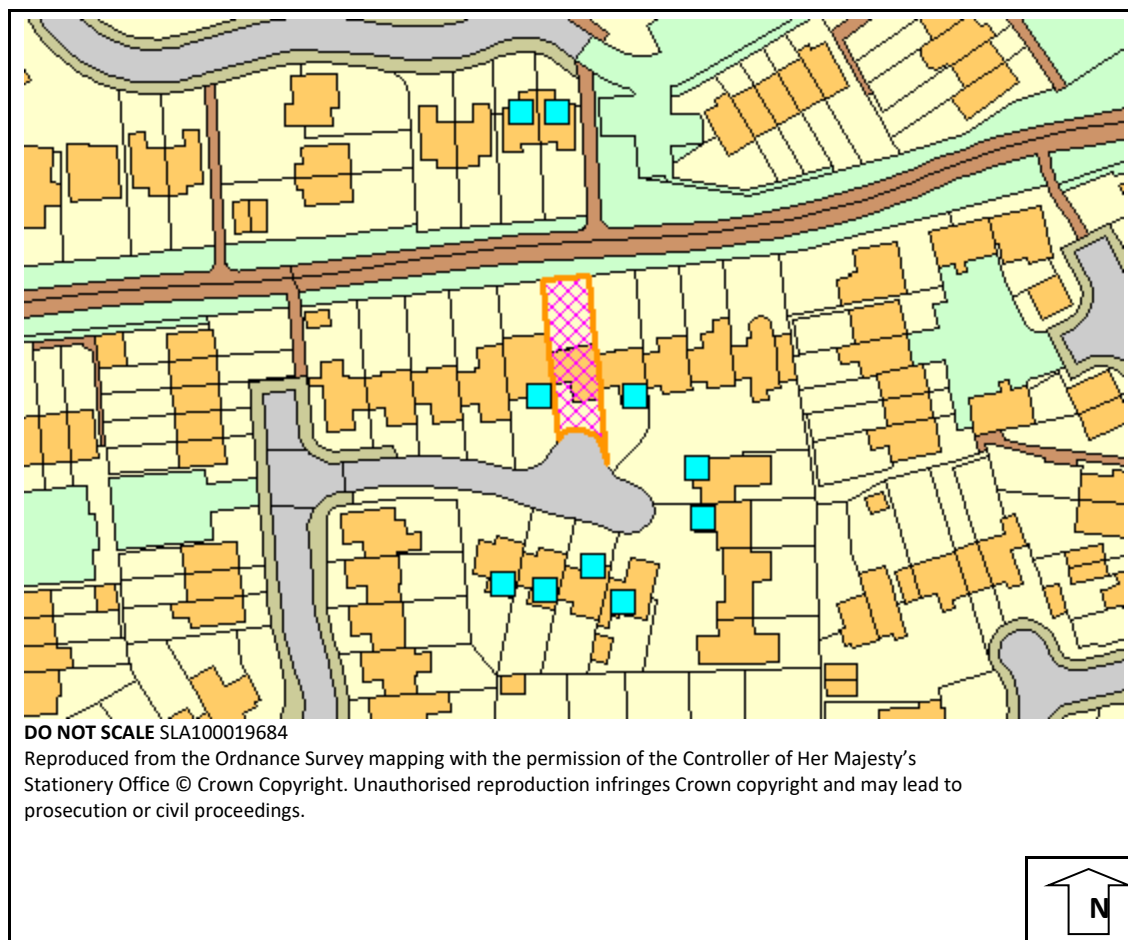
**Informatives:**

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

**Background information**

See application reference DC/21/3601/FUL on [Public Access](#)

## Map



## Key



Notified, no comments received



Objection



Representation



Support



## Committee Report

**Planning Committee South - 28 September 2021**

**Application no** DC/21/2863/FUL

**Location**

38 Hall Farm Road  
Melton  
Suffolk  
IP12 1PJ

**Expiry date** 22 August 2021

**Application type** Full Application

**Applicant** Williamson

**Parish** Melton

**Proposal** Proposed erection of 1no. detached bungalow and attached single garage

**Case Officer** Jamie Behling  
07919 303788  
[Jamie.Behling@eastsuffolk.gov.uk](mailto:Jamie.Behling@eastsuffolk.gov.uk)

### 1. Summary

- 1.1. The proposed development seeks permission to erect a single bungalow within the rear garden of 38 Hall Farm Road, connecting onto the previously approved three house development at Land To Rear Of No.36 Hall Farm Road And Accessed via Nightingales Close.
- 1.2. The application site lies within the defined physical limits boundary for Melton where the principle of residential development is acceptable, the design is considered acceptable and there would be no substantial harm to trees, residential amenity or highway safety. The application is therefore recommended for approval.
- 1.3. The application is presented to the Planning Committee due to applicant being employed by East Suffolk Council indirectly through Norse. The Officers recommendation of Approval is contrary to the Parish Councils objection.

## **2. Site description**

- 2.1. 38 Hall Farm Road is a two-storey, semi-detached dwelling within the settlement boundary of Melton as set out in the Melton Neighbourhood Plan. The site currently forms part of the garden of 38 Hall Farm Road which backs onto Nightingale Close, a relatively recent residential development to the west.
- 2.2. To the north of the site is another recently approved development scheme (ref. DC/20/3204/FUL) for three bungalows forming a cul-de-sac connecting onto Nightingale Close. This has not yet commenced. Although the proposed dwelling will connect onto the approved cul-de-sac, the ownership of the land and the applicant are different from the previous application and therefore this scheme is not considered as a further phase of the already approved scheme.

## **3. Proposal**

- 3.1. The application proposes the erection of a single-storey bungalow at the rear garden of 38 Hall Farm Close, with vehicular access from Nightingale Close, via the shared access which has been approved to serve the three dwellings approved but yet to be constructed on the land to the north (DC/20/3204/FUL).
- 3.2. The bungalow would be of a similar size and form as the previously approved bungalows from application ref. DC/20/3204/FUL, being single-storey and comprising of two bedrooms, kitchen/dining/sitting area and an attached garage.

## **4. Consultations/comments**

- 4.1. Seven representations of Objection raising the following material planning considerations:
  - Sewage - Concerns over where the foul water sewage will be connected to. Sewage drainage from Nightingale Close can often be problematic.
  - Trees - A number of trees have already been felled at the site of 36 Hall Road and there are concerns further trees will be removed.
  - Non-affordable Housing - Melton does not need more houses which aren't affordable.
  - Loss of Garden/Greenspace - The development of part of a garden will lead to the loss of green space.
  - Contrary to Neighbourhood Plan - The proposal does not comply with the neighbourhood Plan and would change the shape of the village.
  - Flood Risk - The area suffers from poor surface water drainage and the application has failed to provide sufficient information around this.
  - Noise - Concerns are raised over the noise the construction would cause to neighbours.

- Wear and Tear of Nightingales Close - The additional wear and tear of the roads which are currently used by the residents of Nightingale Close.

4.2. Two representations of Support raising the following material planning considerations:

- Design - The design is in keeping with the approved dwellings.
- Amenity - The Proposal would not have a negative impact on neighbouring properties.

## 5. Consultees

### Parish/Town Council

Consultee	Date consulted	Date reply received
Melton Parish Council	2 July 2021	23 July 2021
<p>"Melton Parish Council Planning and Transport Committee considered the above application at its meeting on 21 July and recommends refusal on the following grounds:</p> <ul style="list-style-type: none"> <li>• Whilst Melton Councillors are generally supportive of smaller more affordable housing units being constructed on suitable sites, and indeed recommended approval of the previous application for 3 bungalows on an adjoining site, they consider that this proposal represents an overdevelopment which will lead to a cramped result in a location which already has constrained access.</li> <li>• Whilst the NPPF expects planning decisions to make efficient use of land, it also acknowledges the importance of securing well-designed, attractive and healthy places (para 122).</li> <li>• East Suffolk Council's Local Plan (Policy SCLP11.1) emphasises the need to protect the amenity of the wider environment and (Policy SCLP11.2) the need for development not to cause an unacceptable loss of residential amenity to the neighbourhood, which Councillors feel will be the case here if this application is allowed. "</li> </ul>		

### Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	2 July 2021	14 July 2021
<p>Summary of comments: No objections with standard conditions relating to the creation and retention of parking and turning areas, the provision of secure cycle storage and storage areas for bins.</p>		
Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	2 July 2021	No response
<p>Summary of comments: No comments received.</p>		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	2 July 2021	2 July 2021
Summary of comments: No objection with standard condition relating to unexpected contamination.		

#### Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	2 July 2021	12 July 2021
Summary of comments: Internal Planning Services Consultee, so the comments included within officers considerations.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	2 July 2021	No response
Summary of comments: No comments received.		

#### Publicity

None

#### Site notices

General Site Notice

Reason for site notice: New Dwelling

Date posted: 9 July 2021

Expiry date: 30 July 2021

#### 6. Planning policy

National Planning Policy Framework 2021

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

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

SCLP5.1 - Housing Development in Large Villages (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.7 - Infill and Garden Development (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.8 - Housing Mix (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.10 - Affordable Housing on Residential Developments (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

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

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

MEL1 - Physical Limits Boundaries (Melton Neighbourhood Plan - 'Made' January 2018)

MEL17 - Character Areas (Melton Neighbourhood Plan - 'Made' January 2018)

## **7. Planning considerations**

### Principle

- 7.1. The site is located within the physical limits boundary of Melton as defined by the Melton Neighbourhood Plan (MEL1). The principle of residential development is in accordance with this policy and with the strategy for Large Villages as set out in Policy SCLP5.1 of the Local Plan.
- 7.2. The site forms part of an existing residential garden and therefore the proposal should be in accordance with SCLP5.7 which relates to Infill and Garden Development and MEL17 which relates to the designated Character Areas in the Neighbourhood Plan. These policies seek to ensure that the visual impact of the development would be in keeping with its surroundings, it would not harm the character of the area and there would be a suitable relationship between the development site and its immediate surroundings. These requirements are considered to be met and therefore subject to the proposal meeting all other relevant policies, the scheme is considered acceptable in principle.

### Visual Amenity, Street Scene and Landscape

- 7.3. The scale of the proposed development would be a single-storey dwelling. Although the majority of the surrounding buildings are two-storey in scale, the proposed lower scale of development on this site would ensure that the proposed development was less visually intrusive and would also contribute to the mix of housing types in the area and complying with SCLP5.8 which requires the provision of smaller dwellings (1 and 2 bed) and dwellings to meet the needs of older people.
- 7.4. The design of the bungalow, with the use of brick and vertical cladding would also be in keeping with the new dwellings approved within the cul-de-sac and the larger dwellings on Nightingale Close. The garden area of the site is currently well-kept with the area closest to

Nightingale Close left more overgrown. Whilst this would be cut back as a result of the development, the proposed design and layout would retain the large oak tree, a green space to the front of the dwelling and the property would have its own garden to the rear. The proposal would not cause any substantial harm to the street scene or the character of the area which is already built up. The scheme will retain the appealing visual amenity of the area and the proposal is therefore considered to be in compliance with SCLP11.1.

#### Residential Amenity

- 7.5. The proposed bungalow will be located at the far end of the garden facing north onto the cul-de-sac. The rear windows will face south into the garden area which will be positioned adjacent to the end of the garden at No. 40 Hall Farm Road. Due to the single storey nature of the building, there would be no overlooking from any windows and therefore no loss to privacy of any neighbours. The dwelling is positioned central on the plot and therefore would not cause any significant loss of light to neighbours or excessive shadowing. The structure would not be of an oppressive size and would not cause a sense of overbearing. The proposal therefore complies with policy SCLP11.2 in terms of its impact on the neighbours residential amenity.

#### Flooding

- 7.6. The proposed site falls within flood zone 1 with the lowest risk of flooding. The surface water mapping system from the government website also shows a low level risk of surface water flooding at the address while the visual map illustrates that in the unlikely event that a one in one thousand year event were to occur, the ditch at the rear of the site would be seen to flood however this is what would be expected as it is what the ditch is there for. As the proposal is for one dwelling, it would be unreasonable to ask for a surface water drainage scheme as it is only a minor development and as the site does not fall within flood zones 2 or 3, we can neither ask for a full flood risk assessment, nor does the Local Planning Authority deem it necessary. The surface water drainage will be designed in accordance with the SuD's principles and will be dealt with at the building regulations stage.

#### Landscaping/Trees

- 7.7. The site is just outside of an area covered by a woodland Tree Preservation Order. The application for three bungalows showed the Ash were mostly showing signs of ash dieback disease. The trees along the southern boundary will be protected using the described 'no-dig' construction methods for the indicated parking bays, but otherwise the poor health and condition of the trees, and their limited amenity value suggested that they did not warrant special protection measures.
- 7.8. A tree survey has been submitted with the current application which indicates a single further tree that is proposed to be removed however the mature oak on the site will be retained. The Councils Arboriculture Manager has reviewed the submitted tree survey and advises that the proposed tree to be removed is of limited stature and amenity value. It is concluded that overall, there are insufficient grounds for refusal for reasons related to impact on trees.

#### Parking and Highway Safety

- 7.9. The site has an acceptable access and the highways authority has no objection to the proposal. The two-bed dwelling would have at least three parking spaces which is ample

for a dwelling of this size. This complies with Neighbourhood Plan Policy MEL6: Parking Standards and the Suffolk County Councils Parking Guidance.

#### Ecology

- 7.10. The application is for a single dwelling within the existing rear garden or an existing residential dwelling. Due to the nature of the development being minor, a full ecological appraisal is not necessary in this instance, and it would be considered unlikely that the development would cause any substantial harm to the ecology of the area. However as this proposal could be considered part of the wider development area for the additional three dwellings to the north which did provide a ecological appraisal, the recommended Avoidance/Precautionary Methods to protect the ecology of the area have been added onto this application through a condition in order to protect any wildlife on the site. The East Suffolk Ecologist was consulted however did not comment on the application.

#### Noise

- 7.11. Concern has been raised from local residents regarding noise and disruption during construction. It is therefore considered that it would be prudent to impose a condition requiring that the same Construction Management Plan approved on the attached development also be applied to this application to ensure that any impact on the users of Nightingale Close was minimised.

#### Affordable Housing

- 7.12. While the size of the development does not have a requirement for affordable housing, the remainder of the housing accessed off Nightingale Close did require affordable housing provision and the Nightingale Close development was considered as two phases of the same development where the affordable housing requirement was required cumulatively. Although this site would also be accessed off Nightingale Close, it is not considered to be a further phase of this development as the site currently forms part of a rear garden of a property fronting Hall Farm Close and is not directly related to the Nightingale Close development site, nor was it a vacant site as the Nightingale Close development was. No affordable housing provision is therefore required.

#### RAMS

- 7.13. Any new residential development within the 13km Zone of Influence of protected European sites requires consideration of the potential recreational pressure on these sites as a result of increased visitor disturbance. As set out in the emerging Suffolk Recreational Disturbance Avoidance and Mitigation Strategy (RAMS), Local policy SCLP10.1 seeks to support Article 6(3) of the Habitats Directive where proposals that would cause a direct or indirect adverse effect (alone or combined with other plans or projects) to the integrity of internationally and nationally designated areas will not be permitted unless prevention, mitigation and where appropriate compensation measures are provided such that net impacts are reduced to a level below which the impacts no longer outweigh the benefits of development. As such, the Council will require a proportionate financial contribution of £321.22 per dwelling to RAMS. This payment has been made and S111 form received. It can therefore be concluded that there would be no likely significant effect on protected sites as a result of increased recreational disturbance.

## **8. Conclusion**

- 8.1. The proposal will provide a further dwelling attached to an already approved scheme within the settlement boundary of Melton. It is of a similar size and scale to the already approved dwellings and does not appear cramped or as over development. The design is acceptable and as noted above there is no significant impact on neighbour's amenity. The proposal is not considered to cause any substantial harm to the landscape or ecology of the area while the risk of flooding is considered low. The development is therefore considered to comply with the policies listed above and is judged to be acceptable.

## **9. Recommendation**

- 9.1. The application is recommended for Approval subject to conditions.

### **Conditions:**

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with PL1001C and PL1002 received 15/06/2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

4. The use shall not commence until the area(s) within the site on dwg. no. 0484 PL 1001 Rev. C for the purposes of Loading, Unloading, manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety

5. Prior to occupation, electric vehicle charging infrastructure shall be installed and made accessible from within the driveway. It shall then be retained and maintained unless otherwise agreed by the Local Planning Authority.



Reason: To ensure the provision and long term maintenance of an electric vehicle charging station to promote sustainable transport methods.

6. Prior to commencement an arboricultural method statement based on the draft version should be submitted to and approved by the local Planning Authority.

The development shall then be undertaken in full accordance with the approved arboricultural method statement.

Reason: To ensure the continuity of amenity afforded by existing trees.

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

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

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

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

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

8. Any clearance works to the trees, shrubs, ditch banks or bramble should be carried out outside of the bird nesting season (March to August inclusive), to avoid infringing legislation which protects all nesting birds (WCA 1981). If this is not possible clearance works must be preceded by a nesting bird survey, if an active nest is identified, there will be a delay in this area (and an exclusion zone, as recommended by the project ecologist), until all young birds have left the nest.

To minimise risk of disturbance to potential foraging and commuting bats, during and post development, any external lighting should be minimised as follows:

- Any task lighting (during construction) or security lighting on the new building, should not be directed at boundary vegetation or mature trees.
- Any necessary security lighting should be set on short timers and be sensitive to large moving objects only.
- Other lighting around the site should be kept to the minimal feasible level and be directed downward and shielded to minimise light spillage.
- Hoods, cowls or directional lighting should be used to avoid light directed at the sky or towards boundary vegetation or ditches.
- Lighting times should be limited, to provide dark periods.
- Low pressure sodium security lights with glass glazing are recommended, as these produce the least amount of UV light. Avoid white and blue wavelengths of the light spectrum. The brightness of the lamps should be kept as low as feasibly possible (ILE/BCT, 2007; BCT interim guidance 2014).

Due to potential for hedgehogs (and other mammals) in the area, any foundations, holes or deep pits which are left overnight should have a secured plank, or other means of escape for mammals, made available.

In the event a non-native invasive species is identified during the works they should be removed from the site/disposed/destroyed of at an approved facility, to avoid spread of WCA Schedule 9 species.

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

9. The development will be adhered to throughout the construction of the development in accordance with the submitted Construction Management Plan approved by, the Local Planning Authority. This contains information on how noise, dust, and light will be controlled so as to not cause nuisance to occupiers of neighbouring properties and set out hours of construction/activity on site, the location of parking areas for construction vehicles and delivery hours for materials and equipment to the site before and during construction.

Reason: To reduce the potential impacts of noise pollution and additional vehicular movements.

10. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that nesting birds are protected.

## **Informatives:**

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. The applicant is advised that the proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business premises. For details of the address charges please see our website [www.eastsuffolk.gov.uk/planning/street-naming-and-numbering](http://www.eastsuffolk.gov.uk/planning/street-naming-and-numbering) or email [llpg@eastsuffolk.gov.uk](mailto:llpg@eastsuffolk.gov.uk)
3. 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](mailto: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:

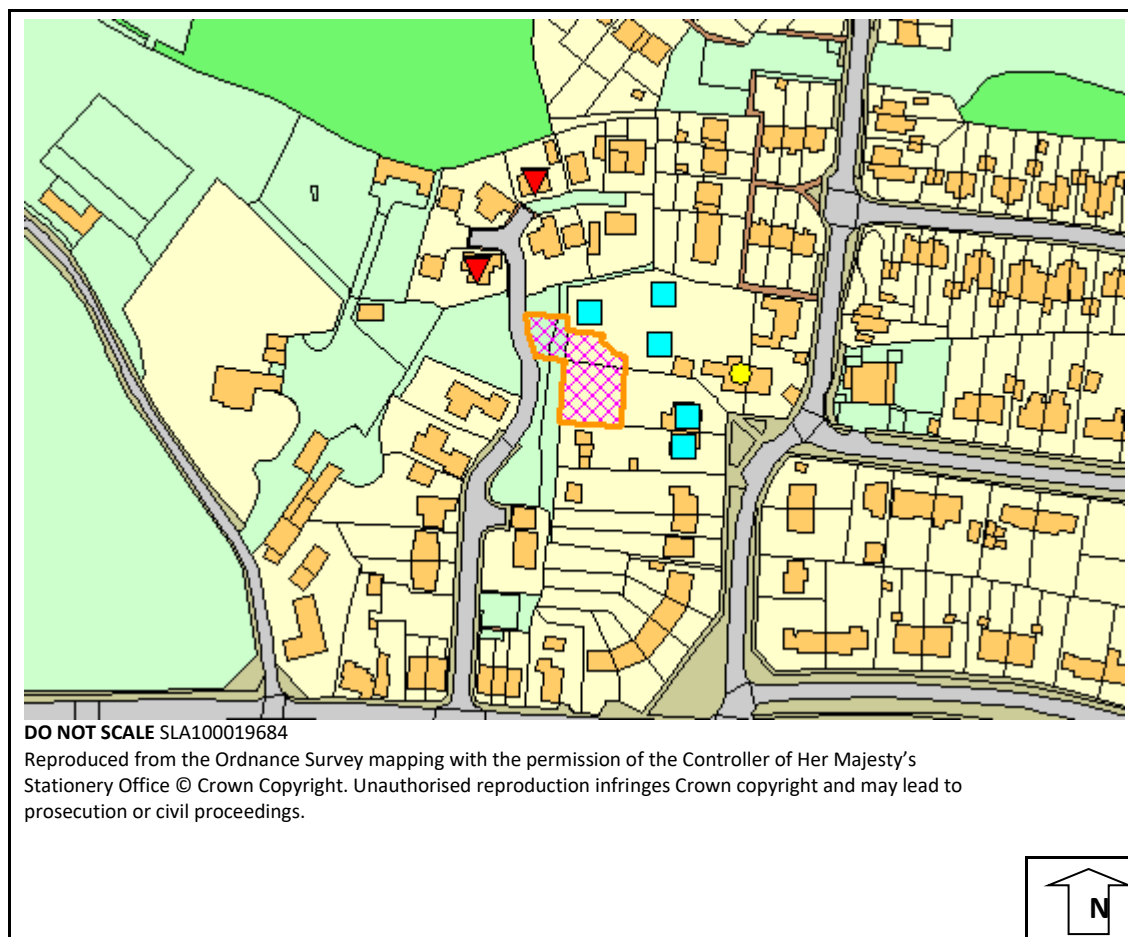
[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

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





## **Background information**

See application reference DC/21/2863/FUL on [Public Access](#)

## Map



## Key

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

## Committee Report

**Planning Committee South – 28 September 2021**

**Application no** DC/21/3273/FUL

**Location**

Sports Ground 2  
Playford Road  
Rushmere St Andrew  
IP4 5QZ

**Expiry date** 8 September 2021

**Application type** Full Application

**Applicant** Mr Richard Kerry

**Parish** Rushmere St Andrew

**Proposal** Siting of temporary cabins on grass area behind existing buildings

**Case Officer** Beth Hughes  
07385 407141  
beth.hughes@eastsoffolk.gov.uk

### 1. Summary

- 1.1. The application seeks consent for the erection of temporary cabins at Sports Ground 2, Playford Road, Rushmere St Andrew, IP4 5QZ. Rushmere St Andrew Parish Council recommend approval 'subject to correction of the application form car parking details information, and determination of [the] period the "temporary" building is to be in situ', which has since been determined between the planning officer and the applicant. Officers consider that the proposal accords with the Local Plan.
- 1.2. The application is presented to Planning Committee (South) because of the applicant's (Cllr Richard Kerry) connections to the council as an elected member.

### 2. Site description

- 2.1. Sports Ground 2 is situated within Ipswich Town Football Club's training ground. The ground is situated between the 'major centre' and 'village' parts of Rushmere St Andrew (SCLP3.2) and is situated outside of the village's settlement boundary in designated 'SCLP12.22 Recreation and Open Space in Rushmere' land (SCLP3.3). The ground is not

within an Area of Outstanding Natural Beauty (AONB), a Conservation Area, Site of Special Scientific Interest (SSSI), Flood Zone, nor is it a Listed Building.

### 3. Proposal

- 3.1. The application, as submitted, proposes to erect a temporary cabin. Since submission this cabin has now been erected near to the 'Ipswich Town Training Centre' building, 'Pitch No 9' and coach parking.
- 3.2. It features an 'open area' in the majority of the internal space, but its other purpose is to be used as a 'managers office', 'relaxation area', 'recruitment room' and a 'breakout meeting room'. The roof is sloped (higher at the front, shallower at the rear). There is a single door on one of the side elevations, eight windows on the rear elevation and a set of double doors and seven windows on the front elevation. Its width is 24 metres and its depth 10.8 metres. It has a height of approximately 3 metres.

### 4. Consultations/comments

No third-party representations received.

#### Consultees

None required

#### Parish/Town Council

Consultee	Date consulted	Date reply received
Rushmere St Andrew Parish Council	21 July 2021	17 August 2021
Summary of comments: 'Subject to correction of the application form car parking details information, and determination of period the 'temporary' building is to be in situ, Rushmere St Andrew Parish Council recommends APPROVAL'.		

#### Publicity

None required

#### Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 30 July 2021

Expiry date: 20 August 2021

### 5. Planning policy

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

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

SCLP12.22 - Recreation and Open Space in Rushmere (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

National Planning Policy Framework 2021

## **6. Planning considerations**

- 6.1. All applications are to be determined in accordance with the Development Plan unless material considerations indicate otherwise. Key relevant policies in the East Suffolk Council (Suffolk Coastal) Local Plan are SCLP11.1 Design Quality, SCLP11.2 Residential Amenity and SCLP12.22 Recreation and Open Space in Rushmere.
- 6.2. The works proposed are considered to not be detrimental to the site nor the surrounding area. The cabin is of subtle size and scale when compared with its surroundings. Its design is modest and simple, and of the aesthetics one would expect in a sport training facility. The position of windows and doors mean an abundance of natural sunlight and daylight will flood internal spaces.
- 6.3. Given no neighbouring properties are located in the immediate vicinity, privacy and overlooking will not be an issue, nor will light spillage, noise, disturbance, nor pollution in the form of light and air quality. It is considered that recreational needs will be met by this development and that 'the separation of Rushmere village and Ipswich' will not be jeopardised. The cabin would not result in the loss of any pitch or training space or important open space in the area.
- 6.4. This is a short term solution for the site and as a temporary building this planning permission should be granted for a temporary period as per the request of the applicant. A condition to this effect is therefore recommended. For the reasons given, the scheme accords with SCLP11.1, SCLP11.2 and SCLP12.22.

## **7. Conclusion**

- 7.1. With regard to the outlined policies, the proposal is considered to accord with the Local Plan and is recommended for approval. This proposal is beneficial to sport and recreation in the District and area and it brings economic benefits to the area for further development of the club. There are no identified impacts as a result of this temporary retrospective consent.

## **8. Recommendation**

- 8.1. The application is recommended for Approval subject to conditions.

### **Conditions**

1. The development hereby permitted shall be maintained in all respects strictly in accordance with 'Anglian Water Sewerage Map' and 'Proposed plans and elevations', received 7th July,

2021, Site / Location Plan - '4051-01', Proposed Block / Layout Plan - '4051-02' and Proposed Floor & Elevations - '4051-03', received 15th July, 2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

3. In five years, from the date of this permission; the building hereby permitted shall be removed and the land shall be reinstated to its former condition to the satisfaction of the Local Planning Authority at or before this date.

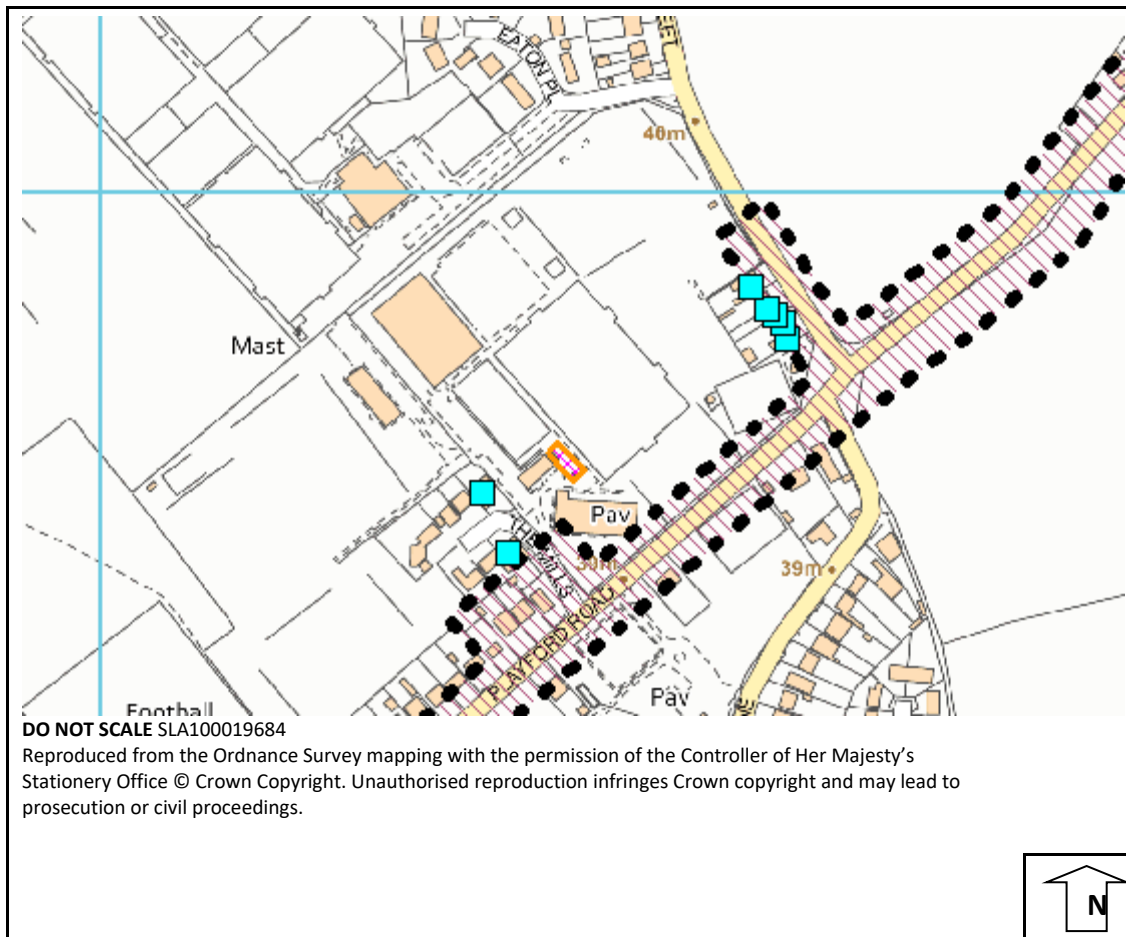
Reason: To ensure the temporary building does not become a permanent fixture.

### **Background information**

See application reference DC/21/3273/FUL on [Public Access](#)



## Map



## Key



Notified, no comments received



Objection



Representation



Support