



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

Strategic Planning Committee

Members:

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

Members are invited to a **Meeting of the Strategic Planning Committee** to be held in the Deben Conference Room, East Suffolk House, Riduna Park on **Monday, 9 September 2019 at 10:30 am**

AMENDED AGENDA

Please note the addition of an Urgent Item of Business at Item 13

An Agenda is set out below.

Part One – Open to the Public

Pages

1	Election of a Chairman To elect a Chairman for the 2019/20 Municipal Year	
2	Election of a Vice-Chairman To elect a Vice-Chairman for the 2019/20 Municipal Year	
3	Apologies for Absence and Substitutions	
4	Declarations of Interest Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.	
5	Declarations of Lobbying and Responses to Lobbying To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.	
6	Minutes To confirm as a correct record the Minutes of the meeting held on 10 June 2019 <i>The Monitoring Officer has recommended that the Minutes of the past and Shadow Authorities be received as good governance and for the avoidance of Minutes remaining unconfirmed.</i>	1 - 6
7a	Minutes of the Waveney District Council Planning Committee meeting held on 12 March 2019 To confirm as a correct record	7 - 21
7b	Minutes of the Suffolk Coastal District Council Planning Committee meeting held on 21 March 2019 To confirm as a correct record	22 - 52
7c	Minutes of the East Suffolk Shadow Authority Shadow Planning Committee (North) meeting held on 16 April 2019 To confirm as a correct record	53 - 92
7d	Minutes of the East Suffolk Shadow Authority Shadow Planning Committee (South) meeting held on 18 April 2019 To confirm as a correct record	93 - 111

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8	Planning Appeals Report ES/0097 Report of the Cabinet Member with responsibility for Planning and Coastal Management	112 - 131
9	Development Management Performance Report ES/0098 Report of the Cabinet Member with responsibility for Planning and Coastal Management	132 - 135
10	Planning Policy and Delivery Update ES/0099 Report of the Cabinet Member with responsibility for Planning and Coastal Management	136 - 139
11	DC/19/1637/FUL - Sizewell B Power Station Complex and Adjoining Land, Sizewell Power Station Road, Sizewell, Leiston, IP16 4UR ES/0094 Report of the Head of Planning and Coastal Management	140 - 197
12	DC/19/1988/OUT - Land to the North of the A14 and to the West of the A12, Foxhall ES/0095 Report of the Head of Planning and Coastal Management	198 - 208
13	East Suffolk Council Response to EDF Energy's Sizewell C New Nuclear Power Station Stage 4 Public Consultation ES/0141 Report of the Deputy Leader and Cabinet Member with responsibility for Economic Development	209 - 215

Part Two – Exempt/Confidential

Pages

There are no Exempt or Confidential items for this Agenda.

Close



Stephen Baker, Chief Executive

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Minutes of a Meeting of the **Strategic Planning Committee** held in the Deben Conference Room, East Suffolk House, Riduna Park, Melton on **Monday, 10 June 2019 at 10:30am**

Members of the Committee present:

Councillor Paul Ashdown, Councillor Stuart Bird, Councillor Chris Blundell, Councillor Jocelyn Bond, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Mike Deacon, Councillor Graham Elliott, Councillor Tony Fryatt, Councillor Debbie McCallum, Councillor Malcolm Pitchers, Councillor David Ritchie, Councillor Kay Yule

Officers present:

Liz Beighton (Planning Development Manager), Mark Edgerley (Principal Planner - Planning Policy), Matt Makin (Democratic Services Officer), Andrea McMillan (Principal Planner - Planning Policy), Philip Ridley (Head of Planning & Coastal Management)

1 Election of a Chairman

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

RESOLVED

That Councillor Paul Ashdown be elected Chairman for the 2019/20 Municipal Year.

2 Election of a Vice-Chairman

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

RESOLVED

That Councillor Debbie McCullum be elected Vice-Chairman for the 2019/20 Municipal Year.

3 Apologies for Absence and Substitutions

Apologies for absence were received from Councillor Brooks, Councillor Ceresa, Councillor Hedgley, and Councillor Rivett.

4 Declarations of Interest

No declarations of interest were made.

5 The Role of the Strategic Planning Committee

The Committee received report **ES/0030** of the Cabinet Member with responsibility for Planning and Coastal Management. When presenting his report, Councillor Ritchie highlighted the work that had been undertaken to create the East Suffolk Council Constitution and the Strategic Planning Committee, considering that it was important for the Committee to review its terms of reference. He invited the Head of Planning and Coastal Management to address the Committee on the report's contents.

The Head of Planning and Coastal Management stated that it was important to set out the role and remit of the Strategic Planning Committee and the two area Planning Committees. He was of the opinion that the Strategic Planning Committee would be a "shop window" for planning matters at the Council.

The functions of the Committee were set out in Appendix A of the report and it was noted that the Committee would consider matters of wider importance and receive updates on planning information as required, so that Members had a better understanding of planning issues in East Suffolk. The report proposed standing items of business for the Committee; the Head of Planning and Coastal Management acknowledged that the Committee would receive annual and bespoke reports regarding items such as monitoring information and Ombudsman outcomes and that the meetings corporate requirements would be identified going forward.

All Members of the Committee present were furnished with key planning documents to assist them in operating as effective Planning Committee members. These documents detailed local and national planning policies.

The Head of Planning and Coastal Management suggested that training opportunities for Members could take place following meetings of the Strategic Planning Committee so that there was a forum where all Members could become familiar with specific matters. It was noted that the Committee would also consider strategic planning applications, as identified by the Referral Panel process. The Head of Planning and Coastal Management considered that the creation of a Strategic Planning Committee had been a positive step.

The Chairman invited questions to the Head of Planning and Coastal Management.

It was confirmed that it was intended to bring an application to relocate facilities at Sizewell B before the Committee at its meeting in September 2019.

In response to a question from the Cabinet Member for Planning and Coastal Management, the Committee was advised that the whilst the Referral Panel determined the route of planning applications, the Council's Scheme of Delegation allowed the Head of Planning and Coastal Management to bring applications to the Committee. He expected that Referral Panel meetings would determine whether a major application was considered by the Strategic Planning Committee or one of the two area committees. The Vice-Chairman reminded Members that they had the ability to refer applications to the Referral Panel.

The Cabinet Member with responsibility for Planning and Coastal Management stated that any application regarding Sizewell C would be considered nationally significant; it

would be heard by the Strategic Planning Committee as part of any consultation process but a decision on planning permission would be taken at a national level.

A member of the Committee asked if an internal indicative list of planning applications likely to come before the Committee could be produced and shared with Members. The Head of Planning and Coastal Management said that this could be achieved and that he would discuss it with the Chairman and Vice-Chairman of the Committee; he noted that a list of major applications was currently being compiled. In response to a follow up question from the Member asking if a similar list of applications due to come before the area committees could be established, the Head of Planning and Coastal Management advised that this was restricted by a tighter timescale but that he would consider and reflect upon the suggestion.

The Head of Planning and Coastal Management confirmed that there would be flexibility in the frequency of the Committee's meetings and that a Special meeting of the Committee could be convened if required. The Committee was reminded by the Vice-Chairman that its quorum was seven.

It was noted that there would be regular review of the processes of the two area committees, to ensure a consistent approach across them both. The Chairman suggested that members of both Committees should be familiar with the whole District, to be able to substitute at both Committees. The Vice-Chairman said it was very important that members of the Committee saw themselves as East Suffolk, and not by area, and wanted to encourage all Members of the Council to be trained in planning.

In response to question from a member of the Committee regarding any difficulties that might arise from the current Planning Committee arrangements, the Vice-Chairman said that it was important to maintain a consistent approach, noting the high national profile of the Council.

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

RESOLVED

That the contents of the report be noted.

6 Local Validation Lists

The Committee received report **ES/0032** of the Cabinet Member with responsibility for Planning and Coastal Management. He invited the Planning Development Manager to present the report to the Committee.

The Planning Development Manager advised the Committee that the report sought to establish a single validation list for East Suffolk, which would set out the information required for a planning application to be considered a valid submission. She explained that the Suffolk Coastal and Waveney District Councils had relied on the national validation list, which did not have the same level of detail as the validation list proposed in the report.

The Committee was advised that the consultation period for the validation list would expire on 11 June 2019 and that the report recommended that the Committee requested delegated authority be given to the Head of Planning and Coastal Management, in consultation with the Cabinet Member with responsibility for Planning and Coastal Management, to adopt the Local Validation Requirements upon the expiry of the consultation process unless any significant and substantial matters are raised.

The Planning Development Manager informed the Committee that the list had been reviewed by key departments and amended as required, and that the final consultation responses would be analysed once the period had ended. It was intended that the validation list would be formally adopted in July/August 2019.

The Chairman invited questions to the Planning Development Manager. There being no questions, the Chairman invited the Cabinet Member with responsibility for Planning and Coastal Management to move the recommendation detailed on page 12 of the report.

On the proposition of Councillor Ritchie, seconded by Councillor Deacon it was unanimously

RESOLVED

That the contents of the report be noted and that delegated authority be given to the Head of Planning and Coastal Management, in conjunction with the Cabinet Member with responsibility for Planning and Coastal Management, to adopt the Local Validation Requirements upon the expiry of the consultation process unless any significant and substantial matters are raised.

7 Planning Policy and Delivery Update

The Committee received report **ES/0031** of the Cabinet Member for Planning and Coastal Management, which provided an update on Local Plan coverage for the District, progress on Neighbourhood Plans, and key elements of the forward work programme. He highlighted the important work of Members in developing and maintaining Local Plans and invited the Principal Planners to present the report to the Committee.

The main points of the report were outlined to the Committee, which updated Members on the current work of Planning Policy and Delivery. It was advised that the new Waveney Local Plan, which covered the area of East Suffolk formerly covered by Waveney District Council, had been adopted by that council in March 2019, replacing the documents that had made up the former local plan with a single document.

Reference was made to the Broads Local Plan, which covered a small area of East Suffolk; the Committee was informed that the Broads Authority was its own Local Planning Authority and had adopted a new Local Plan in May 2019.

The Committee was informed that the creation of the new Suffolk Coastal Local Plan, which would cover the area of East Suffolk formerly covered by Suffolk Coastal District Council, was well underway and the Final Draft Local Plan had been submitted to the Planning Inspectorate for examination at the end of March 2019. An Inspector had

been appointed and it was expected that hearings would take place in the late summer of 2019, with an anticipation that the new plan would be formally adopted at the end of 2019 or in early 2020. It was noted that the new plan would be a single document that would replace the documents that currently made up the Suffolk Coastal Local Plan.

It was highlighted that some of the Suffolk Coastal area was within the wider Ipswich Strategic Planning Area and that work was underway with Ipswich Borough Council and Babergh District Council to create a statement of common ground.

The Council continued to work with Town and Parish Councils to assist in their development of Neighbourhood Plans. It was noted that the policies in these plans were given weight when considering applications within their areas. The report detailed the Neighbourhood Plans in development, which were all at different stages of production.

Work relating to reviewing supporting planning documents, and a housing action plan, was also highlighted.

The Chairman invited questions to the officers.

A member of the Committee noted that the Local Plan Working Group would continue and asked what its function would be. He also enquired for further information on the Ipswich Strategic Planning Area. The Cabinet Member with responsibility for Planning and Coastal Management invited the Principal Planner to answer the Member's question; she advised that although the Local Plan Working Group had a significant focus on local plan development, it also provided a forum for other planning policy related matters and considered that the group would play a key part in this. She noted that the geography of the strategic area covered housing market areas which shared similar issues with Ipswich Borough Council areas. The Principal Planner advised that the Council had a duty to co-operate with other Local Planning Authorities where strategic planning matters existed.

Reference was made to paragraph 2.5 of the report, which noted hearings being re-opened. A member of the Committee asked if this meant that hearings had already taken place. In response, the Head of Planning and Coastal Management explained that this referred to a possible situation where modifications to the Local Plan were required, after the public hearing had been opened. He confirmed that no public hearings had taken place regarding this Local Plan.

The Cabinet Member with responsibility for Planning and Coastal Management advised that there would be a single Local Plan Working Group for East Suffolk and that it would be a cross-party working group. He also advised that a single cycling strategy was required for the District.

A member of the Committee noted the Town and Parish engagement in earlier stages of producing the Suffolk Coastal Local Plan and asked if this would be repeated in the upcoming stages. The Cabinet Member with responsibility for Planning and Coastal Management advised that the next stage was for the draft Local Plan to be tested for planning soundness; the Head of Planning and Coastal Management considered that

the Local Plan Working Group would offer opportunities for Towns and Parishes to talk about policy issues, as had been the case at Suffolk Coastal District Council.

There being no further questions, the Chairman invited the Cabinet Member with responsibility for Planning and Coastal Management to move the recommendation detailed on page 47 of the report.

On the proposition of Councillor Ritchie, seconded by Councillor Pitchers it was unanimously

RESOLVED

That the contents of the report be noted.

8 Appeals Report

The Committee received report **ES/0033** of the Cabinet Member with responsibility for Planning and Coastal Management, which provided an update on all appeal decisions received from the Planning Inspectorate between 1 April 2019 and 26 May 2019. He invited the Planning Development Manager to present the report to the Committee.

The Planning Development Manager advised the Committee that the report now contained a synopsis of each decision received, which provided a more succinct and user-friendly way of communicating key information to Members. She highlighted the significant amount of decisions upheld by the Planning Inspectorate.

The Chairman invited questions to the Officer.

In the absence of any questions, a member of the Committee congratulated officers for the current situation and considered that it was very important that all members of the Committee read and understood the decisions received.

There being no questions, the Chairman invited the Cabinet Member with responsibility for Planning and Coastal Management to move the recommendation detailed on page 50 of the report.

On the proposition of Councillor Ritchie, seconded by Councillor Yule it was unanimously

RESOLVED

That the contents of the report be noted.

The meeting concluded at 11:24am.

.....
Chairman

Minutes of a Meeting held in the Conference Room, Riverside, Lowestoft
on **Tuesday, 12 March 2019** at **6.00pm**

Members Present:

P Ashdown (Chairman), N Brooks, M Cherry, G Elliott, J Ford, T Goldson, M Ladd, R Neil, M Pitchers, C Rivett, J Smith and C Topping.

Officers Present:

L Beighton (Planning Development Manager), P Perkin (Development Management Team Leader) and S Carter (Democratic Services Officer).

In attendance:

Councillor Y Cherry

1 APOLOGIES / SUBSTITUTES

An apology for absence was received from Councillor Light.

Councillor Topping attended the meeting as a Substitute for Councillor Light.

2 MINUTES

RESOLVED

That, subject to the correct spelling of the name Mr R Breakspear and 2003 being amended to 2013 in the final paragraph on page 10, the Minutes of the meeting held on 12 February 2019 be approved as a correct record and signed by the Chairman

3 DECLARATIONS OF INTEREST

Councillor Goldson declared a Local Non Pecuniary Interest in Item 8 – DC/17/3981/OUT – Land South of Chediston Street, Halesworth, as being Ward Member and County Councillor for the area.

4 DECLARATIONS OF LOBBYING

Councillor Ashdown declared that he had received communications in relation to Item 8 – DC/17/3981/OUT – Land South of Chediston Street, Halesworth.

Councillor Brooks declared that he had received communications in relation to Item 8 – DC/17/3981/OUT – Land South of Chediston Street, Halesworth.

Councillor Goldson declared that he had received communications in relation to Item 8 – DC/17/3981/OUT – Land South of Chediston Street, Halesworth.

Councillor Rivett declared that he had received communications in relation to Item 8 – DC/17/3981/OUT – Land South of Chediston Street, Halesworth.

Councillor J Smith declared that he had received communications in relation to Item 8 – DC/17/3981/OUT – Land South of Chediston Street, Halesworth.

5 APPEAL DECISIONS REPORT

The report of the Head of Planning and Coastal Management advised the Committee that one appeal had been determined in January 2019. It had been withdrawn.

RESOLVED

That the report concerning Appeal Decisions in January 2019 be noted.

6 DELEGATED CHIEF OFFICER DECISIONS

The report of the Head of Planning and Coastal Management informed Members of all the Chief Officer delegated planning decisions made during January 2019.

RESOLVED

That the report concerning the Chief Officer Delegated Planning Decisions made during January 2019 be noted.

7 ENFORCEMENT ACTION – CASE UPDATE

The report of the Planning Development Manager provided Members with a summary of all outstanding enforcement cases sanctioned under delegated powers or through the Committee up until 21 February 2019. There were currently seven cases.

At the request of the Chairman, the Planning Development Manager provided Members with an update on each case:

25 Kessingland Cottages - the officers were in communication with the occupants and it was likely the case would close shortly.

73 High Street, Lowestoft - it had not been possible to locate a signed copy of the enforcement notice served in 2009. In the absence of that, legal advice had indicated that it could not be enforced.

Common Lane Crossing, Beccles - the site had been improved to a suitable standard and there would be no further action.

Maisebrook Farm, Shipmeadow - the works required to clear the breach of condition had now been undertaken.

Land at Dam Lane, Kessingland - the case was being dealt with in the appeals process.

Land at units 1, 2 and 3 Low Farm, Rumburgh - the site had been sold on and, following discussion with the new owners, they were likely to use the units for holiday lettings.

Windy Acres, Mutford - discussions with the owner were on going.

RESOLVED

That the report detailing the outstanding Enforcement Matters up to 21 February 2019 be received.

8 CHANGE IN THE ORDER OF BUSINESS

The Chairman advised that, in view of the late arrival of Committee Members, he would delay consideration of the major application in Halesworth and Item 9 – 47 Southend Road, Bungay, would be taken first.

9 DC/19/0541/FUL – 47 SOUTHEND ROAD, BUNGAY

The Development Management Team Leader presented the application which was for a replacement front door on the property which was situated within the Bungay Conservation Area and was noted as being a building of local importance within the Conservation Area Appraisal. The Conservation Area was protected by an Article 4 (2) direction which removed permitted development rights for such alterations which would not otherwise require planning permission.

The application was before Members as the Applicant was an officer of the Council.

Members were shown an aerial view and photographs of the site which was in a predominately built up area of Bungay, together with the proposed front elevation and joinery details.

The property was one half of a pair of 19th century houses, both of which had replacement inappropriate modern windows and doors. The proposal was for a timber panelled door with small glazed rectangle panel in the top of the door. The Development Management Team Leader explained that the key issue was the impact on the Conservation Area. It was considered to be an improvement in appearance and materials and enhance the character of the Conservation Area and was therefore recommended for approval.

Debate

Members agreed that the proposal was a significant improvement and noted that the door was to be made of wood. There being no further discussion, it was unanimously

RESOLVED

That permission be granted, subject to the following conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.
2. The development hereby permitted shall be completed in all respects strictly in accordance with drawing nos. DR02 and DR03 received 06 February 2019, 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.

10 DC/17/3981/OUT – LAND SOUTH OF CHEDISTON STREET, HALESWORTH

The Development Management Team Leader presented the application which was for outline planning permission for up to 200 dwellings including car parking, open space with associated infrastructure and access.

Note: Councillor Rivett arrived at 6.15pm during the officer's presentation on this item.

The Committee was reminded that the application had been considered at its meeting on 17 April 2018 at which time Members had resolved to approve the application. However, planning permission was never issued due to a European Court of Justice ruling in relation to mitigation of impacts on European protected habitats in that they could not be considered at the screening stage and could only be considered through an Appropriate Assessment conducted in accordance with the Habitat Regulations. That assessment had now been undertaken and it had concluded that the plan or project would not adversely affect the integrity of the habitat site.

As a result, it was now necessary for the Committee to consider the application afresh. The Development Management Team Leader advised that the site was outside the defined physical limits for Halesworth and was therefore contrary to the existing Development Plan. However, the site was adjacent to the defined physical limits with residential development to the south and east. The site was in close proximity to the town centre and the proposed highway and footway improvements would make it easily accessible for pedestrians and cyclists. In addition, the site was allocated for housing under Policy WLP4.2 in the Final Draft Local Plan which was being put before Full Council on 20 March 2019 for adoption.

Members were shown an aerial view, photographs and location plans of the site and its surrounds including Chediston Street, the dwellings along Roman Way, views across the site and an illustrative plan of 200 dwellings and the proposed green infrastructure.

The Development Management Team Leader advised that the Planning Inspector had accepted the site for development and made changes with regard to the extraction of minerals prior to development; accordingly, an additional condition 31 would deal with that. A Recreational Avoidance and Mitigation Strategy (RAMS) contribution was being requested. Natural England have confirmed that they are satisfied with the conclusions of the Appropriate Assessment. In addition, in the emerging Local Plan, there were policies relevant to this application including 5% of plots to be self-build or custom build, 40% to be to adaptable and accessible standards and the need for a sustainability statement. These had all been addressed by appropriate conditions.

The Development Management Team Leader explained that, having taken into account all the material planning considerations, it was considered that the proposal represented sustainable development and the application was recommended for approval subject to controlling conditions and a Section 106 Agreement.

Mr K Greenberg – Halesworth Town Council

Mr Greenberg advised that he was Chairman of the Town Council's Planning Committee and wished to express their concerns. Following the ruling from the European Court of Justice, the Council should consider afresh because the changes to the original officer's report should therefore make this a new application. The Town Council only heard of the application by chance which was not in the public interest. Mr Greenberg requested Members to visit the site with him so that they could see the reality of the situation as the 2D plans should not be relied upon. Both reports were inconsistent and misleading and he was concerned that some consultee comments had been edited. He made reference to paragraph 8 and specifically to the 5 year housing target and target for market towns. Paragraph 1.3 indicated that the site was in close proximity to the town but it should be noted that it was not close to schools or sports facilities or in fact GPs. The Town Council's objections remained the same and that there should be no development for the reasons previously given. Members should take courage, refuse the application and delete the site from the Local Plan.

Mr M Fagg - Objector

Mr Fagg explained that he was speaking as a local resident on behalf of himself and other residents. He was part of a group who had been investigating this application, the Local Plan and associated policies and the wider impact of this proposal on the town. An appraisal undertaken in 2016 had shown this proposal resulted in a visible incursion on the landscape and any scheme to mitigate the effect would not be effective. The proposal to develop the land with 200 houses was due to insufficient housing supply; however, the landscape study stated that such a large site would cause harm to the landscape which could not be mitigated. Any development would result in the loss of grade 2 agricultural land, affect the biodiversity and cause problems with the already inadequate sewer network. The Committee should take note of the report from Suffolk Wildlife and also the Council's own six statutory policies in its own current Local Plan. Mr Fagg referred to specific High Court rulings and that the Council should follow the proper planning process and consider the site to be inappropriate for development.

Mr R Brown - Agent

Mr Brown explained that the application was for 200 dwellings and had previously been approved by the Committee. Details had been set out by the Planning Officer and were contained in his report. Under policy WLP4.2 in the Council's development plan, the site had been identified as land for housing development and also in the National Planning Policy Framework (NPPF) paragraph 1 provided for the planning system to be planning led and provide sustainable development for the future taking into account economic, social and environmental needs. The Council's overall spatial strategy identified that housing would be provided in the main settlements in the District and the proposal for this development accorded with that plan. Mr Brown reminded Members that the Council's Landscape Officer considered the proposal would not present any significant effects and, following consideration of the new Local Plan, the Planning Inspector considered the site to be suitable for development and suitable for housing. Therefore, the application should be approved.

Questions to Agent

Members asked specific questions relating to:

- The traffic assessment and measures to deal with the extra cars.
- Chediston Street being one way and too narrow for paths
- Levels of the land and adequate visibility splays.
- Traffic flows and the blind junction at Chediston Street/Roman Road.
- Original use of the site.
- The location of the proposed footpaths.
- Issues with flooding and surface water run off.
- Flood zone rating.
- Accessibility.
- Differences between technical advice and local knowledge.
- If approval was granted, likely time for building to commence.

Mr Brown confirmed that the application was supported by a Transport Assessment. A new roundabout would provide for access into the site and footpaths would be provided leading into the town centre. He understood that Chediston Street did take two way traffic and the proposed footpaths were shown on a separate plan supporting the application. County Highways had supported the proposals and had not commented on the width of the road. The width of the footpath and the access into the site had been confirmed with County Highways.

Mr Brown advised that the land had been used for farming and there was no evidence of illegal dumping or burning at the time of the foot and mouth crisis. There was no indication on their records had that cattle had been disposed of on the site and if it had taken place, it would have been strictly monitored. Any new developer would not be responsible for pre-existing problems associated with flooding. Preliminary tests had indicated that necessary works would be incorporated into a SUDS system and waste water would be dealt with on-site via soakaways; any run off would be no more than at present from the site. Any approval would be subject to appropriate conditions.

Mr Brown reminded the Committee that the proposal was for an allocated site in the Local Plan and therefore the principle of development was established. It was highly sustainable and accessible by both foot and cycle. He understood that four house builders were interested in the site and they would be looking to very quickly discharge the conditions.

The Planning Development Manager confirmed that the site was in Flood Zone 1. She further clarified that the access was part of the outline application and had been fully agreed with County Highways, see condition 5. In addition, the pedestrian improvements came within Section 278 of the Highways Act 1980, works to the public highway, and conditions 6 and 7 were pre-commencement conditions to improve connectivity. Footpaths would need to be in accordance with the County standards or the proposal would not proceed.

Questions to Officers

Members raised further questions relating to:

- The use of the current or proposed Local Plan.
- Adoption of the new Local Plan by Council and deletion of sites contained therein.
- Number of houses per hectare.

The Planning Development Manager explained that the site was identified in the Local Plan and which had been through the Local Plan Working Group. The new Local Plan had been through the statutory consultation and various committees, considered by the Planning Inspector and was due to be ratified by Council on 20 March 2019. As a result the new plan carried more weight. It was not possible to remove a site from the plan; it had to be adopted or not. If the proposed plan was not adopted, then a developer could propose development on any site anywhere and it should be borne in mind that the NPPF was in presumption of development.

The Committee was advised that the site had been identified in the proposed new Local Plan for some considerable time. The site could have been proposed by developers or the parishes and would have been filtered by officers. It should be noted that life-time homes were now included in the application which described up to 200 dwellings, with a likely density of 30 dwellings per hectare. Some Members commented that they did not recall issues being raised when the Local Plan Working Group considered the sites that were being proposed in the forthcoming Local Plan; this site had been agreed with very little opposition.

Debate

A local Member expressed the view that there was too little land to provide a roundabout and footpath(s), flooding was already a problem and any development on the proposed site would result in further water run off and cause more flooding. The entrance on the B1123 would cause additional accidents, the roundabout was unsuitable and the transport plan was inadequate; the proposed development was not viable and should be refused.

Comment was made that there appeared to be a conflict between professional technical advice and local knowledge. However, looking at the conditions, they were very restrictive and if a Section 106 Agreement was not signed within six months of the date of a resolution to approve, permission would be refused. That would ensure that all relevant issues and concerns would have to be addressed. The site was proposed for development in the local Plan and the Planning Inspector had supported that proposal during his examination. Some Members were of the opinion that the site would ultimately be developed, whether as a result of this application or a future application. It was noted that a Neighbourhood Plan for Halesworth was not yet in place.

Some Members of the Committee had doubt over certain aspects of the proposal including site access, drainage and possible routes into the town. A question was asked as to whether it was practical for a site visit. The Committee noted that, as Waveney District Council, would cease on 31 March 2019, the April Committee meeting would be an East Suffolk Shadow Authority Planning Committee meeting and that Committee would comprise the current members; they would attend any site visit.

The Planning Development Manager reminded Members that the application before them was an outline application with access; it was the principle of up to 200 dwellings. All matters were reserved with the exception of the access which had been shown on the illustrative masterplan. Any specific issues would be dealt with by the technical experts at the appropriate time. If Members were minded to refuse the application, it was likely that the applicant would appeal. Bearing in mind the site was in the Local Plan, that would result in a public inquiry and the Council would probably lose with costs.

The Chairman advised that he had a proposal for refusal which had been duly seconded and on being put to the vote, it was **LOST**.

The second motion, which had been duly seconded, proposed a site visit and on being put to the vote it was tied and on the Chairman's casting vote, the motion was **LOST**.

The Chairman believed that, at this moment in time, a site visit would serve no purpose; however, a site visit could be undertaken at the reserved matters stage prior to a report coming back to the Committee. That being the case, it was important for all Members to attend a site visit. This was supported and there being no further discussion, it was proposed, seconded and when put to the vote, it was

RESOLVED

That planning permission be granted, subject to:

- i. the completion of a Section 106 Agreement covering:
 - Developer contributions
 - Affordable housing
 - Provision and future management of the open space
 - RAMS Payments
 - Highways: Speed limit extension, bus stop improvements, Travel Plan, Traffic Regulation Order
- ii. and the following conditions:
 1. a) Application for approval of any reserved matters must be made within three years of the date of this outline permission and then
 - b) The development hereby permitted must be begun within either three years from the date of this outline permission or within two years from the final approval of the reserved matters, whichever is the later date.
 2. Details relating to the layout, scale, appearance and landscaping of the site (the "reserved matters"), and measures to minimise water and energy consumption and to provide for recycling waste shall be submitted to and approved by the Local Planning Authority before any development is commenced.
 3. Details relating to the "reserved matters" pursuant to this planning permission shall not materially depart from the design principles and design proposals set down in the Design and Access Statement.

4. No part of the development shall be commenced until details of the proposed access roundabout indicatively shown on Drawing No. A091299-1-105 have been submitted to and approved in writing by the Local Planning Authority. The approved access roundabout shall be laid out and constructed in its entirety prior to occupation. Thereafter the access roundabout shall be retained in its approved form.
5. No part of the development shall be commenced until details of the proposed access onto B1123 Chediston Street indicatively shown on Drawing No. YOR.2819_10C have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to occupation. Thereafter the access shall be retained in its approved form.
6. No part of the development shall be commenced until details of the proposed footway improvements indicatively shown on Drawing No. A13455-T-001 have been submitted to and approved in writing by the Local Planning Authority. The approved improvements shall be laid out and constructed in their entirety prior to occupation.
7. No part of the development shall be commenced until details of the proposed footpath/footway link to Barley Meadow has been submitted to and approved in writing by the Local Planning Authority. The approved link shall be laid out and constructed in its entirety prior to occupation.
8. Before the development is commenced details of the areas to be provided for storage of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

9. Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.
10. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.
11. The new estate road junction(s) with Chediston Street (B1123) inclusive of cleared land within the sight splays to this junction must be formed prior to any other works commencing or delivery of any other materials.
12. Before the development is commenced details of the areas to be provided for the [LOADING, UNLOADING,] manoeuvring and parking of vehicles including secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the

development is brought into use and shall be retained thereafter and used for no other purpose.

13. Before the B1123 Chediston Street access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 215 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension).

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

14. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The statement shall provide details of:
 - proposed hours of work
 - proposed piling methods
 - the parking of vehicles of site operatives and visitors
 - loading and unloading of plant and materials
 - storage of plant and materials used in constructing the development
 - the erection and maintenance of security hoarding and acoustic screens
 - wheel washing facilities
 - measures to control the emission of dust and dirt during construction
 - a scheme for the recycling/disposing of waste resulting from construction works
 - hours of delivery of materials
 - details of a banksman to control development
 - details of any external lighting as may be required.

The approved Statement shall be adhered to throughout the construction period.

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

2) Where deemed necessary following the desk study and site reconnaissance an intrusive investigation(s), including:

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

All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including BS10175:2011+A1:2013 and CLR11.

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

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

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

17. Prior to any occupation or use of the approved development the RMS approved under condition 16 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

- * results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
- * evidence that the RMS approved under condition 18 has been carried out competently, effectively and in its entirety; and
- * evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

19. 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.

20. No development shall take place until a Construction Environmental Management Plan to mitigate both noise and air quality impacts during the construction phase has been submitted to, and approved in writing by, the local planning authority. The construction shall be carried out in accordance with the approved Plan.
21. 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.
22. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

23. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be in accordance with the approved FRA and include:
1. Dimensioned plans and drawings of the surface water drainage scheme;
 2. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
 3. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
 4. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
 5. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
 6. Topographical plans depicting all exceedance flowpaths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system; and
 7. Details of who will maintain each element of the surface water system for the life.

The scheme shall be fully implemented as approved.

24. Concurrent with the first reserved matters application(s) details of the implementation, maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.
25. No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.
26. Before the development hereby permitted is occupied full details of electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing.
27. Prior to the commencement of development full details of the design of green infrastructure to provide a variety of routes of at least 2.6Km for dog walking, with connections to Rights of Way, and infrastructure such as interpretation, dog bins, and off lead areas, shall be submitted to and approved in writing by the Local

Planning Authority. The development shall be implemented in accordance with the approved details.

28. The recommendations of the Preliminary Ecological Appraisal (Cotswold Wildlife Surveys, May 2017) and the great crested newt survey report (Cotswold Wildlife Surveys, May 2017) shall be implemented in full.
29. Prior to the commencement of development an Ecological Mitigation and Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Plan.
30. Prior to the commencement of development full details of fire hydrant provision within the site shall be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
31. With the exception of any site clearance works, site investigation works and tree protection works no development shall take place unless a Mineral Safeguarding Assessment and Minerals Management Plan for that phase has been submitted to and approved in writing by the local planning authority in consultation with the minerals planning authority.

The Mineral Safeguarding Assessment shall assess the potential for the onsite reuse of mineral resource arising from groundwork, drainage and foundation excavations in accordance with an agreed methodology. The Minerals Management Plan will identify for each phase of development the type and quantum of material to be reused on site, and the type and quantum of material to be taken off site and to where. The development shall then be carried out in accordance with the Mineral Management Plan unless otherwise agreed in writing by the local planning authority.

32. Detailed plans of the Reserved Matters pursuant to condition 2 above shall show that 40% of the dwellings within the site will meet the requirements of part M4(20 of Part M of the Building Regulations unless otherwise agreed in writing by the local planning authority. The development shall be carried out strictly in accordance with those approved details.
33. Detailed particulars of the Reserved Matters pursuant to condition 2 above shall include a Sustainability Statement which demonstrates how all the dwellings within the site shall achieve the optional technical standard in terms of water efficiency of 110 litres/person/day unless otherwise agreed in writing by the local planning authority. The development shall be carried out strictly in accordance with those approved details.

Alternatively, if the Section 106 Agreement is not completed within six months from the date of resolution, then permission be refused for non-completion of a Section 106 Agreement.

Prior to the formal closure of the meeting, the Chairman advised that due to the number of applications likely to come forward for consideration in April 2019, he was proposing that the Planning Committee meeting commence earlier at 4.00pm. Formal notification would be circulated but meantime, the Chairman asked Members to make an appropriate note in their diaries.

The meeting concluded at 7.38pm.

Chairman

Minutes of a Meeting of the **Planning Committee** held in the Deben Conference Room, East Suffolk House, Riduna Park, Melton on **Thursday 21 March 2019 at 9.15am**

Members of the Committee present:

D McCallum (Chairman), S Harvey (Vice-Chairman), C Blundell, S Burroughes, A Cooper, M Deacon, D Dean, A Fryatt, C Hedgley, G Holdcroft, M Jones, M Newton, A Smith.

Officers present:

L Beighton (Planning Development Manager), J Blackmore (Senior Planning and Enforcement Officer), C Buck (Senior Planning Enforcement Officer), G Heal (Area Planning and Enforcement Officer), R Lambert (Area Planning and Enforcement Officer), M Makin (Democratic Services Business Manager), S Milligan (Area Planning and Enforcement Officer), K Scott (Development Management Team Leader – South), R Smith (Senior Planning and Enforcement Officer).

1. Apologies for Absence and Substitutions

There were no apologies for absence or substitutions.

2. Declarations of Interest

Interests were declared in the following applications:

1.	DC/18/2325/FUL	Part Land South West Aldringham House, Aldeburgh Road, Aldringham-cum-Thorpe, IP16 4PT	Councillor Jones declared a Local Non-Pecuniary Interest as both the Ward Member for Aldringham-cum-Thorpe and as a member of Aldringham-cum-Thorpe Parish Council.
2.	DC/19/0445/FUL	Cliff Steps to Promenade, Cliff Road, Felixstowe, IP11 9SH	Councillor Deacon declared a Local Non-Pecuniary Interest as a member of Felixstowe Town Council.
3.	DC/19/0445/FUL	Cliff Steps to Promenade, Cliff Road, Felixstowe, IP11 9SH	Councillor Smith declared a Local Non-Pecuniary Interest as a member of Felixstowe Town Council.
4.	DC/18/5160/VLA	Cowpasture Farm, Gulpher Road, Felixstowe, IP11 9RD	Councillor Deacon declared a Local Non-Pecuniary Interest as a member of Felixstowe Town Council.
5.	DC/19/0153/FUL	Hungarian Hall, Byng Hall Lane, Pettistree, IP13 0JF	Councillor McCallum declared a Local Non-Pecuniary Interest, as a close relative's company occasionally operated from the kitchen and bar at the premises.

3. Minutes

RESOLVED

That the Minutes of the Meeting held on 21 February 2019 be agreed as a correct record and signed by the Chairman.

Before moving to the next item of business, the Committee briefly discussed the communication of the East Suffolk Council Development Management function changes, from 1 April 2019, to interested parties. It was confirmed that a letter containing these details had been circulated to town and parish councils, agents, and Ward Members.

4. Appeals to the Ministry of Housing, Communities and Local Government

The Planning Committee received report **PC 11/19** of the Head of Planning and Coastal Management. The report provided information on appeals received and decided during the period 4 February 2019 and 4 March 2019.

It was confirmed that the appeal, to be heard via Planning Inquiry, in relation to Crown Nurseries had been withdrawn by the appellant.

RESOLVED

That the contents of the report be noted.

5. Authorised Enforcement Action - Case Update – From 21 February 2019

The Planning Committee received report **PC 12/19** of the Head of Planning and Coastal Management. The report provided a summary of the status of all outstanding planning enforcement cases where action had either been sanctioned under delegated powers or through the Planning Committee.

RESOLVED

That the contents of the report be noted.

6. Enforcement of Planning Control – OS 9634, Brook Lane, Framlingham, IP13 9BA

The Planning Committee received report **PC 13/19** of the Head of Planning and Coastal Management which related to a rise in ground levels to a footpath to the east of the site, not built in accordance with the approved plans of planning permission DC/15/0960/FUL and Condition 15 of DC/16/3133/DRC.

The Committee was advised that the footpath had been formalised with surface treatment as approved, however the ground level in some areas had increased. The Committee was shown a topographical survey of the site before and after the works, as well as site photographs which demonstrated the relationship of the footpath to property boundaries.

Although the changes in ground level did have an impact, the Committee was advised that given that the changes to the boundary treatments to mitigate this were allowed under permitted development, it was not considered expedient to take enforcement action.

The Chairman noted that the original complaint was lodged in 2017 and queried why the issue was only now before the Committee. The Development Management Team Leader (South) advised that she had not been involved with the case in its early stages and since becoming involved, noted that it had taken some time to complete the topographical surveys. It was confirmed that no other complaints had been received in relation to the site.

There being no debate, the Chairman moved to the recommendation. On the proposition of Councillor Harvey, seconded by Councillor Burroughes it was unanimously

RESOLVED

That the Head of Planning and Coastal Management be authorised to take no further action.

7. Applications for Permission to carry out development or display advertisements

Ten applications for permission to carry out development or to display advertisements, as detailed in report **PC 14/19**, were considered and determined as follows:

The Chairman re-ordered the schedule to bring forward those applications with public speaking.

- 1. ALDRINGHAM – DC/18/2325/FUL – Residential development of 40 dwellings, together with associated access roads, garaging and car parking: Part Land South West Aldringham House, Aldeburgh Road, Aldringham cum Thorpe, Suffolk, IP16 4PT for Messers G & H Ogilvie, N Maggs, J Cronk and Hopkins and Moore (Developments) Ltd.**

Full Planning Permission was sought for the erection of forty dwellings, and associated works, including highway access. The scheme proposed thirteen affordable dwellings and twenty-seven open market dwellings at a density of twenty-four dwellings per hectare. The site was allocated as site SSP4 within the Suffolk Coastal District Local Plan Site Allocations and Area Specific Planning Policies DPD.

The development was within the physical limits of Aldringham-cum-Thorpe and the front part of the site was within the designated Special Landscape Area. The proposed layout had a single vehicular access and with open space on the northern and western sides of the site. The Highway Authority had not objected to the application.

The development was also within the setting of the Grade II listed Elm Tree Farmhouse which lay to the south of the site. The layout included a tree belt on the southern side to provide mitigation to the setting of the listed building.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer. Photographs of the site were displayed showing its relationship to the access to Aldringham House, which was located to the south-west of the site, as well as photographs of the proposed access to the site.

It was proposed that the site would have a single access from the highway, with a road that then split into two to access the dwellings.

The distance between the nearest plots to the two neighbouring residential properties was given as 17m and 41m respectively. It was not felt that the proposed development would impact on the residential amenity of either existing property.

The Committee was shown the layout of both the open market and affordable housing; the scheme proposed thirteen affordable dwellings and twenty-seven open market dwellings, which complied with the relevant policies in the Local Plan.

The Highway Authority had confirmed that it was content with the proposed access to the site and had proposed extending a footpath link from the site to the Thorpeness junction, which would allow pedestrian access to public transport links.

The proposed designs of the dwellings were demonstrated to the Committee.

The key issues were summarised as the impact on the character of the area, highway safety, the impact upon the setting of heritage assets, and ecological considerations.

The Area Planning and Enforcement Manager referred to both the late comments received from the Suffolk Wildlife Trust and third party representations, as set out in the update sheet.

The recommendation, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the Officer.

A member of the Committee was concerned that groundworks appeared to have taken place on the site before a breeding bird survey had been undertaken. She asked if the works undertaken would have an impact on the survey. The Area Planning and Enforcement Officer advised that land had been cleared so that archaeological works could be undertaken.

The mix of parking arrangements was noted by another member of the Committee; he queried the reason for such a mix. It was suggested that this was the design choice of the developer.

It was confirmed that the density of properties was twenty-four dwellings per hectare and not thirty dwellings as stated in the third party representations.

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

Mr Smith noted that the site had been allocated for development in the Local Plan. He considered that the development proposed by the applicant was in keeping with the local area, delivering much needed new homes including the required number of affordable housing units.

The site's boundary would be retained and enhanced and an open space would be created and supported through CIL payments and a Section 106 Agreement.

A breeding bird survey was underway and was focused on the margins of the site. Mr Smith advised that this had not been undertaken sooner as it was only now the right time of year for it to be completed effectively.

He added that further archaeological work was being completed and that this would not impact the potential habitat areas in the site's field margins. It was confirmed that the applicant had sought advice from their ecologist before undertaking any of this work.

Mr Smith hoped that the Committee would agree with the Officer's recommendation and approve the application.

The Chairman invited questions to Mr Smith.

The Vice-Chairman highlighted that Swift colonies were located in the site's area and asked if Swift bricks could be included in the dwellings. Mr Smith advised that should ecological surveys show a need for them, Swift bricks would be included.

Mr Smith confirmed that the timber posts would be installed at the boundary of the open space to the north of the site, as suggested by Suffolk Police's Designing Out Crime Officer.

Mr Smith acknowledged the concerns received from residents by Aldringham-cum-Thorpe Parish Council and advised that the Parish Council would, in future, be kept more up to date on the progress at the site.

A member of the Committee referred to his earlier question regarding the mix of parking arrangements on the site. Mr Smith said that the parking arrangements had been designed following consultation with Planning Officers and the Highway Authority, to provide the necessary amount of parking that was required.

The Chairman invited Councillor Jones, Ward Member for Aldringham-cum-Thorpe, to address the Committee.

Councillor Jones proposed that the Committee should visit the site before determining the application. She acknowledged that the site was allocated for development in the Local Plan but highlighted the controversy around the site's inclusion.

Councillor Jones welcomed the suggestion from the Highway Authority that the footpath be extended but was concerned that its extension still finished in a dangerous area. Residents had expressed concern about the sites ingress and egress next to a very busy road. She was of the opinion that any development of the site should be carefully scrutinised and was concerned that the proposed development would be overdevelopment that would result in an urban setting in the countryside.

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

Councillor Jones, when speaking as Ward Member, had proposed a site visit. The Chairman moved to the proposal which was seconded by Councillor Dean and by a majority vote **FAILED**.

It was confirmed during debate that a section of the site's highway would be adopted by the Highway Authority, and that a management company would oversee the maintenance of open spaces.

The Chairman noted that no objector, nor the Parish Council, had attended to speak on the application. She was happy with the proposal, noting that the site was allocated in the Local Plan. She also considered that the proposed parking was appropriate.

Several members of the Committee spoke in support of the application, acknowledging that the site had been allocated for development and contained the required number of affordable housing units. One member of the Committee stated that although he was delighted with the housing mix, he was concerned that the affordable units had not been fully integrated throughout the site.

There being no further debate, the Chairman moved to the recommendation to delegate authority to approve, which was proposed, seconded and determined by a majority vote as follows:

DETERMINATION:

AUTHORITY TO APPROVE subject to completion of breeding bird surveys of the site with no significant impact identified on protected or priority species and completion of Habitats Regulations Assessment; and subject to a Legal Agreement to secure the provision of the affordable housing and appropriate mitigation to protected European Sites (RAMS), and 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 strictly in accordance with the following drawings 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.
Drg No ALD2 002A Planning Layout received 13.11.2018
ALD2 003A External Works Layout received 13.11.2018
ALD005 Materials Plan received 04.06.2018
HOPK 428/24-001 REV A Concept Landscape Proposals received 04.06.2018
6514-D-AIA Tree Survey and Arboricultural Impact Assessment received 04.06.2018
ALD2 100 House type 1300 Floor Plans and Elevations received 04.06.2018
ALD2 101 House type 1300 Floor Plans and Elevations received 04.06.2018
ALD2 102 House type 1762 Floor Plans received 04.06.2018
ALD2 103 House type 1762 Elevations received 04.06.2018
ALD2 104 House type 660 Floor Plans received 04.06.2018
ALD2 105 House type 660 Elevations received 04.06.2018

ALD2 106 House type 1042 Floor Plans and Elevations received 04.06.2018
 ALD2 107 House type 1200 & 1050 Floor Plans received 04.06.2018
 ALD2 108 House type 1200 & 1050 Elevations received 04.06.2018
 ALD2 109 House type 750 Floor Plans received 04.06.2018
 ALD2 110 House type 750 Elevations received 04.06.2018
 ALD2 111 House type 855 Floor Plans received 04.06.2018
 ALD2 112 House type 855 Elevations received 04.06.2018
 ALD2 113 House type 1050 & 892 Floor Plans received 04.06.2018
 ALD2 114 House type 1050 & 892 Elevations received 04.06.2018
 ALD2 115 House type 1050 & 892 Elevations 2 received 04.06.2018
 ALD2 116 House type 1567 Floor Plans received 04.06.2018
 ALD2 117 House type 1567 Elevations received 04.06.2018
 ALD2 118 House type 892 Floor Plans received 04.06.2018
 ALD2 119 House type 892 Elevations received 04.06.2018
 ALD2 120 House type 1567 Floor Plans received 04.06.2018
 ALD2 121 House type 1567 Elevations received 04.06.2018
 ALD2 122 House type 1762 Floor Plans received 04.06.2018
 ALD2 123 House type 1762 Elevations received 04.06.2018
 ALD2 124 House type 1104 Floor Plans received 04.06.2018
 ALD2 125 House type 1104 Elevations received 04.06.2018
 ALD2 126 House type 861 & 892a Floor Plans received 04.06.2018
 ALD2 127 House type 861 & 892a Elevations received 04.06.2018
 ALD2 128 House type 861 Floor Plans received 04.06.2018
 ALD2 129 House type 861 Elevations received 04.06.2018
 ALD2 130 House type 495 Floor Plans received 04.06.2018
 ALD2 131 House type 465 Elevations 1 received 04.06.2018
 ALD2 132 House type 495 Elevations 2 received 04.06.2018
 ALD2 133 House type 750, 1045, 1050 Floor Plans received 04.06.2018
 ALD2 134 House type 750, 1045, 1050 Elevations received 04.06.2018
 ALD2 301 Garages 1 received 04.06.2018
 ALD2 302 Garages 2 received 04.06.2018
 ALD2 303 Garages 3 received 04.06.2018
 ALD2 304 Garages 4 received 04.06.2018
 ALD2 305 Substation received 04.06.2018
 Drg No 1711-129-002 Rev C Engineering Layout received 28.01.2019
 Reason: For the avoidance of doubt as to what has been considered and approved.

The materials and finishes shall be as indicated within the submitted application and thereafter retained as such

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

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

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

4. The approved scheme of landscape works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of five years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter and shall be retained and maintained.
Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity
5. No development shall commence until an Arboricultural Method Statement and Tree Protection Plan have been submitted to and approved in writing by the local planning authority.
Reason: To ensure that the works undertaken in the vicinity on trees to be retained at the site are carried out in a way that minimises/prevents damage to them.
6. Unless otherwise agreed in writing with the local planning authority no development shall commence or any materials, plant or machinery be brought on to the site, until the approved scheme of protective fencing has been implemented. 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 the trees and hedges. All fencing shall be retained and maintained until the development is complete.
Reason: To protect the trees/hedgerow during the course of development in the interest of visual amenity.
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. Prior to the commencement of development, an Ecological Mitigation Strategy and Landscape and Ecological Management Plan should be produced for the site for approval in writing. The approved Strategy and Management Plan should be followed throughout the construction process and post construction period where applicable.

Reason: In the interests of ecological mitigation and enhancement.

9. The strategy for the disposal of surface water and the Flood Risk Assessment (FRA) (dated January 2019, ref: 1711-129 Rev D) shall be implemented as approved in writing by the local planning authority. The strategy shall thereafter be managed and maintained in accordance with the approved strategy.

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

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

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

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

1. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
 - i. Temporary drainage systems
 - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
 - iii. Measures for managing any on or offsite flood risk associated with construction

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

12. No other part of the development shall be commenced until the new vehicular access has been laid out and completed to at least Binder course level or better in accordance with Drawing No 1711-129-SK001 and been made available for use.

Thereafter the access shall be retained in the specified form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and is brought into use before any other part of the development is commenced in the interests of highway safety.

13. Before the access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 90 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension).
Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.
Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.
14. Before first occupation a footway fronting the site shall be constructed in accordance with details, which previously shall have been submitted to and approved in writing by the Local Planning Authority. The lengths of footway are shown indicatively, on Drawing Nos ALD-002-A and ALD-003-A, extending north to suitably safe crossing point and south to the existing bus stop.
Reason: To secure appropriate improvements to the existing highway in the interests of highway safety and access to sustainable transport in the form of the local footway and bus networks.
15. The areas to be provided for the (loading, unloading,) manoeuvring and parking of vehicles shall be in accordance with Drg No ALD2 002A Planning Layout received 13.11.2018. 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 enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety.
16. Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard.
17. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.
Reason: To ensure that satisfactory access is provided for the safety of residents and the public.
18. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

19. 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 21 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

20. Within 3 months of the commencement of development a scheme of external lighting on the site shall be submitted to the local planning authority for approval in writing. The approved scheme of lighting shall be implemented prior to occupation of the final dwelling.

Reason: In the interests of amenity and ecology.

21. No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

a. The proposed route for access to the site by plant, operatives and delivery vehicles;
b. Loading and unloading of plant and materials;
c. Storage of plant and materials used in the construction of the development;
d. Materials/plant delivery times;
e. Construction times;
f. Parking for construction workers and visitors;
g. Wheel washing facilities; measures to control the emission of dust and dirt during construction;

h. A scheme for recycling/disposing of waste resulting from demolition and construction works.

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

10. WALDRINGFIELD – DC/18/3623/FUL – Demolition of existing dwelling and outbuildings. Erection of three houses and one bungalow. Alterations to existing access at Eureka, Cliff Road, Waldringfield, IP12 4QL for Westgreen Commercial Ltd

Full Planning Permission was sought for the replacement of one large detached dwelling with three two-storey dwellings and one single storey dwelling at Eureka, Cliff Road, and Waldringfield. The application had come before the Planning Committee via the referral process.

The proposal represented the provision of one additional dwelling to replace a similar scale cartlodge/storage structure approved within extant planning permission DC/17/1055/FUL for three two-storey dwellings. Access improvements, including the provision of a new stretch of paving linking an existing footway with a pedestrian school access, were also included.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer. The site's location and photographs of the existing dwelling were displayed.

The Area Planning and Enforcement Officer noted the extant planning permission on the site for three dwellings and a cartlodge/storage structure. The proposed application was similar; the main difference was that the cartlodge/storage structure had been replaced with a one-bedroom single storey bungalow. The principal elevations and mix of housing types were displayed. The Committee was advised that the approved scheme was a material planning consideration; the additional dwelling increased the number of dwellings per hectare.

The proposed access arrangements to the site were similar to what had been approved and the application included extending pedestrian access towards Waldringfield Primary School. The proposed access would not affect the mature oak at the entrance to the site, and vehicles would be entering and exiting the site from/to a 20mph speed limit.

The key issues were summarised as design, highways, and residential amenity.

The recommendation, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the Officer.

The Chairman noted the planning history of the site and asked why an application for four dwellings was recommended for approval when the extant planning permission for three dwellings on the site had been refused by officers in 2016 under delegated authority and allowed on appeal.

The Area Planning and Enforcement Officer advised that the planning permission allowed on appeal was a material consideration, and noted that on reflection he had agreed with the Inspector's comments in the appeal decision. He noted that following that appeal, a similar application which had made changes to the cartlodge had been approved in 2017, again with consideration of the appeal decision being a material one.

The Vice-Chairman queried the definition of the dwellings as 'small'. The Area Planning and Enforcement Officer noted that the three four-bedroom dwellings included a very small fourth bedroom, which was smaller than the study included in the one-bedroom dwelling.

In response to a question from a member of the Committee regarding apparent cramping, the Chairman advised the Committee that the Planning Inspector's appeal decision had stated that the development was not cramped. She reminded Members that the applicant had planning permission to build out three four-bedroom dwellings on the site.

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

Mr Reay confirmed that the site had extant planning permission for the demolition of the existing dwelling and the erection of three four-bedroom dwellings alongside a cartlodge. He stated that the new application proposed a new one-bedroom dwelling in place of the cartlodge, and three larger dwellings with a smaller floor area than what was approved. He did not consider the proposal to be overdevelopment.

The application contained the same level of parking as what was approved on the site, with the addition of another visitor parking space. Mr Reay considered that any possible heating oil deliveries could be made from Cliff Road via hose or on site by a micro-tanker. He was of the view that the objections of both Waldringfield Parish Council and third parties were addressed by the existing planning permission, and noted that there had been no new objections from the Highway Authority.

The Chairman invited questions to Mr Reay.

The Chairman referred to the comments received from the Highway Authority, noting the amendments that it had made to its initial response. She queried if the required visibility splay had been met.

Mr Reay said that the Highway Authority had amended its comments after being advised of the extant planning permission, which contained identical access arrangements. At this point, the Planning Development Manager referred the Committee to the penultimate sentence of paragraph 4.2 of the report, which supported Mr Reay's statement. She also referred the Committee to the final sentence of the paragraph, which highlighted the Highway Authority's concerns regarding sufficient space for delivery vehicle turning.

Mr Reay advised that a bin presentation area had been included on the access road, close to the site entrance.

A member of the Committee asked what the difference in floor area was between the approved cartlodge and the proposed one-bedroom dwelling. Mr Reay said that he had been advised that there was a difference of 12 square metres.

The Chairman invited Mrs Elliott, representing Waldringfield Parish Council, to address the Committee.

Mrs Elliott informed the Committee that Waldringfield Parish Council objected strongly to the application and had grave concerns regarding its impact on safety and the inconsistent approach to the site by the Highway Authority.

The Parish Council had objected to previous applications on the site due to concerns regarding road safety and the suitability of the shared drive, the latter not being wide enough at either its widest point or the point of access to and from Cliff Road.

Mrs Elliott noted the amendments made by the Highway Authority to its comments on the application and questioned why the Officer had intervened by highlighting the extant planning permission. She reiterated that the access was not suitable for the number of vehicles that would access the site and that it would increase safety risks in the area particularly for Waldringfield Primary School, which was located close to the site.

In her conclusion, Mrs Elliott recommended that the Committee visit the site as the previous approved application had been determined at officer level and the appeal decision had been based around density.

The Chairman invited questions to Mrs Elliott.

Mrs Elliott did not consider that the minimum visibility splay had been met. She conceded that the amount of vehicle movements to and from the site would not increase significantly should the new scheme be approved, but reiterated her concerns regarding the responses to the applications by the Highway Authority.

A member of the Committee asked Mrs Elliott if the large, mature oak at the site's entrance presented a physical reason for a lack of visibility, and if she agreed that the nearby area was a busy one due to the nearby school and village hall. Mrs Elliott advised that both the school and hall generated peak drop-off and pick-up periods in the area over the course of the day.

Another member of the Committee was dismayed by the criticism of the Officer for prompting the Highway Authority to consider the extant planning permission on the site. He asked Mrs Elliott what she considered the impact of both an additional dwelling would be over what could already be built out and any possible appeal if the Highway Authority had not been asked to consider what was already approved.

Mrs Elliott stated that the concern of the Parish Council was that the Highway Authority had recommended approval on the original application and had initially recommended refusal of application being considered by the Committee. She acknowledged that the impact of one additional dwelling in terms of highway movements would be negligible.

The Chairman invited Councillor Harvey, Ward Member for Waldringfield, to address the Committee.

Councillor Harvey was well aware of the site and its planning history. She considered that the addition of another dwelling on the site amounted to overdevelopment.

She noted the concerns of the Highway Authority regarding sufficient space for delivery vehicle turning, stating that it would be unacceptable for delivery vehicles to have to reverse out of the site onto the highway. She said that the visibility at the access point was poor and that the site was adjacent to Waldringfield Primary School.

Councillor Harvey was of the opinion that the new application overstepped the mark, given what was already approved to be developed on the site, and should be refused. She added that the site was within the AONB and that the application neither enhanced nor protected it.

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

The Chairman opened the debate and stated that she was of the view that the application was straightforward. She noted that the Council had refused the application for three dwellings on the site and that planning permission had been granted on appeal. She considered that the new application did not resolve the issues of what had been approved on appeal and could not support the application.

Several members of the Committee were not in favour of the application, citing concerns regarding the parking and access arrangements, refuse collection from the highway, and the impact on what was already a busy area for traffic.

Another member of the Committee suggested that the application appeared straightforward due to the extant planning permission on the site, but considered that the new application should not happen. He referred to the Planning Inspector's decision on the application that was allowed on appeal and stated that the Committee needed to consider what the incremental impact of another dwelling would be, if it was minded to refuse the application.

This view was echoed by several members of the Committee, who agreed with the concerns that had been raised and acknowledged that the extant planning permission was a material consideration.

A member of the Committee suggested that the application should be refused on the grounds that it represented a cramped form of development and said that he could not vote in favour of it.

There being no further debate, the Chairman moved to the recommendation to approve, which was proposed, seconded and by a majority vote **FAILED**.

The Chairman sought an alternative recommendation. Following further debate by the Committee, it considered that the application could be refused as it represented a cramped form of overdevelopment.

The Committee was advised that it could refuse the application on the grounds that the additional dwelling and repositioning of the previously consented four-bed dwellings and associated impacted upon parking and turning arrangements represented a cramped form of

overdevelopment of the site, that would neither preserve or enhance the character of the AONB, and that the proposal was therefore contrary to local policies SP15, DM7 and DM21, and the principles of the NPPF.

The Chairman moved to the alternative recommendation to refuse, which was proposed, seconded and determined by a majority vote as follows:

DETERMINATION:

REFUSED as the additional dwelling and repositioning of the previously consented four-bed dwellings and associated impacts upon parking and turning arrangements represent a cramped form of overdevelopment of the site that would neither preserve nor enhance the character of the AONB. The proposal is therefore contrary to local policies SP15, DM7 and DM21, and the principles of the NPPF.

Following the determination of the item, the Chairman adjourned the meeting for a short break. The meeting was adjourned at 10.53am and was reconvened at 11.12am.

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8. **TRIMLEY ST MARY – DC/19/0063/FUL – Removal of existing barn and reconstruction, with single storey extensions, on land to the rear of the existing dwelling, and associated works at The Limes, 200 High Road, Trimley St Mary IP11 OSP for Mr and Mrs Pickover**
 9. **TRIMLEY ST MARY – DC/19/0064/LBC – Removal of existing barn and reconstruction, with single storey extensions, on land to the rear of the existing dwelling, and associated works at The Limes, 200 High Road, Trimley St Mary IP11 OSP for Mr and Mrs Pickover**

Planning Permission and Listed Building Consent were sought for the relocation of the existing curtilage listed barn to an alternative position within the residential curtilage associated with The Limes and subsequently secure its conversion, with the inclusion of single storey additions, to a residential dwelling. Permission was granted in 2014 for its residential conversion but this was not implemented.

The applications were before the Committee because the proposed location of the barn, with its residential use, albeit being within the residential curtilage, was outside the settlement boundary and in an Area to be Protected from Development (APD) as annotated in the Felixstowe Peninsular Area Action Plan (AAP).

The Committee was informed that, due to the link between the two applications, they would be presented together. The Chairman advised that each application would be determined individually.

The Committee received a presentation on the applications from the Planning Development Manager. She noted that there had been no objections to the applications and a letter of support had been received from the Parish Council and local resident.

The site's location was outlined to the Committee. The Planning Development Manager advised that The Limes had been listed in 1983 and the barn the subject of the application was curtilage listed. The permission granted in 2014 for the barn's residential conversion was stated to be a material consideration.

The Planning Development Manager highlighted the site's location relative to the Bloor Homes development that had been approved, stating that the APD did not necessarily preclude development in the area.

The Committee was informed that the barn would be dismantled and reconstructed in its new location; this approach was supported by the Council's Principal Design and Conservation Officer and was the first example in the District of such a proposal.

A detailed method statement had been submitted as part of the application which showed that no harm would be caused to the barn during the process of relocating it. The Planning Development Manager advised that if the barn was retained in its current location and used for separate residential unit, it would result in a close relationship between the two dwellings which would be harmful to residential amenity and result in poor levels of parking and garden.

It was noted that although the barn would be relocated outside of the settlement boundary, it would remain within the residential curtilage of The Limes and would not be moved into open countryside as the existing garden was bounded by vegetation and fencing.

The site's location relative to land identified in policies FPP7 and FPP8 of the Felixstowe Peninsula AAP was displayed.

The key issues were summarised as the principle of development and the impact on a heritage asset.

The recommendation, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the Officer.

A member of the Committee noted that the barn had been identified as a Curtilage Listed Building and asked for clarification on this designation. The Planning Development Manager advised that the barn was not a Listed Building in its own right, but was listed as it was within the curtilage of a Listed Building. She confirmed that this would remain in place after any relocation of the barn.

In response to queries from members of the Committee, the Planning Development Manager highlighted the proposed elevations which included the minimal fenestration planned for the barn. She advised that this was not dissimilar from what had been approved in 2014. Window details, including double glazing, had been agreed as acceptable.

The Chairman invited Mr Pickover, the applicant, to address the Committee. Mr Pickover was supported by Mr Bush, the architect for the application.

Mr Pickover noted the sensitivity and hard work undertaken to provide the scheme before the Committee. He confirmed that an archaeological survey had been completed and nothing had been found; the final survey report was pending.

The Chairman invited the questions to Mr Pickover and Mr Bush.

Mr Bush confirmed that there would be minimal removal of existing vegetation to accommodate the barn's relocation, and that replanting would be undertaken to mitigate this.

There being no questions to Mr Pickover, nor any other public speaking, the Chairman invited the Committee to debate the application that was before it.

There being no debate, the Chairman moved to the recommendation to approve application **DC/19/0063/FUL**, which was proposed, seconded and determined by a unanimous vote as follows:

DETERMINATION:

APPROVED subject to the following conditions:

- 1 The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.
Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.
- 2 The development hereby permitted shall be completed in all respects strictly in accordance with the following plans
195/2A - proposed block plan
975/5A - proposed elevation and floor plans
975/6 - proposed elevation
received 11 January 2019;,, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.
Reason: For the avoidance of doubt as to what has been considered and approved.
- 3 Prior to taking down, the existing barn is to be recorded to Historic England Level 2 as described in 'Understanding Historic Buildings: A Guide to Good Recording Practice' (2016). The subsequent record to be submitted to the Suffolk County Council Historic Environment Record prior to completion of the project.
Reason: To secure a record of the existing barn
- 4 Prior to the re-building of the barn, a full specification of external materials to include roof coverings, wall construction, doors, windows, flue, vents and including brick bond and mortar type shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in full accordance with the approved details.
Reason: To secure appropriate design and appearance of the building
- 5 All new rainwater goods shall be in painted cast metal, only
Reason: In the interest of visual amenity and preservation of a heritage asset
- 6 Prior to the re-building of the barn, full details of hard landscaping and boundary treatments including to the churchyard of St Mary's shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in full accordance with these details.

Reason: To secure appropriate landscaping and boundary treatment

- 7 Prior to the dismantling of the barn, a Method Statement for the dismantling and re-erection of the timber-frame to the existing barn shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in complete accordance with the approved details.

Reason: In the interest of ensuring the integrity of the heritage asset.

- 8 Prior to the re-building of the barn, samples and details of the external door and windows shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interest of securing the integrity of the heritage asset.

- 9 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.

- 10 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 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 by the Local Planning Authority.
- Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

- 11 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 10 and the provision made for analysis, publication and dissemination of results and archive deposition.
- Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2018).

The Chairman then moved to the recommendation to approve application **DC/19/0064/LBC**, which was proposed, seconded and determined by a unanimous vote as follows:

DETERMINATION:

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).
- 2 The development hereby permitted shall be completed in all respects strictly in accordance with the following plans

195/2A - proposed block plan
975/5A - proposed elevation and floor plans
975/6 - proposed elevation

received 11 January 2019;; 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.

5. **ORFORD – DC/18/4844/FUL – Construction of new dwelling in the grounds for use as short term holiday let: The Great House, Church Street, Orford, IP12 2NT for Mr and Mrs Gerard.**
6. **ORFORD – DC/18/4845/LBC – Creation of pedestrian access in boundary wall: Great House, Church Street, Orford, IP12 2NT for Mr and Mrs Gerard**

Planning Permission was sought for the erection of a detached building within the curtilage of The Great House to be used as holiday accommodation, and Listed Building Consent was sought for the creation of a pedestrian access in an existing boundary wall and the insertion of a gate within the wall. The Great House was a Grade II Listed building and the site lay within the Orford Conservation Area and was a designated Area to be Protected from Development (APD).

The items had come before the Committee at its meeting on 21 February 2019 following a meeting of the Referral Panel. The items were deferred from that meeting to fully consider the existing use of the property.

The Committee was informed that, due to the link between the two applications, they would be presented together. The Chairman advised that each application would be determined individually.

The Committee received a presentation on the application from the Senior Planning and Enforcement Officer. She confirmed that the report had been updated to include the information requested by the Committee at its meeting on 21 February 2019.

The Committee was apprised of the plans displayed its previous meeting. The proposed dwelling would be used as a holiday let and would be located in the southern corner of The Great House's grounds.

The key issues were summarised as the principle of development, the setting of the Listed Building, the conservation area, the APD, design, residential amenity, impact on trees, and parking.

The Senior Planning and Enforcement Officer referred to the Section 106 Agreement that would be put in place to limit the dwelling's use to holiday accommodation. She also referred to the use of The Great House itself; it had been confirmed that The Great House had been let for eighty-five nights in 2018, which equated to less than 25% of the year. This level of occupancy was not considered to have resulted in a change of use of the property.

The recommendation, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the Officer.

It was confirmed that the existing parking concerns on Broad Street could not be controlled through conditions, as this was a civil matter. The Senior Planning and Enforcement Officer

advised that there was sufficient parking available within the grounds of The Great House for the proposed dwelling.

The Chairman invited Mr Gerard, the applicant, to address the Committee in relation to application DC/18/4844/FUL.

Mr Gerard stated that he was the owner of The Great House. He considered that the application was for a small, modest studio within the grounds. He advised that it would be screened from the main dwelling by a 3m high yew hedge and a beech hedge of similar size, and would be screened at the rear by a bay hedge and the existing wall. He was of the opinion that the area for the proposed dwelling was a secluded location and that it would not feel integrated with The Great House.

Mr Gerard confirmed that there was significant parking available within the grounds.

The Chairman invited questions to Mr Gerard.

A member of the Committee sought further clarification around the use of the main dwelling. Mr Gerard explained that he currently lived in Cambridge and that he intended for him and his family to move to Orford full-time. He advised that The Great House had been let in previous years to fund renovations and repairs, and that he had an obligation to repoint the existing listed wall.

Mr Gerard said that he lived at The Great House as often as he was able to and was part of the village, highlighting his membership of the local sailing club. He said it was his intention to use the proposed dwelling as a means of helping to maintain The Great House and fund being able to retire to Orford.

Mr Gerard confirmed that he would encourage users of the proposed dwelling to park within the curtilage of The Great House and would write this into holiday let agreements, to prevent users parking on the grass verges on Broad Street.

The Chairman invited Mrs Barnwell and Mrs Iliff, representing Orford with Gedgrave Parish Council, to address the Committee in relation to application DC/18/4844/FUL.

Mrs Barnwell referred to paragraphs 5.6 and 5.7 of the report, which referred to the site being allocated as an APD. She stated that the Parish Council objected to the application as it would damage that protected status and would also exacerbate the existing parking issues in Orford.

She referred to an elevation that the Parish Council had been in receipt of, which suggested that only half of the proposed dwelling would be concealed from Broad Street. She was of the opinion that it would only be fully concealed from The Great House and not from the village.

Mrs Barnwell said that the Parish Council supported the concerns raised by Councillor Herring, the Ward Member for Orford, at the Committee's meeting on 21 February 2019 regarding the design not being in keeping with the local setting.

Mrs Iliff reiterated the parking problems on Broad Street; signage had been put up to discourage parking on the grass verges but this had been ineffective. She asked the Committee to support the Parish Council's objections to the application.

The Chairman invited questions to Mrs Barnwell and Mrs Iliff.

Mrs Barnwell and Mrs Iliff confirmed the Parish Council's concerns about users of the proposed dwelling parking in Broad Street rather than within the curtilage of The Great House.

The Chairman invited the Committee to debate application DC/18/4844/FUL.

During debate, it was clarified that the Principal Design and Conservation Officer did not consider that the application would have an adverse impact. The Senior Planning and Enforcement Officer also advised the Committee that both residential and holiday use was covered by C3 use; dependent on the holiday let usage a change of use could be considered to have taken place, but this was not the case in respect of The Great House.

Several members of the Committee sympathised with the Parish Council, but were in favour of the application.

There being no further debate, the Chairman moved to the recommendation to delegate authority to approve application **DC/18/4844/FUL**, which was proposed, seconded and determined by a majority vote as follows:

DETERMINATION:

AUTHORITY TO APPROVE subject to no serious concerns being raised regarding the impact on trees and following completion of a S106 Legal Agreement ensuring that the building is not sold off independently from Great House and that a contribution to the Suffolk Coast RAMS Scheme is made. Any approval should include the following controlling 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 strictly in accordance with Drawing Nos. 5855/401A received 15 January 2019 and 5855/402, /403 and /404 received 23 November 2018, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.
Reason: For the avoidance of doubt as to what has been considered and approved.
3. Prior to the construction of any part of the building hereby permitted, details of the following have been submitted to and approved in writing by the local planning authority:
 - (i) Schedule of materials (including brick bond, mortar type, rainwater goods, flue fascias and bargeboards),
 - (ii) Rooflights,

(iii) Folding doors

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. Prior to the commencement of development, precise details of the build heights to eaves and ridge shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that the exact size of the building is known to ensure that it remains small and therefore would not harm the character or appearance of the area.

5. The premises herein referred to shall be used for holiday letting accommodation and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987). The duration of occupation by any one person, or persons, of any of the holiday units shall not exceed a period of 56 days in total in any one calendar year, unless the Local Planning Authority agrees in writing to any variation.

The owners/operators of the holiday units hereby permitted shall maintain an up-to-date Register of all lettings, which shall include the names and addresses of all those persons occupying the units during each individual letting. The said Register shall be made available at all reasonable times to the Local Planning Authority.

Reason: To ensure that the development is occupied only as bona-fide holiday accommodation, having regard to the tourism objectives of the Local Plan and the fact that the site is outside any area where planning permission would normally be forthcoming for permanent residential development.

6. 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.

7. The building hereby approved shall be constructed in complete accordance with the methods and recommendations as set out in the Arboricultural Statement carried out by Melling, Ridgeway and Partners dated 14th March 2019.

Reason: In order that there would be no adverse impact on the Beech tree on Broad Street adjacent to the site in the interest of visual amenity.

The Senior Planning and Enforcement Officer referred to her report in relation to DC/18/4845/LBC, confirming that the application applied solely to the proposed development of the listed wall.

The Chairman invited Mr Gerard to address the Committee in relation to application DC/18/4845/LBC.

Mr Gerard acknowledged the state of the wall and the need for its repair. He stated that he was proposing to install a gate so that users of the holiday let could move in and out of the property without feeling obliged to use the grounds of The Great House. He noted that there would be significant shrubbery behind the wall that would screen the holiday let from Broad Street.

The Chairman invited questions to Mr Gerard.

Mr Gerard confirmed that the proposed gate could be the same height as the wall. In response to questions from members of the Committee, he reiterated his desire to encourage users of the holiday let to not park on Broad Street and suggested he could take action by locking the gate if this request was not adhered to. He considered that the inclusion of a gate would make a material difference to the experience of those staying in the holiday let.

The gate, if approved, would be constructed from green oak so that it remained in keeping with its setting.

A member of the Committee questioned why users of the holiday let could not leave the site via The Great House on foot, given they would have access to park. Mr Gerard stated that he believed that guests would feel they were intruding onto the main dwelling by doing so.

The Chairman invited Mrs Barnwell and Mrs Iliff to address the Committee in relation to application DC/18/4845/LBC.

Mrs Barnwell considered that the creation of a gate would create an independent access and make the holiday let a separate unit to The Great House. She was concerned that the gate

would encourage guests to park on Broad Street and further the existing parking problem there, and considered that the gate would only be a convenience rather than an essential need. She concluded by raising concerns that the approval of a gate would set a precedent for future applications at significant sites in the village.

There being no questions to Mrs Barnwell and Mrs Iliff, the Chairman invited the Committee to debate application DC/18/4845/LBC.

Several members of the Committee expressed reservations regarding the installation of a gate within a listed wall. Reasons for concern included the alien nature of a gate in a wall that contributed significantly to the street scene, that it was merely for convenience, and that it would encourage users to park on Broad Street. They did not support the application.

Another member of the Committee spoke in support of the application. He considered that the proposed design complimented the wall and agreed with the rationale given for the installation of the gate.

There being no further debate, the Chairman moved to the recommendation to approve application **DC/18/4845/LBC**, which was proposed, seconded and by a majority vote **FAILED**.

The Chairman sought an alternative recommendation. Following further debate by the Committee, it was suggested that the application could be refused because of the significant harm that the installation of a gate would have on the listed wall.

The Chairman moved to the alternative recommendation to refuse, which was proposed, seconded and determined by a majority vote as follows:

DETERMINATION:

REFUSED as significant harm would be caused to the listed wall by the installation of a gate.

3. FELIXSTOWE – DC/18/5160/VLA – Variation of Legal Agreement on Section 52 Agreement dated 19 November 1982 at Cowpasture Farm, Gulpher Road, Felixstowe, Suffolk, IP11 9RD for Heather Stennett

The application sought to discharge a planning obligation under Section 106A of the Town and Country Planning Act 1990. On implementation of planning permission C/6582, the S.52 agreement restricted the use of the farmhouse to be used solely as a farmhouse in connection with the surrounding land known as Cowpasture Farm. It was considered that the S.52 agreement no longer served a purpose as such and could be discharged.

A certificate of lawful use, application reference DC/18/4174/CLE, for Use of Cowpasture Farm house as a C3 dwellinghouse in breach of condition 5 of planning permission C6583 (agricultural occupancy condition) was approved via delegated powers on 18th December 2018 which stated that the house had been used for the required period of time unconnected to the farm land.

The application was before the Committee as officers did not have delegated powers to determine Variation of Legal Agreements outside of Planning Committee.

The Committee received a presentation on the application from the Development Management Team Leader (South), on behalf of the case officer. She advised that officers were seeking the removal of the legal agreement as it was no longer enforceable.

The Chairman invited questions to the Officer.

The Planning Development Manager advised the Committee that the wider farmland associated with the dwelling included a site that had received consent for 650 houses on appeal.

The Chairman invited Councillor Deacon, Ward Member for Felixstowe North, to address the Committee.

Councillor Deacon was concerned regarding the change of use from agricultural to residential use and did not support the application.

There being no questions to Councillor Deacon, the Chairman invited Councillor Smith, Ward Member for Felixstowe South, to address the Committee.

Councillor Smith said that he had no concerns in relation to the application.

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

There being no debate, the Chairman moved to the recommendation to approve, which was proposed, seconded and determined by a majority vote as follows:

DETERMINATION:

That the Legal Agreement be **DISCHARGED**.

2. FELIXSTOWE – DC/19/0445/FUL – Removal of existing unsafe concrete cliff steps & construction of new purpose made metal/concrete steps with guarding's & handrails: Cliff Steps to Promenade, Cliff Road, FELIXSTOWE, IP11 9SH for Suffolk Coastal District Council.

Planning Permission was sought for the removal of existing concrete cliff steps and the construction of new purpose made metal/concrete steps with guardings and handrails. The coastal steps provided pedestrian connectivity between the Cliff Road area and the promenade – which provided direct access to the beach and sea, forming an important part of Felixstowe's tourism offer.

The existing coastal steps were showing obvious signs of wear-and-tear that detracted from the visual appearance of the area. The lack of supporting handrails on both sides of the existing steps also presented a public safety risk. The proposed development to construct purpose made coastal steps was considered to offer considerable public benefits in terms of design/visual appearance; and also improved public safety for pedestrian users.

The item was before the Committee as the applicant was Suffolk Coastal District Council.

The Committee received a presentation on the application from the Senior Planning and Enforcement Officer.

The Committee was shown photographs of the existing steps, which highlighted the wear-and-tear and safety concerns detailed in the report.

The key issues were summarised as the design of the development and its impact on the character and appearance of the area, and the public benefits.

The recommendation, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the Officer.

It was confirmed that disabled access to the promenade was located 300 metres away from the steps, at The Dip.

The Planning Development Manager and Development Management Team Leader (South) clarified that the site was one of a number identified in Felixstowe, and that an application had been required for this particular site as the height of the steps meant that development could not take place under permitted development rights.

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

There being no debate, the Chairman moved to the recommendation to approve, which was proposed, seconded and determined by a unanimous vote as follows:

DETERMINATION:

APPROVED subject to no material planning objections being received prior to the end of the prescribed consultation period (11 March 2019); and subject to the conditions as follows:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Drawing Nos. 16152 7, 16152 6, 16152 5C; and the submitted application form, received 31 January 2019; 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 approved by the local planning authority.

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

4. HOLLESLEY – DC/19/0627/VLA – Variation of Legal Agreement – Section 106 Agreement: Land at Mallard Way, off Rectory Road, Hollesley, IP12 3FS for SEH (Developments) Ltd.

The application sought to vary the Section 106 Agreement relating to application C/13/0320 which permitted the erection of 16 dwellings. Five of the properties as permitted were required to be Discount Market Housing as set out in the Section 106 Agreement.

The item was before the Committee as the Head of Planning and Coastal Management did not have delegated authority to determine applications to vary Legal Agreements

The Committee received a presentation on the application from the Senior Planning and Enforcement Officer. She outlined the proposed changes to the Section 106 Agreement, which were detailed in section 5 of the report. She noted that the changes would simplify and shorten the process of finding buyers for properties and the option to buy 100% of the property would ensure that getting a mortgage was more easily available. The 25% extra fee would then be held/managed by the Council or a Registered Provider to provide further affordable housing at a later date.

The Chairman invited questions to the Officer.

The Senior Planning Officer advised that any amounts from the 25% extra fee held by the Council would be managed by its Legal Services team.

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

There being no debate, the Chairman moved to the recommendation to approve, which was proposed, seconded and determined by a unanimous vote as follows:

DETERMINATION:

GRANT AUTHORITY for the variation of the legal agreement relating to C13/0320 to allow: the option to purchase 100% of the property and a change in the length of time the properties are advertised to different groups.

7. PETTISTREE – DC/19/0153/FUL – Change of use without further development of a redundant agricultural grain store, which is a steel framed building 18m by 20m span constructed in 1979, to the storage of marquee components (aluminium frames, PVC covers) and accessories such as tables and chairs, etc., also for panel vans used to deliver the same at Hungarian Hall, Byng Hall Lane, Pettistree, IP13 0JF for Mr. David Boardley

Planning Permission was sought for the retention of the use of a former agricultural building as a storage building for use in connection with a marquee business running from the site. The application was before the Committee as a storage use in the countryside was contrary to Policy DM11 of the Local Plan however the use was small scale, was related to the wedding/event business also running from the site and had been running for eight years with no known problems.

The Committee received a presentation on the application from the Senior Planning and Enforcement Officer. Site photographs were displayed which demonstrated the former agricultural building's relationship to the wedding/event business on the site.

The key issues were summarised as the principle of B8 use in the countryside and the impact on highway safety. The Senior Planning and Enforcement Officer noted that the site had been used as storage for the marquee business for the last eight years and was therefore two years' short from being able to obtain a lawful use certificate, and the use was not a form of farm diversification.

There had been no complaints regarding the operation of the marquee business from the site and the Highway Authority had not raised any concerns in respect of the application.

The recommendation, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the Officer.

The Planning Development Manager advised that the application was not within the definition of the applications that Economic Development wished to be consulted on, as there was no loss or creation of employment.

A member of the Committee queried the possibility of HGVs accessing the site if B8 use was granted. The Senior Planning and Enforcement Officer advised that there was no current HGV use and that a condition had been recommended that storage is only in relation to the operation of the marquee business.

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

There being no debate, the Chairman moved to the recommendation to approve, which was proposed, seconded and determined by a unanimous vote as follows:

DETERMINATION:

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 strictly in accordance with Site Plan and Block Plan received 14 January 2019 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. Notwithstanding the provisions of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the use hereby permitted shall be for storage in connection with Anglia Coastal Marquees only. Reason: The location of the site is such that the local planning authority may not permit a general B8 storage and distribution use or alternative uses in the interests of Highway Safety and/or Protection of the local environment.
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Following the determination of the last application, the Committee thanked the Chairman for her work over the last four years, also thanking officers for their hard work in supporting the Committee.

Before closing the meeting, the Chairman thanked the members of the Committee for their hard work; she stated that she had enjoyed her time on the Committee immensely, and considered its Members had worked well together.

The meeting concluded at 12.30pm.

Minutes of a Meeting of the **Shadow Planning Committee (North)** held in the **Conference Room, Riverside, Lowestoft, on Tuesday, 16 April 2019 at 4.08pm**

Members present:

P Ashdown (Chairman), N Brooks, M Cherry, Y Cherry, G Elliott, J Ford, T Goldson, I Graham, A Green, M Ladd, P Light, R Neil, C Rivett.

Other Members present:

P Byatt, A Cackett.

Officers present:

L Beighton (Planning Development Manager), S Carter (Democratic Services Officer), M Coupe (Senior Planning and Enforcement Officer), M Gee (Planning Officer), C Foster-Cannan (Head of Housing), C Green (Senior Planning and Enforcement Officer), S Hays (Interim Housing Development Programme Manager), A Jarvis (Strategic Director), P Perkin (Development Management Team Leader), K Scott (Development Management Team Leader), S Shimmon (Tenant Services Manager), M Simmons (Environmental Protection Officer), M Van de Pieterman (Area Planning and Enforcement Officer), A Thornton (Area Planning and Enforcement Officer).

1. Appointment of Chairman and Vice-Chairman

Consideration was given to the appointment of Chairman and Vice-Chairman for this Shadow Planning Committee (North) meeting and it was

RESOLVED

That Councillor Ashdown be appointed as Chairman and Councillor Brooks be appointed as Vice-Chairman for this meeting.

2. Apologies / Substitutes

Apologies for absence were received from Councillors M Pitchers and J Smith.

Councillor Y Cherry attended the meeting as a Substitute for Councillor J Smith.

Councillor A Green attended the meeting as a Substitute for Councillor Pitchers.

3. Declarations of Interest

Councillor Ashdown declared a Local Non Pecuniary Interest in Agenda Item 6 – DC/19/0754/FUL – 31, 33, 35, 39 and 43 Cleveland Road, Lowestoft, as being Assistant Cabinet Member. He confirmed that he was present at the January Cabinet meeting when the Supported Housing Scheme was discussed but had no voting rights at that meeting.

Councillor Brooks declared a Local Non Pecuniary Interest in Agenda Item 6 – DC/19/0754/FUL – 31, 33, 35, 39 and 43 Cleveland Road, Lowestoft, as being Assistant Cabinet Member. He confirmed that he was present at the January Cabinet meeting when

the Supported Housing Scheme was discussed but had no voting rights at that meeting. He had also visited the Mavam Supported Housing, the company likely to provide the relevant support if granted.

Councillor Brooks also declared a Local Non Pecuniary Interest in Agenda Item 10 – DC/18/4312/FUL – Part Land West side of London Road, Beccles, as being a Governor of the Pre-school at Beccles Primary School. This declaration was made during discussions on the application.

Councillor Ford declared a Local Non Pecuniary Interest in Agenda Item 6 – DC/19/0754/FUL – 31, 33, 35, 39 and 43 Cleveland Road, Lowestoft, as being Ward Member.

Councillor Goldson declared a Local Non Pecuniary Interest in Agenda Item 8 – DC/18/4428/FUL – Bernard Matthews, Scalesbrook Lane, Holton, as being County Councillor for the area, and Agenda Item 9 – DC/18/4947/OUT – Town Farm, Harrisons Lane, Halesworth, as being Ward Member, County Councillor for the area and Chairman of the Halesworth Campus which was linked to the site.

Councillor Graham declared a Local Non Pecuniary Interest in Agenda Item 6 – DC/19/0754/FUL – 31, 33, 35, 39 and 43 Cleveland Road, Lowestoft, Agenda Item 11 – DC/19/0210/FUL – Land behind Velda Close, Lowestoft, and Item Agenda 12 – DC/18/4793/ROC – Former RNLI Social Club, Links Road, Lowestoft, as being a Lowestoft Town Councillor. As Mayor, he was aware a member of staff from the Town Council would be speaking on Agenda Item 6.

Councillor Green declared a Local Non Pecuniary Interest in Agenda Item 6 – DC/19/0754/FUL – 31, 33, 35, 39 and 43 Cleveland Road, Lowestoft, as being a Lowestoft Town Councillor. Although he sat on its Planning Committee, he had come to this meeting with an open mind.

Councillor Ladd declared a Local Non Pecuniary Interest in Agenda Item 6 – DC/19/0754/FUL – 31, 33, 35, 39 and 43 Cleveland Road, Lowestoft, as being a Cabinet Member. He had also visited Mavam Supported Housing. He further declared a Local Non Pecuniary Interest in Agenda Item 7 – DC/19/0650/RG3 – North Pier, Southwold Harbour, Southwold, as being Ward Member, a Southwold Town Councillor and County Councillor for the area.

Councillor Light declared a Local Non Pecuniary Interest in Agenda Item 6 – DC/19/0754/FUL – 31, 33, 35, 39 and 43 Cleveland Road, Lowestoft, as being a Member of the Church Council for Kirkley. This declaration was made during discussions on the application.

Councillor Neil declared a Pecuniary Interest in Item 12 – DC/18/4793/ROC – Former RNLI Social Club, Links Road, Lowestoft, as he was the Applicant. He confirmed he would leave the meeting and take no part in the discussion or voting thereon.

Councillor Rivett declared a Local Non Pecuniary Interest in Agenda Item 6 – DC/19/0754/FUL – 31, 33, 35, 39 and 43 Cleveland Road, Lowestoft, as being a Cabinet Member and Agenda Item 11 – DC/19/0210/FUL – Land behind Velda Close, Lowestoft, as being County Councillor for the area.

The Planning Development Manager declared a Local Non Pecuniary Interest in Agenda Item 9 – DC/18/4947/OUT – Town Farm, Harrisons Lane, Halesworth, as she had previously worked with the Agent.

4. Declarations of Lobbying

All Members of the Committee present had received communications in relation to Agenda Item 6 – DC/19/0754/FUL – 31, 33, 35, 39 and 43 Cleveland Road, Lowestoft.

Councillor Ashdown declared that he had received communications in relation to Agenda Item 12 – DC/18/4793/ROC – Former RNLI Social Club, Links Road, Lowestoft.

Councillor Brooks declared that he had received communications in relation to Agenda Item 8 – DC/18/4428/FUL – Bernard Matthews, Scalesbrook Lane, Holton and Agenda Item 11 – DC/19/0210/FUL – Land behind Velda Close, Lowestoft.

Councillor Elliott declared that he had received communications in relation to Agenda Item 12 – DC/18/4793/ROC – Former RNLI Social Club, Links Road, Lowestoft.

Councillor Ford declared that she had received communications in relation to Agenda Item 11 – DC/19/0210/FUL – Land behind Velda Close, Lowestoft.

Councillor Goldson declared that he had received communications in relation Agenda Item 8 – DC/18/4428/FUL – Bernard Matthews, Scalesbrook Lane, Holton, Agenda Item 9 – DC/18/4947/OUT – Town Farm, Harrisons Lane, Halesworth and, during the course of the meeting, a further declaration for Agenda Item 12 – DC/18/4793/ROC – Former RNLI Social Club, Links Road, Lowestoft.

Councillor Graham declared that he had received communications in relation to Agenda Item 12 – DC/18/4793/ROC – Former RNLI Social Club, Links Road, Lowestoft.

5. Appeal Decisions Report

The report REP42(SH) of the Head of Planning and Coastal Management advised the Committee that no appeals had been determined in February and two had been determined in March 2019. In March, one had been allowed conditionally and the other had been dismissed.

RESOLVED

That the report concerning Appeal Decisions in February and March 2019 be noted.

6. East Suffolk Enforcement Action – Case Update

The report REP43(SH) of the Head of Planning and Coastal Management provided Members with a summary of all outstanding enforcement cases sanctioned under delegated powers or through the Committee up until 1 April 2019. There were currently 18 cases throughout the East Suffolk area.

RESOLVED

That the report detailing the outstanding Enforcement Matters up to 1 April 2019 be received.

NOTE: The Chairman advised that he had been notified that a member of the public would be recording the meeting. Any member of the public who was present at the meeting and objected to being filmed should make themselves known, so that they were not included in any filming.

7. DC/19/0754/FUL – 31, 33, 35, 39 and 43 Cleveland Road, Lowestoft

The Planning Officer presented report REP44(SH) which was an application for conversion and change of use from five residential dwellings (Nos. 31, 33, 35, 39 and 43) to provide 14 units of supported housing accommodation with on-site support staff accommodation.

The application was before Committee as it had been submitted on behalf of East Suffolk Council.

Members were shown an aerial view and photographs of the site and its surrounds including views along Cleveland Road, the existing street elevations, parking including cycle storage and the amended plan to allow 2.4m for vehicle access.

The Planning Officer advised that County Highways had withdrawn its objection subject to the adequate bin and cycle storage. He explained the material considerations including the flat saturation policy. The proposal was not to convert into flats; it was 14 C2 units outside of the control of the open market housing. Policies in Oforce would ensure parking was not an issue and maintenance would be on going. Four parking spaces would be provided for the support staff. It should be noted that the residents were unlikely to have cars, particularly as it was in a sustainable location.

The main issues related to the impact on residential amenity, transport and parking, design, flood risk and having a site management plan. Parking should not become an issue as people visiting the premises would be able to use the nearby public car parks. It was proposed to set up a liaison group with the Town Council and other interested parties. The management plan would restrict loud music and ensure visiting did not occur at unsociable hours and office contact details would be available should any disturbance occur. An evacuation plan was in place and as the site was in Flood Zone 2, appropriate safety measures were in place. The Council owned the properties and would continue to maintain them; appropriate bin storage was at basement level and bins would be put out on collection days.

The Planning Officer explained that the level of activity would not be in excess of large families living in the dwellings, so there would be no impact on the amenity other than the positive of less residents' cars. The proposals for the properties would not enter open market housing and a condition was being proposed that when no longer needed for the scheme, they would be returned to family housing. Approval was being recommended subject to additional and amended conditions as detailed in the update report.

The Chairman confirmed to the objectors that they had one three minute slot, which was in accordance with the Council's procedure for public speaking at Planning Committee meetings.

Ms A Frost, Ms J Hardie and Ms M Brett - Objectors

Ms Frost asked a series of questions as to why was approval being recommended; why residents had to comply with rules that did not appear to apply to the Council; Kirkley being an area of deprivation, was it a political decision to bring the application to this meeting; why houses were deliberately left empty; length of time negotiations with Mavam had taken place; and why 60 objectors were only allowed three minutes to speak.

Ms Hardie questioned why Waveney District Council had failed in its duty to Kirkley residents over the last 20 years. If the houses were unsaleable, where was the evidence showing who had marketed the properties and for how long. As an estate agent, she had made a Freedom of Information request to ascertain the details. If the application before the Committee was approved, it would set a precedent for such applications in any of the roads in Kirkley. If the application was permitted, the Kirkley residents would likely make a statutory challenge for a judicial review. Ms Hardie asked for the application to be deferred for a minimum of three months so that the Council could consider its position.

Ms Brett advised that her daughter had a very rare genetic disorder and the application, if approved, would have a serious impact on her life. She had no concept of stranger danger and would be forced into isolation in her own home. She might be unable to get into the transport to take her to school if the access was blocked by, for example, wheelie bins. The proposed parking at the rear for the development would restrict the only safe play area for her and she would become more isolated from the local community which would affect her mental health.

Ms S Foote, Deputy Town Clerk – Lowestoft Town Council

Speaking on behalf of the Town Council, Ms Foote advised they were recommending refusal. The Planning Policy Framework stated that applications needed to be determined in accordance with the Local Development Plan and policies within that plan were in place to protect the peace and quiet and ensure there was no significant impact on residents. By adhering to policy 8.4, the application should be refused. The statutory bodies consulted had expressed concerns and there were no views from the Conservation Officer. Ms Foote made reference to policies 8.39 and 8.32 and stated that it did not achieve sustainable development and would have a detrimental effect on the community.

Councillor P Byatt – Ward Member

Councillor Byatt stated that the previous speakers had given a clear indication of the issues relevant to the application. He referred to the 2011 decision regarding the flat saturation policy and explained that eight properties in the road were already divided into flats. It should be noted that 62 residents were concerned about the impact of the application. Why not put the dwellings into a saleable condition and sell now or put into the Council's housing stock for those families with a large number of children? The Committee should visit the area before making a decision; deferral would allow time to look at the distressing impact on residents if ex-offenders and drug dependants could be housed in the converted accommodation. Councillor Byatt asked Members not to make the wrong decision.

Mr A Jarvis, Strategic Director - Applicant

Mr Jarvis advised Members that what they had before them was a well thought out proposal, a scheme to be operated by the new East Suffolk Council and Mavam. The Council had been a longstanding provider of housing and the aim was to bring forward this proposal to assist with regeneration and housing. The properties would not become hostel accommodation for sex offenders and drug users; it was to help people to gain independent living skills and enable them to move on with their lives. Mr Jarvis explained that the objections had been addressed and, following consultation with the Planning Officers, it was a policy compliant scheme. In addition, it would stop the properties being sold and converted by a new owner into illegal Houses in Multiple Occupation (HMOs). Observations on the car parking and bins had been addressed and all changes would be undertaken sympathetically. The proposed 14 units would accommodate less people than if they were used as family homes, so there should be less noise. Mr Jarvis accepted all conditions and agreed to the proposed local liaison group.

Questions

Members asked specific questions relating to:

- Type of residents using the accommodation.
- HMOs in private ownership.
- Young and out of area homeless.
- Basement bin storage and meter cupboards.
- Car parking.

Mr Jarvis confirmed that one of the groups likely to use the premises was young people. Mavam, the proposed operator had a zero tolerance with regard to the use of drugs and the accommodation would not be for people still on a sentence. During its ownership, the Council had had issues to get the dwellings fully occupied; if the properties were not retained, the Council would have no control over possible future lettings. A Management Plan would be in place covering occupation and the various needs of residents. There was other supported accommodation that worked well, for example, with Solo Housing, and there were no issues with the adjoining owners. Bin storage had been addressed and the bins would be placed off the highway for collection.

Mr Hays, Interim Housing Development Programme Manager, joined the speakers' table and confirmed that meter cupboards would be as existing; the actual positioning was not the responsibility of the Council. The proposed car parking scheme had been drawn up by an architect, referred to County Highways and there should be no issues with entering and exiting. The parking bays were 6m by 2.4m and the sideways on positioning was to avoid parking on the road access. It was unlikely that any tenants would need parking and the proposed parking provision of four spaces was perfectly adequate for the two support workers likely to be on site at any one time. He confirmed that there would be improvements to the properties; the existing sash windows would be replaced and have secondary double glazing.

Mr Jarvis explained that the proposed residents would be people who needed help to get back into community living. There was insufficient supported housing in the district and this scheme would provide local supported housing for local people. It was better to provide the necessary accommodation in the community through schemes such as this, which was a quality development with quality support.

Note: During discussions, Councillor Light declared a Local Non Pecuniary Interest in this item as being a Member of the Church Council for Kirkley.

Questions to Officers

Members raised further questions relating to:

- Policy compliant scheme.
- Market housing.
- Access and parking.
- Shift changeover and staff supervision.
- Space for cycle storage.

The Planning Development Manager advised that both the Council's legal advisors and Planning Policy Team confirmed that the proposal was C2 use class and classed as residential care which was therefore outside of the flat saturation policy. The properties would revert back to housing after this use to comply with relevant policies. Access including that via Grosvenor Road was explained and it was confirmed that there was sufficient room for cars to pass as the width of the access was larger than the standard carriageway. The parking provision did comply with the County Council's minimum standards in the amended plan. It should be noted that the parking at the rear was though choice and should better improve the area by taking cars off the roadside. In fact, it was likely that there would be more cars and more noise if large families were in residence in the properties.

The Tenant Services Manager explained that the shift pattern would likely be every 12 hours and provide 24 hour supervision. The management and support provided by Mavam was considered to be more than satisfactory and with a zero tolerance on drugs, anyone found with drug paraphernalia or evidence of that type of behaviour would be asked to leave. Mavam was an experienced and quality housing support provider and able to deal with those people exposed to drugs and alcohol.

The Committee noted that there would be one male/one female support worker on site at any one time and they had the ability to call on specialists if required. The age groups in similar premises ranged from 20 up to people in their 60s with personal issues who needed supported accommodation; there would be no violence, it was not tolerated.

The Planning Development Manager explained that this type of accommodation could not be set up by just anyone. It would be restricted by the requirements for an organisation to be registered, be licensed to be a care provider and have appropriate insurance.

Debate

A site visit was suggested but it was generally agreed that it would not provide any particular purpose. Whilst Members recognised the benefits of the proposal for those who needed supported accommodation and understood the likely reduction in cars needing parking, some Members were of the opinion that the rules of the Council's flat saturation policy should be taken into account as the proposal would no longer provide individual dwellings. The local community needed assurance of the type of residents that would be using the assisted accommodation. However, it was recognised that the local community would be an

asset to the people who would become resident for a period of time without becoming institutionalised. The issue for some Members was not the scheme, as everyone in society deserved a chance, but the proposal would need to be policy compliant. Concerns about people and their welfare was important and deferral would allow further information to be provided.

Having received a proposal for refusal which had been duly seconded, it was put to the vote and

RESOLVED

That planning permission be refused:

The proposal seeks to convert 5 dwellings into 14 self contained supported living flats, within a Flat Saturation Zone, as identified in Policy WLP8.4 of the East Suffolk Council - Waveney Local Plan (March 2019). The policy identifies that no further conversion of dwellings to self contained flats shall occur within the designated Zones, as the number of properties previously converted has exceeded the identified 20% saturation level in the area. This can result in issues around increased levels of activity and disturbance, low maintenance standards and environmental decline. The proposal is therefore, for the reasons given above, considered to be contrary to the provisions of the adopted East Suffolk Council - Waveney Local Plan and in particular, policy WLP8.4 - Conversion of Properties to Flats.

THE MEETING WAS ADJOURNED AT 5.33PM TO ALLOW MEMBERS OF THE PUBLIC TO LEAVE THE MEETING ROOM AND RECONVENED AT 5.43PM.

8. DC/19/0650/RG3 – North Pier, Southwold Harbour, Southwold

The Senior Planning and Enforcement Officer presented the report REP45(SH) which gave details of an application for the replacement of one fallen panel and dislodged steel piles; the replacement of an adjacent panel and piles which showed lateral deflection; removal of the north-western end section of the fender which was in particularly poor condition; removal of an existing walkway gantry / piles / navigation light mast and introduction of a new extended steel pile with navigation lights and access facilities.

The application was before Committee as it had been submitted on behalf of East Suffolk Council.

Members were shown an aerial view and photographs of the site and its surrounds including the fender and gantry to be removed, the area of the proposed demolition, the platform for the navigation lights and an illustration of the proposed elevation and section.

The Senior Planning and Enforcement Officer explained the key issues:

- Impact on the area and Area of Outstanding Natural Beauty (AONB) – none.
- Biodiversity/geodiversity – no impact on designated sites and marine life.
- Statutory Consultees – no objections.
- Flood risk – none.

Overall, it was considered the proposals would preserve the character of the area and the visual qualities of the AONB, accord with the Local Plan and the objectives and policies of the East Inshore and East Offshore Marine Plan. Approval was therefore recommended.

Questions

Members asked specific questions relating to:

- Possible damage to the car park and loss of revenue.
- Proposed leisure facilities for sea anglers.

The Senior Planning and Enforcement Officer confirmed that the works compound would not be located in the car park and therefore have no effect on that facility. The Planning Development Manager advised that the observation on leisure facilities was not a planning matter.

Debate

Members agreed that the essential repairs and associated works was a worthwhile project and it was

RESOLVED

That planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.
2. The development hereby permitted shall be completed in all respects strictly in accordance with drawings 12503238-K-202 Rev C1; -205 Rev C1; -206 Rev C1; -207 Rev C1; -208 Rev C1 received 13/02/19, 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.

9. DC/18/4428/FUL – Bernard Matthews, Scalesbrook Lane, Holton

The Senior Planning and Enforcement Officer presented the application contained in report REP46(SH) which was for the erection of a new chicken processing factory, an extension of the Bernard Matthews factory onto an adjacent primarily brownfield land which had been allocated as an employment area in the Local Plan. The new facility would process chicken and create 650 new full time year round jobs.

Members were shown an aerial view and photographs of the site and its surrounds including the former bunker, views to the bungalows in Hatchett Place, the pathway linking the car park and museum, the main entrance for the flow of lorry traffic, proposed new production building and site for additional parking. The proposed model of the finished factory and elevations were displayed. The current hardstanding of parked lorries with chiller units running would no longer be parked as now which should result in less noise. It should be noted that noise from the current site was not a planning consideration. Reference was also made to the proposed bund detail, semi-mature planting and acoustic fencing.

The Senior Planning and Enforcement Officer advised that a request had been received for the bunds to be higher with fencing atop but such a scheme might be an imposing feature for the future. It was anticipated that bus services and bus use would be encouraged if parking was not increased. The application included the extension of the cycle way to the north and north east side and County Highways were satisfied with what was being proposed. He explained the key issues relating to policy, employment, amenity, the noise report, groundwater, highway matters, landscaping and design. The site was an existing employment area and jobs would be created. It was considered that any noise had been adequately mitigated and instructions would be issued to lorry drivers not to go through Holton village.

There had been a late letter of representation from a property some 200m distant relating to it being a former wildlife site, highway damage (which was in fact a common law matter) speeding traffic and other issues that had previously been raised. Approval was being recommended subject to conditions. However, it was necessary to allow a 21 day consultation period with Halesworth Town Council as that Council had been inadvertently omitted from the original consultation.

Mr K Boulton - Objector

Mr Boulton explained that he lived at one of the two bungalows situated in the heart of the development. The noise report from the Environmental Protection Officer stated that the existing site already had a detrimental impact on the residential bungalows, but the application being considered was not planting a single tree or creating a bund, it was going to destroy two existing woods. Only 2% of one wood needed to be removed to facilitate the car park to satisfy Highways even though Bernard Matthews had not wanted additional car parking spaces as it considered there was sufficient on site. The proposed landscaping scheme looked good on paper but was a leaky sieve leaving gaps and giving no protection to the 143 HGV movements per day. It would be necessary to have a continuous bund and fencing to improve the screening, just use a little common sense and ask those who lived there.

Councillor A Cackett - Ward Member

Councillor Cackett drew attention to the specific issues including the removal of the woods which was quite dramatic. Sparrowhawk Road was not an industrial estate but a wildlife haven and the trees should not be removed. There had been discussions about bunding and increasing its height but there was nothing in front of the bungalows to stop noise impact at the front. The traffic through the village of Holton was causing problems; the 17th and 18th century cottages with no foundations were directly on the street frontage and the noise and vibrations from speeding lorries was not good for the area or the properties. The proposed footpath was welcomed and needed but Councillor Cackett questioned the location as it would not be wise for people to have to cross the road on such a sharp bend.

Mr A Moore - Applicant

Mr Moore thanked the Committee for being given the opportunity to speak regarding the expansion of their facilities. They had been on site since the late 1950s with a proportion of seasonal output and temporary workers. The proposal would allow year round contribution to the economy and such an investment would create 650 permanent jobs in addition to the temporary jobs during the construction period. The plans had evolved as a result of

responses to the consultation resulting in a proposal that provided a good quality scheme. The HGVs would be relocated away from the nearby homes, conveyor loading was to be introduced, and bunds and an acoustic barrier were being provided. The travel plan allowed for a discounted bus service and that the footpath and cycleway should encourage fewer cars to be used. Mr Moore thanked the officers for their support and he asked the Committee to support the application.

Questions to the Applicant

Members asked specific questions relating to:

- The 2m footpath being insufficient for doubling up as a cycle way.
- Protection from noise for the bungalows.
- Weight restriction and ban on lorries.
- Removal of trees and replacement planting.
- Provision of electric charging points in the car park.

Mr Moore confirmed that they had been in discussion with County Highways and they were happy with the design of the foot/cycle path and its location. The conditions as drafted would ensure the acoustic fencing was in place. The removal of well established trees for parking was at the request of County Highways. He was prepared to accept semi-mature trees of specific varieties being added to the mix of planting and the bunding could be raised with no gap to protect the bungalows in Hatchett Place. Car charging points had not been agreed but could be subject to an appropriate condition.

The Planning Development Manager advised that the Council had no jurisdiction over traffic; it was a matter for either County Highways or the Police. It was not possible to issue direct instructions to lorry drivers to use different roads; however, road weight restrictions through Holton village could be included as an informative.

Debate

Members noted that the Parish Council agreed in principle and that the residents' needs should be taken into account. It was felt that some of the trees could be retained and the cycle route should be the minimum 2.5m requirement. Approval was proposed and duly seconded subject to additional items discussed and it was unanimously

RESOLVED

That, subject to no new material issues being raised by Halesworth Town Council within the prescribed consultation period, delegated authority be given to the officers to grant planning permission subject to:

- a) Agreement on the possible retention of some trees and the planting of some semi-mature trees.
- b) Further discussions with the Applicant to establish a wider shared use foot/cycle way,
- c) Increasing the height of the bunding in consultation with the objector from Hatchett Place, secured by condition,

and the following conditions:

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with 2254-CFL-00-00-DR-A-502 Proposed site plan received 12th March 2019
 - Existing Site Plan, Drawing Ref: 2254-CFL-00-00-PL-A-0201
 - Proposed Ground Floor Plan, Drawing Ref: 2254-CFL-00-00-PL-A-0601
 - Proposed Roof Plan, Drawing Ref: 2254-CFL-00-03-PL-A-0603
 - Proposed Cycle Shelter, Drawing Ref: 2254-CFL-00-XX-PL-A-4092
 - Proposed Smoking Shelter ,Drawing Ref: 2254-CFL-00-XX-PL-A-4093
 - Proposed Sections, Drawing Ref: 2254-CFL-00-ZZ-PL-A-0701
 - Proposed Section, Drawing Ref: 2254-CFL-00-ZZ-PL-A-0702
 - Proposed Elevations (1 of 2), Drawing Ref: 2254-CFL-00-ZZ-PL-A-0801
 - Proposed Elevations (2 of 2) ,Drawing Ref: 2254-CFL-00-ZZ-PL-A-0802
 - Model View 1, Drawing Ref: 2254-CFL-00-ZZ-PL-A-0803
 - P18-1054_001A Site Location: all received 26th October 2018
 - P18-1054_10B Soft Landscape plan received 28 January 2019
 - P18-1054_09 Bund detail to car park received 12th March 2019 (submitted as illustrative and subject to further condition for detailed design); 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.

3. No development shall take place within the area defined as Site A in the Desk-based Assessment (Pegasus 2018, page 3) until a scheme of archaeological evaluation of the site has been submitted to and approved in writing by the Local Planning Authority. The evaluation shall be carried out in its entirety as may be agreed to the satisfaction of the Local Planning Authority.

4. No development within the area defined as Site A in the Desk-based Assessment (Pegasus 2018, page 3) shall take place until a written report on the results of the archaeology evaluation of the site has been submitted to the Local Planning Authority and confirmation by the Local Planning Authority has been provided that no further investigation work is required in writing.
 Should the Local Planning Authority require further investigation and works, no development shall take place on site until the implementation of a full 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. Details of the provision to be made for analysis of the site investigation and recording.
 - d. Details of the provision to be made for publication and dissemination of the analysis and records of the site investigation.
 - e. Details of the provision to be made for archive deposition of the analysis and records of the site investigation; and

- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
The written scheme of investigation shall be carried out in its entirety prior to any other development taking place, or in such other phased arrangement including a phasing plan as may be previously approved in writing by the Local Planning Authority.
5. No building shall be occupied until the archaeology evaluation, and if required the Written Scheme of Investigation, have been completed, submitted to and approved, in writing, by the Local Planning Authority. Furthermore, no building shall be occupied until analysis, publication and dissemination of results and archive deposition from the archaeology investigations as agreed under the Written Scheme of Investigation has taken place, unless an alternative agreed timetable or phasing for the provision of results is agreed in writing by the Local Planning Authority.
6. Prior to each phase of development approved by this planning permission no development (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
- 1) A preliminary risk assessment which has identified: all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors, potentially unacceptable risks arising from contamination at the site.
 - 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.
7. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.
8. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing

with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

9. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details
10. No other part of the development hereby permitted shall be brought into use until the existing vehicular access has been improved, laid out and completed in all respects in accordance with drawing numbers 2254-CFL-00-00-PL-A-P0501 Rev P04; and T18096 SK01 Rev B. Thereafter the access shall be retained in the specified form.
11. The new chicken processing factory building hereby permitted shall not be brought into use until a continuous footway link has been provided on Sparrowhawk Road as indicatively shown on drawing number T18096 SK04.
12. Before the works to alter the entry point to the site next to the museum is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the new access and hardstanding onto the public highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.
13. Gates shall be set back a minimum distance of 20 metres from the edge of the adopted highway.
14. All HGV traffic movements to and from the site over the duration of the construction period shall be subject to a Deliveries Management Plan which shall be submitted to the planning authority for approval a minimum of 28 days before any deliveries of materials commence.
No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan.
The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.
15. The lux level of the lighting at ground level at the highway boundary shall not exceed 1 lux.
16. The use of the new chicken processing factory shall not commence until the areas within the site shown on 2254-CFL-00-00-PL-A-P0501 Rev P04 for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles and secure, covered cycle storage have been provided and thereafter that area(s) shall be retained and used for no other purposes.

17. Before the access is first used for the new chicken processing factory; visibility splays shall be provided as shown on Drawing No. T18096 SK01 Rev B with an X dimension of 2.4 metres and a Y dimension of 124.5 metres and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.
18. No later than six months after occupation of the processing factory a revised (or Full) Travel Plan must be submitted for the approval in writing by the local planning authority in consultation with the highway authority, which is based on the 2019 Bernard Matthews, Sparrowhawk Road, Holton Travel Plan (dated 15th January 2019). This Travel Plan must contain the following:
- Revised baseline employee travel data, with suitable measures, objectives and targets identified to reduce the vehicular trips made by employees across the whole development, with suitable remedial measures identified to be implemented if these objectives and targets are not met.
- Full contact details of a suitably qualified Travel Plan Coordinator to implement the Travel Plan.
- A commitment to monitor the Travel Plan annually on each anniversary of the approval of the Full Travel Plan and provide the outcome in a revised Travel Plan to be submitted to and approved in writing by the Local Planning Authority for a minimum period of five years using the same methodology as the baseline monitoring.
- A suitable marketing strategy to ensure that all employees on the site are engaged in the Travel Plan process.
- A Travel Plan budget that covers the full implementation of the Travel Plan.
- A copy of an employee travel pack that includes information to encourage employees to use sustainable travel in the local area.
- The approved Travel Plan measures shall be implemented in accordance with a timetable that shall be included in the Travel Plan and shall thereafter be adhered to in accordance with the approved Travel Plan.
19. No development shall commence until an air quality assessment of the proposed energy centre has taken place, agreed and approved by the Local Planning Authority. The assessment will show how the proposed plant will comply with the limit values specified within the national air quality objectives. The assessment must be undertaken by competent persons and conform to prevailing guidance including EPUK/IAQM Guidance: Land Use Planning and Development Control: Planning for Air Quality Jan 2017.
- The work shall be undertaken to comply with the agreed design and shall be retained in the agreed condition.
20. The approved development must be completed in accordance with the Hoare Lea Noise Impact Assessment (Revision 6, 25th February 2019) and, in particular, but not limited to:
- the measures in section 3.1 including a 1.3m ramp down to the docking shelter;
 - relocation of the HGV waiting area as detailed in section 6.4 and figure 4;
 - the 3m solid barrier fence detailed in section 6.5 and figure 7;

- the bunds and barriers detailed in section 6.8.1 and figure 9; and
 - any plant installed must comply with the details of section 6.9 and the limits specified in table 4.
21. Before the new factory poultry unit is brought into use further details of the bund, acoustic fence and replanting to the east and north boundaries of the two bungalows known as 1 and 2 Hatchett Place, shall be submitted in writing to the local planning authority and shall have received written approval. The bund and fence shall be installed before use of the poultry unit in accordance with the agreed scheme and retained thereafter. The planting shall be conducted within the first planting season following the other works and any plants within the planting scheme as agreed above that die within the first five years shall be replaced to the satisfaction of the local planning authority.
 22. Before the new factory poultry unit is brought into use further details of air handling equipment and filtration for odour control and methods for the disposal of waste to control odour shall be submitted in writing to the local planning authority and shall have received written approval. The equipment shall be installed before use of the poultry unit in accordance with the agreed scheme and retained thereafter.
 23. Prior to the commencement of development a Construction Management Plan shall be submitted in writing to, and approved by, the Local Planning Authority. This shall be implemented in accordance with the agreed scheme. This should contain information on how dust will be controlled so as to not cause nuisance to occupiers of neighbouring properties. This plan should be developed in accordance with the Institute of Air Quality Management: Guidance on the Assessment of dust from demolition and construction.
 24. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority.
 25. No development shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.
 26. The development hereby permitted shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.
 27. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in

accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

- a. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-
 - i. Temporary drainage systems
 - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
 - iii. Measures for managing any on or offsite flood risk associated with construction

28. Prior to first use of the extended car park, details of lighting if any is to be provided either to the extended car park or that existing, shall be submitted in written and drawn form together with “isolux” plots for the part of the site where the extended car park is located. These details shall be approved in writing by the Local Planning Authority before installation. Any installation shall accord with the approved details and shall be retained thereafter in the approved form unless otherwise agreed by the Planning Authority.
29. Before the new factory poultry unit is brought into use further details of the bund, acoustic fence and replanting to the east and north boundaries of the two bungalows known as 1 and 2 Hatchett Place, including a survey of the position and condition of the existing trees and indicating those that are to be retained along with parts of the existing bund, shall be submitted in writing to the local planning authority and shall have received written approval. The bund and fence shall be installed before use of the poultry unit in accordance with the agreed scheme and retained thereafter. The planting shall be conducted within the first planting season following the other works and any plants within the planting scheme as agreed above that die within the first five years shall be replaced to the satisfaction of the local planning authority.

10. DC/18/4947/OUT – Town Farm, Harrisons Lane, Halesworth

The Development Management Team Leader presented the application contained in report REP47(SH) which was an outline application for up to 190 dwellings (Class C3) with associated access, landscaping, open space and drainage infrastructure at land south of Harrisons Drive, Halesworth. All matters were reserved, save for access.

The Committee was advised that the site formed part of an allocation in the Local Plan and the proposed development would also include measures to mitigate the impact of development on designated areas. The proposal was considered to constitute sustainable development in conformity with the National Planning Policy Framework (NPPF) and it formed part of a wider overall masterplan with the adjacent Halesworth Campus site. As part of that plan, it had been agreed with the Campus to gift it a section of land to provide state of the art sports facilities in the form of a 3G football pitch.

Members were shown an aerial view and photographs of the site and its surrounds including the adjacent poultry farm, views along Harrisons Lane, across the site, the boundaries and an illustrative master plan. The site had been allocated in the Local Plan as part of the Halesworth Healthy Neighbourhood for the provision of housing, a health care facility, care home and enhanced sports facilities.

The Development Management Team Leader explained the key issues:

- Principle and development plan policies – within current policy.
- Landscape impact – trees being retained and open space provided.
- Highways – access was from Harrisons Lane and there were no Highways objections.
- Sustainable development – assist with the delivery vision for Halesworth Campus.
- Flood risk – within zone 1, therefore low risk.
- Heritage – amended layout so as to reduce the impact on the nearby listed building.
- Biodiversity and ecology – Suffolk Wildlife Trust recommendations would be secured by condition.
- Planning balance – an enabling development in accordance with the development plan with no impact on designated sites.

It was considered that the provision of the housing would support local facilities and approval was being recommended subject to a Section 106 Agreement covering affordable housing, open space, land transfer, a Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) contribution, bus stop improvements, a travel plan and appropriate conditions.

CONTINUATION OF MEETING

In accordance with the Constitution, as the meeting had been in session for three hours, the Chairman asked the Committee if they wished to continue or adjourn the meeting. It was proposed, seconded and

RESOLVED

That the meeting continue over three hour's duration.

10. DC/18/4947/OUT – Town Farm, Harrisons Lane, Halesworth - Continuation

Mr S Weeks, Trustee Halesworth Campus - Supporter

Mr Weeks explained that he was a Trustee of the Halesworth Campus charity. With the middle school closing in 2012, it created an opportunity to set up the charity to acquire the site and develop it for the benefit of the town. Ideas incorporated in the Halesworth neighbourhood included retaining the skills centre and youth club. This was the first stage of the implementation of the vision for Halesworth. Mr Weeks welcomed the officer's report which was comprehensive and the application was a critical part of the overall project. It would transfer the additional land for an all weather pitch and would release land for a care home and sheltered accommodation. If this progressed, it was expected that the Halesworth Campus application would be submitted during the summer. Mr Weeks thanked Members for being given the opportunity to speak and asked that they support the application.

Mr P Clarke - Applicant

Mr Clarke thanked the Committee for being given the opportunity to speak on the proposals which had been discussed with the officers and stakeholders who had participated in the Local Plan. The application was part of the allocation for Halesworth and Holton and

discussions with the Halesworth Campus showed that this would help with their proposals. The proposed residential development would fit in well and there were no fundamental objections to the application which would also provide connections from the site to the emerging sports facilities. The proposed would kick start a healthy neighbourhood and help other proposals to come forward. The affordable housing and proposed self build were policy compliant and the conditions on the application were acceptable. It was hoped to appoint a delivery partner later in the year and commence on site the second quarter of 2020. Mr Clarke asked for Members' approval.

Questions to Applicant

Members asked specific questions relating to:

- Timescale for Reserved Matters application.
- A single access into the site.
- Six months requirement for completing a Section 106 agreement.
- Footpaths.

Mr Clarke advised that it was hoped for the reserved matters application to be in by the end of the year. There had been lengthy discussions with County Highways regarding access; additional access for emergency services was via a cul de sac. A Section 106 had been drafted and was under review. There was a designated cycle route along the site boundary and it was hoped to continue that. The surfacing of Loam Pit Lane was subject to further discussions; it was anticipated that instead of tarmac an appropriate surface would be used.

Debate

Members supported the application which was in line with the Local Plan and there being no further discussion, it was unanimously

RESOLVED

That planning permission be granted subject to the completion of a Section 106 Agreement covering:

- Affordable housing
- Provision and future management of the open space
- Land to be transferred to Halesworth Campus
- RAMS Payments
- Highways: bus stop improvements and Travel Plan

and subject to the following conditions:

1. a) Application for approval of any reserved matters must be made within three years of the date of this outline permission and then
b) The development hereby permitted must be begun within either three years from the date of this outline permission or within two years from the final approval of the reserved matters, whichever is the later date.

2. Details relating to the layout, scale, appearance and landscaping of the site (the “reserved matters”), and measures to minimise water and energy consumption and to provide for recycling waste shall be submitted to and approved by the Local Planning Authority before any development is commenced.
3. The submission of all Reserved Matters pursuant to condition 2 above, and the implementation of the development hereby permitted shall be carried out in accordance with the approved Parameter Plan n1142 003 E
4. The new vehicular and emergency accesses shall be laid out and completed in all respects in accordance with Drawing Nos. T18549 009 and 012; and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.
5. No part of the development shall be commenced until details of the proposed road widening, and associated highway improvements (including Cycle Route provision) indicatively shown on Drawing Nos. T18549 003, 004 and 0011 have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to occupation.
6. No part of the development shall be commenced until details of the proposed improvements to Loam Pit Lane within the site (which it has been agreed would be acceptable as a Hoggin type surface) have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to occupation.
7. Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.
8. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.
9. The new estate road junction(s) with Harrisons Lane inclusive of cleared land within the sight splays to this junction must be formed prior to any other works commencing or delivery of any other materials.
10. Before the development is commenced details of the areas to be provided for the [LOADING, UNLOADING,] manoeuvring and parking of vehicles including secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.
11. Before the access is first used visibility splays shall be provided as shown on Drawing No.T18549 012 and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres

high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

12. Prior to the occupation of any dwelling the Travel Plan dated January 2019 and its requirements must be implemented in full.
13. Within one month of the first occupation of any dwelling, the occupiers of each of the dwellings shall be provided with a Residents Travel Pack (RTP) in accordance with the requirements in the Travel Plan (dated January 2019). Not less than three months prior to the first occupation of any dwelling, the contents of the RTP shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and shall include walking, cycling and bus maps, latest relevant bus and rail timetable information, car sharing information, personalised Travel Planning and a multi-modal travel voucher.
14. On occupation of the 100th dwelling a revised (or Full) Travel Plan must be submitted for the approval in writing by the local planning authority in consultation with the highway authority, which is based on the Travel Plan (dated January 2019). This Travel Plan must contain the following:
 - Baseline travel data based upon the information provided in the Transport Assessment and the residents living on the site, with suitable measures, objectives and targets identified to reduce the vehicular trips made by residents across the whole development, with suitable remedial measures identified to be implemented if these objectives and targets are not met
 - The full contact details of a suitably qualified Travel Plan Coordinator to implement the Travel Plan
 - A commitment to monitor the Travel Plan annually on each anniversary of the approval of the Full Travel Plan and provide the outcome in a revised Travel Plan to be submitted to and approved in writing by the Local Planning Authority for a minimum period of five years, or one year after occupation of the final dwelling (whichever is the longest duration) using the same methodology as the baseline monitoring
 - A suitable marketing strategy to ensure that all residents on the site are engaged in the Travel Plan process
 - A Travel Plan budget that covers the full implementation of the Travel Plan
 - A copy of a residents travel pack that includes a multi-modal voucher to incentivise residents to use sustainable travel in the local area

The approved Travel Plan measures shall be implemented in accordance with a timetable that shall be included in the Travel Plan and shall thereafter adhered to in accordance with the approved Travel Plan.

15. No development shall take place until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The statement shall provide details of:
 - proposed hours of work
 - proposed piling methods
 - the parking of vehicles of site operatives and visitors
 - loading and unloading of plant and materials
 - storage of plant and materials used in constructing the development

- the erection and maintenance of security hoarding and acoustic screens
- wheel washing facilities
- measures to control the emission of dust and noise during construction
- a scheme for the recycling/disposing of waste resulting from construction works
- Hours of delivery of materials
- Details of a banksman to control development
- Details of any external lighting as may be required

The approved Statement shall be adhered to throughout the construction period.

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

1) A desk study and site reconnaissance, including:

- a detailed appraisal of the history of the site;
- an inspection and assessment of current site conditions;
- an assessment of the potential types, quantities and locations of hazardous materials and contaminants considered to potentially exist on site;
- a conceptual site model indicating sources, pathways and receptors; and
- a preliminary assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

2) Where deemed necessary following the desk study and site reconnaissance an intrusive investigation(s), including:

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

All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including BS10175:2011+A1:2013 and CLR11.

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

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

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

18. Prior to any occupation or use of the approved development the RMS approved under condition 17 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.
19. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:
 - results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
 - evidence that the RMS approved under condition 18 has been carried out competently, effectively and in its entirety; and
 - evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.
20. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

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

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

21. 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.
22. 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 21 and the provision made for analysis, publication and dissemination of results and archive deposition.
23. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be in accordance with the approved FRA and include:
- 1. Dimensioned plans and drawings of the surface water drainage scheme;
 - 2. Modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or $2l/s/ha$ for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA. Any brownfield runoff allowance must be reduced by at least 30%, ideally returned to greenfield rate;
 - 3. Modelling of the surface water drainage scheme to show that the attenuation features will contain the 1 in 100 year rainfall event including climate change;
 - 4. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
 - 5. Topographical plans depicting all exceedance flowpaths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
 - 6. Prove connectivity of the watercourse adjacent to the site (proposed to receive surface water discharge) with the watercourse on the eastern side of Bungay Road;

The scheme shall be fully implemented as approved.

24. Concurrent with the first reserved matters application(s) details of the implementation, maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.
25. The development hereby permitted shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning

Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

26. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include:
Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
 - i. Temporary drainage systems
 - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
 - iii. Measures for managing any on or offsite flood risk associated with construction
27. Before the development hereby permitted is occupied full details of electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing.
28. Prior to the commencement of development full details of the design of green infrastructure within the site, including informal semi-natural areas, dedicated off-lead areas, signage and information to householders, long term maintenance provisions and the creation of natural habitats for biodiversity net gain shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
29. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

30. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to first occupation of the development. The content of the LEMP shall include the following.
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organization responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out *(where the results from monitoring show that conservation aims and objectives of the LEMP are not being met)* how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

31. Prior to the commencement of development full details of fire hydrant provision within the site shall be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
32. Detailed plans of the Reserved Matters pursuant to condition 2 shall show that 40% of the dwellings within the site will meet the requirements of part M4(2) of Part M of the Building Regulations unless otherwise agreed in writing by the local planning authority. The development shall be carried out strictly in accordance with those approved details.
33. Detailed particulars of the Reserved Matters pursuant to condition 2 shall include a Sustainability Statement which demonstrates how all the dwellings within the site shall achieve sustainable construction including the optional technical standard in terms of water efficiency of 110 litres/person/day unless otherwise agreed in writing by the local planning authority. The development shall be carried out strictly in accordance with those approved details.
34. As part of the first submission of a reserved matters application a scheme for the provision of self build/custom build dwellings within the site shall be submitted to and agreed in writing by the local planning authority. The scheme shall include:
- An area of land sufficient to accommodate at least 5% of the total number of dwellings as self build/custom build dwellings;
 - Arrangements to ensure the self build /custom build plots will be adequately accessed and serviced within an agreed timescale;
 - Arrangements for the marketing of the serviced self build/custom build plots for a period of not less than 12 months;
 - A set of design principles for the self build/custom build dwellings and requirements for the construction of the said dwellings

- Arrangements for the development of any self build/custom not taken up after a minimum of 12 months marketing
- 35. The approved scheme under condition 34 shall be implemented in accordance with the agreed details unless otherwise agreed in writing by the local planning authority.
- 36. No open market housing shall be developed on any of the plots identified for self build/custom build dwellings by the scheme approved under condition 34 unless evidence that the plots have been marketed in accordance with the agreed marketing requirements has been submitted to and approved in writing by the local planning authority.

Alternatively, if the Section 106 Agreement is not completed within six months from the date of resolution then permission be refused for non completion of S106 Agreement.

Note: Having already reached three hours duration and in order to allow for a comfort break, the meeting was adjourned at 7.12pm and reconvened at 7.20pm.

11. DC/18/4312/FUL – Part Land West Side of London Road, Beccles

The Senior Planning and Enforcement Officer presented the application, details of which were contained in report REP48(SH). The hybrid application was a full permission for residential development of 217 dwellings, including 30% affordable housing, public open space, roads, accesses, parking, garages, drainage and associated infrastructure. The outline planning application was for 11 serviced self build plots with associated access and infrastructure.

Members were shown an aerial view and photographs of the site and its surrounds including views along London Road, the nearby dwellings, existing cycle track, the wayleave through the site and the red line drawing took into account the old filling station site, subject to it being sold to the developer. The axonometric projection showed the affordable housing was in groups and blended in with the design, the mix of parking including parking courts, the footpath and cycle way around the perimeter. The proposed density was 30 per hectare and in accordance with policy WLP8.2. The sample street scene also gave an indication of the landscaping plan and materials.

The Senior Planning and Enforcement Officer explained the mitigation as a result of the contribution to Recreational Disturbance Avoidance and Mitigation (RAMS) and the Beccles Primary School would be able to provide pre-school places. The application was policy compliant and the key issues of design, amenity, noise, ground water and landscaping had all been satisfactorily addressed. He referred to policy WLP8.28 which would address sustainability with regard to low energy and reduction in water usage.

Approval was being recommended subject to additional conditions regarding sustainable materials, water reduction, the updated drawings and a construction site management plan. Electric charging points could easily be provided in the garages. It was more difficult in the communal areas because of the different types of vehicles and connections; however, wiring in the ground would facilitate future points.

Mr R Eburne - Applicant

Mr Eburne thanked the Committee for being given the opportunity to speak. He explained that the project had started in May 2018 with a community consultation event and the site was now allocated in the Local Plan. The proposal was for a mix of dwellings including affordable housing. With the new route of the A145, they would be providing access and a new a toucan crossing and include a through route for cyclists and pedestrians. The mix of affordable housing was as a result of discussions with the Council's Housing Team and it would be a sustainable development reducing carbon. Solar pv would be included, charging points for vehicles would be provided and it was anticipated to have first occupation in 2021. Archaeology would be investigated but it was not expected to find anything of note. There was likely to be £1.6m for Community Infrastructure Levy (CIL) spending and £½m Section 106 contributions. The proposed self build would be marketed and if not taken up, it would likely result in custom build. Mr Eburne asked that Members approve the application.

Questions

Members asked specific questions relating to:

- Electric vehicles and solar pv.
- Land values for affordable self build.
- Type of heating for dwellings.
- Footpath around the perimeter and lighting.
- Fencing and hedgehogs.
- Restrictions on water supply.

Mr Eburne confirmed they were aiming for sustainability and carbon reduction; that would include the fabric of the buildings. The self build had been separated out in order to help its success and with more than 10 units, it would become affordable with qualification based on job role and income. The value of the plots would be valued and attractively priced and be provided with a brief design code. It was likely that gas would be the main source for heating with flue heat recovery units being used. He understood that the phasing out of gas was a government aspiration. The recreational route was likely to be used by dog walkers too and properties facing outwards would provide some surveillance with the possibility of PIR lights; that was part of the detail which had been viewed by the police liaison team. Mr Eburne explained that, as the developer, they could make covenants to restrict the erection of certain types of fencing and 'hedgehog highways' would be created by the inclusion of appropriate holes in the fences which would be marked as such.

Mr Eburne further advised that they intended to include measures to minimise water use, including 2lt and 4ltr toilet flush and shower flow taps. Some facilities in the home would restrict supply and the use of water butts was a valuable source to collect rainwater. The use of 110ltr of water per person per day was a proposal contained in Building Regulations.

In response to issues raised by Members, the Senior Planning and Enforcement Officer explained that condition 20 referred to separate points including shared not allocated communal spaces. Availability of the affordable self build would be down to specific criteria as previously mentioned.

Note: As this point in the meeting, Councillor Brooks declared a Local Non Pecuniary Interest in the item as being a Governor of the Pre-School.

The Committee supported the application and there being no further discussion, it was

RESOLVED

That planning permission be granted, subject to the conclusion of a Section 106 agreement for the provision of affordable housing, self build plots, pre-school education and RAMS contribution and with the following conditions:

For the 11 dwellings offered for self or custom builders (in outline):

1. a) Application for approval of any reserved matters must be made within three years of the date of this outline permission and then
 - b) The development hereby permitted must be begun within either three years from the date of this outline permission or within two years from the final approval of the reserved matters, whichever is the later date.
2. Plans and particulars showing the detailed proposals for all the following aspects of the development of the eleven self build plots ("the reserved matters") shall be submitted to the Local Planning Authority and development shall not be commenced before these details have been approved:
 - The siting of all buildings within their plots.
 - The design of all the buildings, including the colour and texture of facing and roofing materials. 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.
 - Measures to minimise water and energy consumption and to provide for recycling of waste.
 - The provision to be made within each plot for the parking, loading and unloading of vehicles.
 - The alignment, height and materials of all walls and fences and other means of enclosure.

For the 217 dwelling part where full planning permission is sought:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.
2. The development hereby permitted shall be completed in all respects strictly in accordance with the attached drawing list shown below, 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.

Site Layout	Thrive	SL.01 RevC	January 2019
Coloured Site Layout	Thrive	CSL.01 RevC	January 2019
Location Plan	Thrive	LP.01 RevC	January 2019
Affordable Housing Layout	Thrive	AHL.01 RevD	January 2019

Boundary Materials Layout	Thrive	BML.01 RevD	January 2019
Street Elevations	Thrive	SE.01 RevA	January 2019
Coloured Street Elevations	Thrive	CSE.01 Rev A	January 2019
Materials Plan	Hopkins Homes	010 RevA	January 2019
Artistic Site Overview	Hopkins Homes	011	January 2019
Landscape Strategy Plan	Aspect	ASP03 RevB	January 2019
Pedestrian / Cycle Links Connectivity Plan	Aspect	ASP05	January 2019
House Types			
Affordable House Type 673 – Elevations	Thrive	AFFHT.673.e RevA	October 2018
Affordable House Type 673 – Floor Plans	Thrive	AFFHT.673.p RevA	October 2018
Affordable House Type 861 (2-Block) – Elevations	Thrive	AFFHT.861(2blk).e RevA	October 2018
Affordable House Type 861 (2-Block) – Floor Plans	Thrive	AFFHT.861(2blk).p RevA	October 2018
Affordable House Type 946 (2-Block) – Elevations	Thrive	AFFHT.946(2blk).e RevA	October 2018
House Type 2067 - Elevations	Thrive	HT.2067.e RevA	October 2018
House Type 2067 - Floor Plans	Thrive	HT.2067.p RevA	October 2018
Plot Drawings			
Plots 2-16-17 - Elevations	Thrive	P.2-16-17.e RevA	October 2018
Plots 2-16-17 - Floor Plans	Thrive	P.2-16-17.p RevA	October 2018
Plots 5-7 - Elevations	Thrive	P.5-7.e RevB	January 2018
Plots 5-7 - Floor Plans	Thrive	P.5-7.p RevB	January 2018
Plots 9-10 - Elevations	Thrive	P.9-10.e1 RevA	October 2018
Plots 9-10 - Floor Plans	Thrive	P.9-10.p1 RevA	October 2018
Plots 12-15 - Elevations (Sheet 1 of 2)	Thrive	P.12-15.e1 RevB	January 2018
Plots 12-15 - Elevations (Sheet 2 of 2)	Thrive	P.12-15.e2 RevB	January 2018
Plots 12-15 - Floor Plans	Thrive	P.12-15.p RevB	January 2018
Plots 19-22 - Elevations (Sheet 1 of 2)	Thrive	P.19-22.e1 RevA	October 2018
Plots 19-22 - Elevations (Sheet 2 of 2)	Thrive	P.19-22.e2 RevA	October 2018
Plots 19-22 - Floor Plans (Sheet 1 of 2)	Thrive	P.19-22.p1 RevA	October 2018
Plots 19-22 - Floor Plans (Sheet 2 of 2)	Thrive	P.19-22.p2 RevA	October 2018
Plots 23-25 - Elevations	Thrive	P.23-25.e1 RevA	October 2018
Plots 23-25 - Floor Plans	Thrive	P.23-25.p RevA	October 2018
Plots 26-30 - Elevations	Thrive	P.26-30.e RevA	October 2018
Plots 26-30 - Floor Plans	Thrive	P.26-30.p RevA	October 2018
Plots 37-39 - Elevations	Thrive	P.37-39.e RevA	October 2018
Plots 37-39 - Floor Plans	Thrive	P.37-39.p RevA	October 2018

Plots 60-65 - Elevations	Thrive	P.60-65.e RevB	January 2018
Plots 60-65 - Floor Plans	Thrive	P.60-65.p RevB	January 2018
Plots 66-67 - Elevations	Thrive	P.66-67.e RevA	October 2018
Plots 66-67 - Floor Plans	Thrive	P.66-67.p RevA	October 2018
Plots 68-71 - Elevations (Sheet 1 of 2)	Thrive	P.68-71.e1 RevB	January 2018
Plots 68-71 - Elevations (Sheet 2 of 2)	Thrive	P.68-71.e2 RevB	January 2018
Plots 68-71 - Floor Plans	Thrive	P.68-71.p RevB	January 2018
lots 79-82 - Elevations (Sheet 1 of 2)	Thrive	P.79-82.e1 RevA	October 2018
Plots 79-82 - Elevations (Sheet 2 of 2)	Thrive	P.79-82.e2 RevA	October 2018
Plots 79-82 - Floor Plans	Thrive	P.79-82.p RevA	October 2018
Plots 83-85 - Elevations	Thrive	P.83-85.e RevA	October 2018
Plots 83-85 - Floor Plans	Thrive	P.83-85.p RevA	October 2018
Plots 96-98 - Elevations (Sheet 1 of 2)	Thrive	P.96-98.e1 RevA	October 2018
Plots 96-98 - Elevations (Sheet 2 of 2)	Thrive	P.96-98.e2 RevA	October 2018
Plots 96-98 - Floor Plans	Thrive	P.96-98.p RevA	October 2018
Plots 99-102 - Elevations (Sheet 1 of 2)	Thrive	P.99-102.e1 RevA	October 2018
Plots 99-102 - Elevations (Sheet 2 of 2)	Thrive	P.99-102.e2 RevA	October 2018
Plots 99-102 - Floor Plans (Sheet 1 of 2)	Thrive	P.99-102.p1 RevA	October 2018
Plots 99-102 - Floor Plans (Sheet 2 of 2)	Thrive	P.99-102.p2 RevA	October 2018
Plots 105-108 - Elevations (Sheet 1 of 2)	Thrive	P.105-108.e1 RevA	October 2018
Plots 105-108 - Elevations (Sheet 2 of 2)	Thrive	P.105-108.e2 RevA	October 2018
Plots 105-108 - Floor Plans	Thrive	P.105-108.p RevA	October 2018
Plots 109-110 - Elevations	Thrive	P.109-110.e RevA	October 2018
Plots 109-110 - Floor Plans	Thrive	P.109-110.p RevA	October 2018
Plots 111-114 - Elevations (Sheet 1 of 2)	Thrive	P.111-114.e1 RevA	October 2018
Plots 111-114 - Elevations (Sheet 2 of 2)	Thrive	P.111-114.e2 RevA	October 2018
Plots 111-114 - Floor Plans (Sheet 1 of 2)	Thrive	P.111-114.p1 RevA	October 2018
Plots 111-114 - Floor Plans (Sheet 2 of 2)	Thrive	P.111-114.p2 RevA	October 2018
Plots 115-117 - Elevations (Sheet 1 of 2)	Thrive	P.115-117.e1 RevA	October 2018
Plots 115-117 - Elevations (Sheet 2 of 2)	Thrive	P.115-117.e2 RevA	October 2018
Plots 115-117 - Floor Plans	Thrive	P.115-117.p RevA	October 2018
Plots 124-127 - Elevations (Sheet 1 of 2)	Thrive	P.124-127.e1 RevB	January 2018

Plots 124-127 - Elevations (Sheet 2 of 2)	Thrive	P.124-127.e2 RevB	January 2018
Plots 124-127 - Floor Plans	Thrive	P.124-127.p RevB	January 2018
Plots 128-131 - Elevations (Sheet 1 of 2)	Thrive	P.128-131.e1 RevA	October 2018
Plots 128-131 - Elevations (Sheet 2 of 2)	Thrive	P.128-131.e2 RevA	October 2018
Plots 128-131 - Floor Plans (Sheet 1 of 2)	Thrive	P.128-131.p1a RevA	October 2018
Plots 128-131 - Floor Plans (Sheet 2 of 2)	Thrive	P.128-131.p2 RevA	October 2018
Plots 133-135 - Elevations	Thrive	P.133-135.e RevA	October 2018
Plots 133-135 - Floor Plans	Thrive	P.133-135.p RevA	October 2018
Plots 138-140 - Elevations	Thrive	P.138-140.e RevA	October 2018
Plots 138-140 - Floor Plans	Thrive	P.138-140.p RevA	October 2018
Plots 141-142 - Elevations	Thrive	P.141-142.e RevA	October 2018
Plots 141-142 - Floor Plans	Thrive	P.141-142.p RevA	October 2018
Plots 145-147 - Elevations (Sheet 1 of 2)	Thrive	P.145-147.e1 RevA	October 2018
Plots 145-147 - Elevations (Sheet 2 of 2)	Thrive	P.145-147.e2 RevA	October 2018
Plots 145-147 - Floor Plans	Thrive	P.145-147.p RevA	October 2018
Plots 152-153 - Elevations	Thrive	P.152-153.e RevA	October 2018
Plots 152-153 - Floor Plans	Thrive	P.152-153.p RevA	October 2018
Plots 163-164 - Elevations	Thrive	P.163-164.e RevA	October 2018
Plots 163-164 - Floor Plans	Thrive	P.163-164.p RevA	October 2018
Plots 177-179 – Elevations	Thrive	P.177-179.e RevA	October 2018
Plots 177-179 - Floor Plans	Thrive	P.177-179.p RevA	October 2018
Plots 181-183 - Elevations	Thrive	P.181-183.e RevA	October 2018
Plots 181-183 - Floor Plans	Thrive	P.181-183.p RevA	October 2018
Plots 186-189 - Elevations (Sheet 1 of 2)	Thrive	P.186-189.e1 RevA	October 2018
Plots 186-189 - Elevations (Sheet 2 of 2)	Thrive	P.186-189.e2 RevA	October 2018
Plots 186-189 - Floor Plans	Thrive	P.186-189.p RevA	October 2018
Plots 200-202 - Elevations	Thrive	P.200-202.e RevA	October 2018
Plots 200-202 - Floor Plans	Thrive	P.200-202.p RevA	October 2018
Plots 207-209 - Elevations	Thrive	P.207-209.e RevA	October 2018
Plots 207-209 - Floor Plans (Sheet 1 of 2)	Thrive	P.207-209.p1 RevA	October 2018
Plots 207-209 - Floor Plans (Sheet 2 of 2)	Thrive	P.207-209.p2 RevA	October 2018
Plots 210-212 - Elevations (Sheet 1 of 2)	Thrive	P.210-212.e1 RevA	October 2018
Plots 210-212 - Elevations (Sheet 2 of 2)	Thrive	P.210-212.e2 RevA	October 2018

Note: Revision letters to the drawings will change as a result of negotiated changes to the type and mix of the affordable housing offer requested by the Housing Team.

3. The new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. 1711-124SK001 Rev I; and made available for use prior to the occupation of any dwelling. Thereafter the access shall be retained in the specified form.
4. No part of the development shall be occupied until details of the proposed pedestrian crossing, footways and associated highway improvements (including Bus Stop relocation and improvement) shown on Drawing No. 1711-124SK001 Rev I have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to occupation.
5. Before the development is commenced details of the areas to be provided for storage of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.
6. Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.
7. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.
8. Before any works commence including the delivery of any materials other than those required to construct safe access into the site, the further details for the construction of the access either in full or on a temporary basis shall be submitted in written and drawn form and the agreement in writing of the Local Planning Authority obtained. The work shall be undertaken to form the access before any other works are commenced and shall include the areas of verge for vision splays being cleared, in advance of other activity on the site.
9. The occupation of any dwelling within the site shall not commence until the area shown within the site, depicted on Drawing No. HOPK180527 SL01 Rev C for the purposes of loading, unloading, manoeuvring and parking of vehicles and secure cycle storage, for any dwelling that is to be occupied has been provided and thereafter that area(s) shall be retained and used for no other purposes.
10. Before the access is first used visibility splays shall be provided as shown on Drawing No. 1711-124/SK001 Rev I with an X dimension of 2.4 metres and Y dimensions of 90 and 120 metres and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

11. Prior to the occupation of any dwelling the Travel Plan dated December 2018 and its requirements must be implemented in full.
12. Within one month of the first occupation of any dwelling, the occupiers of each of the dwellings shall be provided with a Residents Travel Pack (RTP) in accordance with the requirements in the Travel Plan (dated December 2018). Not less than 3 months prior to the first occupation of any dwelling, the contents of the RTP shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and shall include walking, cycling and bus maps, latest relevant bus and rail timetable information, car sharing information, personalised Travel Planning and a multi-modal travel voucher.
13. On occupation of the 100th dwelling a revised (or Full) Travel Plan must shall be submitted for the approval in writing by the local planning authority in consultation with the highway authority, which is based on the Travel Plan (dated December 2018). This Travel Plan must contain the following:
 - Baseline travel data based upon the information provided in the Transport Assessment and the residents living on the site, with suitable measures, objectives and targets identified targets to reduce the vehicular trips made by residents across the whole development, with suitable remedial measures identified to be implemented if these objectives and targets are not met
 - The full contact details of a suitably qualified Travel Plan Coordinator to implement the Travel Plan
 - A commitment to monitor the Travel Plan annually on each anniversary of the approval of the Full Travel Plan and provide the outcome in a revised Travel Plan to be submitted to and approved in writing by the Local Planning Authority for a minimum period of five years, or one year after occupation of the final dwelling (whichever is the longest duration) using the same methodology as the baseline monitoring
 - A suitable marketing strategy to ensure that all residents on the site are engaged in the Travel Plan process
 - A Travel Plan budget that covers the full implementation of the Travel Plan
 - A copy of a residents travel pack that includes a multi-modal voucher to incentivise residents to use sustainable travel in the local areaThe approved Travel Plan measures shall be implemented in accordance with a timetable that shall be included in the Travel Plan and shall thereafter adhere to the approved Travel Plan.
14. Further details of soft landscape shall be submitted and agreed in writing by the Local Planning Authority before work proceeds beyond installation of the floor slabs for the properties.
15. Soft landscaping shall follow the recommendations made by the ecology report and should include a range of native plant types to provide a range of resources for wildlife in accordance with. Drawing 6535/LM ASP03 revision C. The landscape buffer areas and the attenuation lagoon, should use native hedgerow species in accordance with the ecology report. Feature trees should accord with the recommendations of the ecology report. Ornamental planting and grassland areas of the open spaces should accord with the ecology reports suggestions. The additional measures to support ecology suggested in the report shall be further detailed.

16. The strategy for the disposal of surface water and the Flood Risk Assessment (FRA) (originally dated July 2018, with Addendums dated December 2018 and January 2019) shall be implemented as approved in writing by the local planning authority. The strategy shall thereafter be managed and maintained in accordance with the approved strategy.
17. The development hereby permitted shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.
18. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:
 - a. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
 - i. Temporary drainage systems
 - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
 - iv. Measures for managing any on or offsite flood risk associated with construction
19. No development shall take place until a site-specific Construction Environmental Management Plan has been submitted to and approved in writing by the LPA. The plan must demonstrate the adoption and use of the best practicable means to reduce the affects of noise, vibration, dust and lighting. The plan should include, but not be limited to:
 - Arrangements for liaison with the Council's Environmental Protection Team
 - Mitigation measures as defined in BS 5228: Parts 1 and 2: Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
 - Procedures for the emergency deviation of the agreed working hours.
 - Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air - borne pollutants.Thereafter the development shall be conducted in accordance with the approved Plan.
20. Prior to first occupation, all dwellings with off street parking shall be provided with an operational electric vehicle charge point at safe, accessible and convenient locations, with an electric supply to the charge point capable of providing a 7kW charge.

Prior to first occupation, at least 10% of car parking spaces in private communal parking areas shall be provided with an operational electric vehicle charge point at

reasonably and practicably accessible locations. The Electric Vehicle Charge Points shall be retained thereafter.

21. Before works other than the establishment of site compounds access roads and clearing of vegetable topsoil or other works below ground such as drainage installation, highway sub base installation and the formation of the lagoon, have been undertaken, the applicant shall submit in writing a sustainable construction statement for the agreement of the local planning authority, this shall include but not be limited to the sustainable sourcing of materials, recycling of site waste, methods to reduce water consumption. The approved scheme shall be enacted on site during construction and thereafter.
22. Before works other than the establishment of site compounds access roads and clearing of vegetable topsoil or other works below ground such as drainage installation, highway sub base installation and the formation of the lagoon, have been undertaken, the applicant shall submit in writing further details as to location and capacity of EV charging points both for individual dwellings with access to a driveway and for some spaces within the communal parking areas. The approved scheme shall be carried out in full in accordance with the agreement and thereafter retained.

Alternatively, if the Section 106 Agreement is not completed within six months from the date of resolution then permission be refused for non completion of the S106 Agreement.

12 DC/19/0210/FUL – LAND BEHIND VELDA CLOSE, LOWESTOFT

The Planning Officer presented the application contained in report REP49(SH) which was for a number of works forming part of the flood alleviation scheme for the Kirkley stream. The scheme proposed the construction of a sheet pile wall along Kirkley stream from the Bloodmoor roundabout for around 200m downstream and included a pump station and underground storage facility at Velda Close/Aldwyck Way.

The application was before the Committee as the application had been submitted on behalf of the Council.

Members were shown an aerial view and photographs of the site and its surrounds including the views from Bloodmoor roundabout and across Kirkley stream, the fencing and the site of the underground storage. Trees had been removed to allow the works to be carried out and replanting would be undertaken when the work was complete.

The Planning Officer explained the key issues including the principle of the works which would reduce flood risk, the character and appearance, and there would be no adverse amenity impact to the neighbouring residents. The Environmental Agency had requested additional information regarding flooding and water voles and delegated authority was being sought subject to resolving those issues.

Questions

Members asked specific questions relating to:

- The scheme providing adequate measures to avoid flooding.
- The stream and tanks being dredged and cleaned.
- Fly tipping.
- Noise emanating from the proposed works.

The Planning Officer confirmed that the Council, as Applicant, would maintain the system and flood water would be stored until its release at the appropriate time. The Flood Team was satisfied that the tanks were adequate for storage. It was acknowledged that the stream needed to be maintained to ensure grass cuttings and mattresses dumped into the stream did not cause unnecessary blockages. Construction noise would be dealt with by way of a condition covering a Construction Method Statement.

There being no further discussion, it was unanimously

RESOLVED

That delegated authority be granted to the officers to grant permission subject to approval being received from the Environment Agency and the following conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.
2. The development hereby permitted shall be completed in all respects strictly in accordance with:
 - Proposed Works, reference 15-12-40 04 Rev A, received 12/03/2019,
 - Proposed Works, reference 15-12-40 03, received 12/03/2019,
 - Site Location Plan, reference 15-12-40 20, received 12/03/2019;
 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.
3. Within 3 months of completion of construction, details of all Sustainable Urban Drainage System components and piped networks (including pumps and attenuation tanks) shall be submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.
4. No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - the parking of vehicles of site operatives and visitors
 - loading and unloading of plant and materials
 - storage of plant and materials used in constructing the development
 - wheel washing facilities
 - measures to control the emission of dust and dirt during construction
 - access arrangements
 - a scheme for recycling/disposing of waste resulting from demolition and construction works.

5. Prior to completion of the works hereby approved, full details of soft landscape works should be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation programme; and maintenance programme.
6. The mitigation measures outlined in the hereby approved; Bat Aerial Tree Inspections Report, and received 17/01/2019 and Preliminary Ecological Appraisal Report, dated July 2018, and received 17/01/2019, for protecting protected species during and after construction of the approved development shall be implemented in their entirety in accordance with the timeframes outline within the Survey.

Note: Having declare a Pecuniary Interest in Agenda Item 12, Councillor Neil left the meeting room at 8.10pm.

13. DC/18/4793/ROC – Former RNLI Social Club, Links Road, Lowestoft

The Area Planning and Enforcement Officer presented the application in report REP50(SH), which was for the removal of condition 4 holiday use only of DC/17/1481/FUL for the demolition of the former RNLI building on Links Road and the erection of two holiday homes with associated parking, vehicular access and landscaping to allow full time occupation of the properties.

The Area Planning and Enforcement Officer advised that the Applicant was seeking the removal of the condition to allow full time occupation as he stated it was not possible to lease the properties within the context of the current condition. However, as the properties had not yet been built, it was considered the assertion could not be justified and was not supported by evidence required in policy terms.

Members were shown an aerial view and photographs of the site and its surrounds including views of the site, road access, Gunton Cliff and the proposed elevations of the properties which were not yet constructed.

The Area Planning and Enforcement Officer advised that previous applications for permanent residential accommodation had been refused as being outside the physical limits. The proposal before Members was considered to be contrary to policy, it would result in the loss of holiday accommodation, the request was premature as the properties had not been built, and no marketing analysis had been undertaken. Refusal was therefore being recommended.

Debate

Members noted the officer's opinion that the development on the site should be for holiday purposes only and that there was insufficient amenity space available to serve permanent residential dwellings. The removal of the condition for holiday use would lessen economic benefits to the town and surrounding area and it had not been proven that the site was not suitable for holiday/tourism purposes. The Committee supported the recommendation and it was

RESOLVED

That planning permission be refused for the following reasons:

1. The removal of the condition would create a development that is contrary to the provisions of local planning policy insofar as the holiday homes have not been built and have not been marketed contrary to the requirements of policy WLP8.15 – New Self Catering Tourist Accommodation and it has not been fully and satisfactorily demonstrated that there is no demand for the tourist accommodation in this location. As such the application is contrary to the provisions of policy WLP8.15 of the Local Plan.
2. The proposal is contrary to the adopted East Suffolk Council – Waveney Local Plan (March 2019) and in particular policies WLP1.1 - Scale and Location of Growth, WLP1.2 - Settlement Boundaries and WLP8.29 – Design as the properties are outside Development limits, where the site falls outside the physical limits envelope of Lowestoft and the proposal offers no compensating public good to justify a departure from policy

14. DC/19/1049/FUL – 61 London Road, Beccles

The Planning Officer presented report REP51(SH) which gave details of the proposal for the application of lime render with render stop bead applied to the face of part of the boundary wall to the London Road frontage. The works would also include a number of elements such as repointing and replacing bricks, however, they were considered to be general repairs and not requiring planning permission.

The application was before the Committee as the Council was the Applicant.

Members were shown an aerial view and photographs of the site and its surrounds including the wall in its current state and the existing damage. The site was located within the Conservation Area for Beccles.

The Planning Officer explained that the application of render was slightly unusual but was needed to ensure the retention of the wall. It was considered that there was no adverse effect on the Conservation Area and no impact on the amenity; the proposed works would preserve the character and appearance and approval was being recommended.

Questions

In response to a question, the Planning Officer confirmed that the render would differentiate the pillars from the wall.

There being no further discussion, it was unanimously

RESOLVED

That planning permission be granted, subject to the following conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.
2. The development hereby permitted shall be completed in all respects strictly in accordance with:
 - Proposed Works, reference 15-12-40 04 Rev A, received 12/03/2019,
 - Proposed Works, reference 15-12-40 03, received 12/03/2019,
 - Site Location Plan, reference 15-12-40 20, received 12/03/2019;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.

The meeting concluded at 8.17pm.

Chairman

Minutes of a Meeting of the **Shadow Planning Committee (South)** held in the **Deben Conference Room, East Suffolk House, Riduna Park, Melton, on Thursday 18 April 2019 at 9:15am**

Members present:

C Blundell, S Burroughes, A Cooper, M Deacon, D Dean, A Fryatt, S Harvey, C Hedgley, G Holdcroft, M Jones, D McCallum, A Smith.

Officers present:

L Beighton (Planning Development Manager), J Blackmore (Senior Planning and Enforcement Officer), M Gee (Area Planning and Enforcement Officer), M Makin (Democratic Services Business Manager), D Miller (Area Planning and Enforcement Officer), S Milligan (Area Planning and Enforcement Officer), J Rodens (Area Planning and Enforcement Officer), K Scott (Development Management Team Leader – South Area), N Webb (Area Planning and Enforcement Officer).

1. Election of a Chairman

On the proposition of Councillor Harvey, seconded by Councillor Hedgley, it was

RESOLVED

That Councillor Debbie McCallum be elected Chairman for the 2018/19 Municipal Year.

2. Election of a Vice-Chairman

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

RESOLVED

That Councillor Susan Harvey be elected Vice-Chairman for the 2018/19 Municipal Year.

3. Apologies for Absence and Substitutions

Apologies for absence were received from Councillor Newton.

4. Declarations of Interest

Interests were declared in the following applications:

1.	DC/18/4969/FUL	75 High Street, Aldeburgh, IP15 1AU	Councillor Jones declared a Local Non-Pecuniary Interest as Ward Member for Aldeburgh.
2.	DC/18/3809/FUL	At Last, 112 Main Road, Kesgrave, IP5 1BL	Councillor Dean declared a Local Non-Pecuniary Interest as she knew the applicant.

5. Appeals to the Ministry of Housing, Communities and Local Government

The Committee received report **REP52 (SH)** of the Head of Planning and Coastal Management. The report provided information on appeals received and decided during the period 4 to 31 March 2019.

RESOLVED

That the contents of the report be noted.

6. East Suffolk Enforcement Action – Case Update

The Planning Committee received report REP53 (SH) of the Head of Planning and Coastal Management. The report provided a summary of the status of all outstanding planning enforcement cases where action had either been sanctioned under delegated powers or through the Planning Committee.

The Planning Development Manager referred to pages 33 to 36 of the report, regarding enforcement action at Pine Lodge. Officers had attended the High Court the previous week for committal proceedings, which had been deferred until 7 May 2019 and would be heard alongside further enforcement action related to the site. She confirmed that she would advise all members of the Committee of the outcome of the proceedings via email.

RESOLVED

That the contents of the report be noted.

7. Applications for permission to carry out development or to display advertisements

Five applications for permission to carry out development or to display advertisements, as detailed in report REP54 (SH), were considered and determined as follows:

The Chairman re-ordered the schedule to bring forward those applications with public speaking.

- 1. ALDEBURGH – DC/18/4969/FUL – Remodelling of front elevation to include new roof with dormer windows to facilitate insertion of second floor. Two storey and first floor rear extensions and change of use from shop and house to three self contained flats at 75 High Street, Aldeburgh, IP15 5AU for Mr Ayman Bakhache.**

Full Planning Permission was sought for the extension and alteration to No. 75 High Street, Aldeburgh to three self contained two bedroomed flats.

The development was within Aldeburgh Conservation Area, within the settlement boundary of Aldeburgh as defined within the Local Plan, within Aldeburgh Town Centre, and within the Suffolk Coasts and Heaths AONB.

This item had come before the Committee following consideration by the Delegation Panel of Suffolk Coastal District Council because of the issues of parking, residential amenity and impact upon Aldeburgh Conservation Area.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer. The site was described being outside of the primary and secondary areas of Aldeburgh Town Centre, as defined within the Local Plan. The Aldeburgh Conservation Area Appraisal (SPD) did not identify the building as making an important contribution to the character of the Conservation Area.

Photographs that demonstrated the building's relationship with its immediate neighbour The Lighthouse Restaurant and its relationship with neighbouring residential properties was displayed to the Committee.

The proposed elevations and floor plans were outlined to the Committee. The Area Planning and Enforcement Officer described the details of the proposed works, as detailed in section 2 of the report.

A cross-section of the site was shown, which demonstrated the building's relationship with the neighbouring Hill House.

The key issues were summarised as the impact upon character of Conservation Area, the loss of a commercial unit, parking, and the impact upon residential amenity.

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

Following the conclusion of the presentation, the Chairman read out the comments submitted by the Economic Development Manager, via email, to Planning Officers:

"We would always regret the loss of commercial space across the district, as the economy and population grow so does the need to provide suitable employment spaces for residents without necessitating long commuter journeys while supporting local communities.

That being said, market forces will always prevail. We have in place a policy to protect commercial property which tests the market. In this case the property has been marketed in line with that policy i.e. for a minimum of twelve months, at the value proposed by 3 valuers and the property had 44 viewings with no sale agreed."

The Chairman invited questions to the Officer.

It was confirmed that materials required at the rear of the site would be delivered through the building itself.

In response to a question from a member of the Committee regarding where construction vehicles would park, the Chairman reminded the Committee that this was not a planning consideration.

Another member of the Committee asked for the Officer to comment on the Highways Authority's recommendation to refuse. The Area Planning and Enforcement Officer acknowledged this recommendation and advised that when formulating his recommendation, he had considered the level of public parking in the surrounding area.

The Area Planning and Enforcement Officer was not able to comment on the parking arrangements for the site when it operated as a shop. He reiterated the single allocated space for the property. He confirmed that there would also be space for a disability scooter.

A member of the Committee asked for the distances between the identified public car parks and the site. The Area and Planning Enforcement was not able to give the precise distances but was able to outline the direction of travel to each.

The Chairman queried Aldeburgh's housing need and asked if the accommodation created would be residential or holiday let. The Planning Development Manager advised that both residential and holiday let use was use class C3.

The Chairman invited Mr Day, representing the applicant, to address the Committee. Mr Day was supported by Mr Price, the applicant's agent.

Mr Day informed the Committee that he was a Director of the company that owned the property and was also a local resident and business owner. He advised that a pre-application submission had been made prior to the property's purchase, which had received a positive response; he highlighted that the Economic Development team had not raised any objections at that point.

Mr Day concentrated on the proposed ground floor property that would be created. He said that it had been designed for use by either elderly people or those with mobility issues, considering such a property in this location to be rare. Mr Day contended that this would be the first fully adaptable property of its type in the town.

The support of the Aldeburgh Tourist Office was noted by Mr Day. He said that the application provided an opportunity to do something special with the site, stressing that the inclusion of the fully accessible ground floor property was not a token gesture.

In regard to the potential impact on residential amenity, Mr Day said that the scheme had been amended following meetings with neighbours. He did not consider that the development would cause a loss of residential amenity and suggested that the parking shortfall was not significant to the point where the application should be refused.

Mr Day referred to the letters of support received and noted that many of them had come from the High Street area. He said that fellow residents and traders were fed up with the site in its current state and supported the proposal.

The Chairman invited questions to Mr Day.

The Vice-Chairman referred to the computer generated image from the pre-application submission, shown during Mr Day's address and queried why the image appeared to show the remodelled building being lower than the neighbouring property, as the proposal indicated that it would be the same height. Mr Day advised that he had queried this with the architect and had been told it looked lower due to perspective.

Mr Day confirmed that it was his intention to sell the properties. He said that he could not determine who would buy the property, but was hopeful that the ground floor would be occupied by its owner or would be used as a disabled friendly holiday let. The Chairman reminded the Committee that the application could not be determined on possible future use.

A member of the Committee asked if Mr Day was aware of what the parking arrangements had been when the site had operated as a shop. Mr Day advised that the shop ceased trading in 2016 and was marketed in 2017, and that he did not recall what the parking arrangements had been when the site had been operated as a shop. He confirmed that the building had been openly marketed as mixed use by a local estate agent firm.

The Chairman asked for further details about the letters of support. Mr Day said that fifty-four letters of support had been received, with a majority of them being from residents or businesses in High Street. This was verified by the Area Planning and Enforcement Officer.

The Chairman invited the following objectors to address the Committee: Mrs Mackie (Chairman of the Aldeburgh Society), Mrs Feetham (Local Resident), Mrs Hiddleston (Local Resident), and Mr Hill (Owner of The Lighthouse Restaurant and member of the Aldeburgh Society).

The Committee was advised that the objectors had agreed to split the allocated three minutes of speaking time.

Mrs Mackie requested that the Committee excluded the recent letters of support received as the consultation on the application had ended in January 2019. She said that these letters had appeared on the Council's website very recently and considered this to be an ambush and the letters a gross misrepresentation of the situation.

She was of the opinion that the application was overdevelopment in a Conservation Area, which would result in a three-storey block of flats and a loss of retail space. She said that parking and highway safety were key issues regardless of the properties' use. She added that there were no reliable public transport links and that a loss of residential amenity would occur. She considered that approval of the application would set an unwelcome precedent and asked the Committee not to accept the relaxation of planning rules.

Mrs Feetham advised that she lived behind the application site. She considered that the proposed development would be very tall and looming, and was concerned about the fully glazed extensions. She suggested that the development was cramming three dwellings in the space of one. She advised that she and her husband had expressed great interest in purchasing the property and had intended to keep the retail space and develop a comfortable dwelling for a tenant.

Mrs Hiddleston referred to policies DM5, DM10, and SP22 (paragraph (a)) of the Local Plan and considered that the approval of the application would set a precedent for cramming. She informed the Committee that she had consulted with Mr Day and had originally proposed the accessible ground floor dwelling, which in her opinion was the only positive aspect of the application.

The Chairman invited questions to the objectors.

In response to questions from members of the Committee, the objectors clarified that they did not oppose development of the site in principle, but opposed the development proposed in the application. They accepted that the design was sympathetic to the site's surroundings, and raised concerns relating to overdevelopment, parking, and residential amenity.

Mrs Feetham expanded on the interest shown by herself and her husband in purchasing the property. She advised the Committee that it had been their intention to operate the site as a ceramic and arts

gallery and had considered this would be of benefit to the local economy. Mrs Feetham said that she and her husband had withdrawn their interest when it became apparent to them that a sale had been agreed with another party. The Chairman reminded the Committee that the application should be judged on its planning merits and that the alternative site use was not a planning matter.

Mrs Mackie considered the loss of the retail space to be a breach of planning policy and confirmed that she and the other objectors were unhappy about the loss of retail space.

The Committee was advised by the Planning Development Manager that policy DM5 related to Houses in Multiple Occupation (HMO) and was not applicable to this application. She stated the policies DM21 and DM23 of the Local Plan applied.

There being no further questions to the objectors, the Chairman invited Mrs Bond, representing Aldeburgh Town Council, to address the Committee.

Mrs Bond advised that she was a member of Aldeburgh Town Council's planning committee, which had objected to the application. She said that the application submitted appeared to differ from the one considered by Aldeburgh Town Council. This did not change that council's view but reinforced its consideration that the application was disingenuous.

Mrs Bond considered that the application would result in overdevelopment of the site and would negatively impact the residential amenity of the surrounding properties, as well negatively impact on parking in the area. She described Aldeburgh's town centre as thriving, without vacant shops, and said that Aldeburgh Town Council wished for this to continue.

She said she was aware of several businesses looking for retail space in the town and was of the opinion that the loss of any retail space would be negative and have an impact on the town and the surrounding area. She stated that the site was viable for employment.

The Chairman invited questions to Mrs Bond.

When asked to comment on the marketing of the property, Mrs Bond said local residents had advised her that for sale signs were displayed and that the property appeared to be advertised for retail use, with accommodation above.

Mrs Bond reiterated the concerns that Aldeburgh Town Council held regarding the lack of parking on site.

There being no further questions to Mrs Bond, the Chairman invited Councillor Haworth-Culf, Ward Member for Aldeburgh, to address the Committee.

Councillor Haworth-Culf concurred with the comments and statements that had been made by both the objectors and the representative from Aldeburgh Town Council. She noted that the property had operated as a shop for a number of years and that people had walked to it rather than driving. She was concerned about the number of recent letters of support and agreed with Mrs Mackie that these should be discounted, as they arrived after the consultation period had ended.

Councillor Haworth-Culf questioned why a previous application for the site, withdrawn by the applicant before being determined, had not been referred to in the Officer's report.

The comments made by Economic Development, stated at paragraph 6.5 of the report, were noted. Councillor Haworth-Culf referred to separate comments made by that team via email on the low vacancy rate in Aldeburgh Town Centre, highlighting to the Committee that this made it difficult for new businesses to find commercial space in the town. She considered that the application site was in a thriving employment area and questioned if it had been marketed as required by policy. She expressed concern that the loss of the retail space would set an unwelcome precedent.

It was considered by Councillor Haworth-Culf that the development would extend the property and would cause a negative impact on residential amenity. She said that residents needed to feel safe and secure in their homes and was of the opinion that the overlooking that would be created would prevent this.

Councillor Haworth-Culf referred to the recommendation of the Highways Authority. She suggested that the site would cause an unacceptable risk to highway safety and would attract additional vehicles to the area. She noted the lack of reliable public transport links in the area. She urged the Committee to refuse the application.

The Chairman invited questions to Councillor Haworth-Culf.

Councillor Haworth-Culf reiterated that the site had successfully operated as a shop in the past.

In response to a question on the proposals for the ground floor dwelling, Councillor Haworth-Culf noted that there were already several accessible properties in Aldeburgh and welcomed the idea of having one on High Street. She was concerned about the limited parking and turning space at the front of the property.

A member of the Committee sought clarification on the letters of support received earlier in the week. The Chairman invited the Planning Development Manager to clarify the position on this matter.

The Planning Development Manager advised the Committee that it could not discount the representations; they had been received 24 hours before the Committee meeting and had therefore been included in the update sheet that had been circulated at the meeting. How the letters had been gauged was not a matter for the Committee and they had been received and published through the correct process and so had to be considered as part of the Committee's deliberation.

She also confirmed that the Economic Development team had been satisfied that marketing of the site had been within the Council's guidelines. She noted the recommendation included a RAMS payment regarding the site's location in the Zone of Interest. The Planning Development Manager informed the Committee that parking availability was a case of 'buyer beware' and that the Conservation Area did not restrict the change of use.

In response to a question from a member of the Committee, the Planning Development Manager advised that no one specific policy covered the sub-division of a single dwelling and that this was covered by policies DM21 and DM23. She reiterated that DM5 related to HMOs, which was a Class 4 use and not Class 3.

There being no further questions to Councillor Haworth-Culf, the Chairman invited Councillor Jones, Ward Member for Aldeburgh, to address the Committee.

Councillor Jones thanked the applicant for considering disabled people when redesigning the property. She stated that she continued to have very grave concerns regarding the parking at the site; although there would be space for a mobility scooter there would be a need for a large vehicle to transport it.

She agreed with the comments made by Councillor Haworth-Culf, expressing similar concern about the impact on Aldeburgh Town Centre should the retail space be lost. Councillor Jones also noted that, if approved, the site would bring more traffic to the area which was already congested.

Councillor Jones was of the view that the site should retain some retail use; she did not object to the design and wanted to see the site tidied up, but suggested the applicant develop what can be done there and not what they wanted to do. She urged the Committee to listen to the concerns of the Highways Authority and the Aldeburgh Society.

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

During the debate, the Chairman reminded the Committee that the Economic Development team had advised that it was content that the marketing of the site had been undertaken to the required standard.

A member of the Committee noted the level of objection to the application, as well as the regret expressed by the Economic Development team regarding the loss of the commercial space. He was unsure if he could support the application and wished to hear the debate in full before making his decision.

Several members of the Committee spoke against the application. Although Members were keen on the design and the proposed disabled access for the ground floor dwelling, they expressed concern regarding the loss of the retail space and the impact on parking and highway safety in the area, and were unable to support the application.

Another member of the Committee noted the positives that the proposed development offered, especially regarding accessible accommodation, but questioned if the ground floor would be fully accessible. He considered that a commercial property would attract customers and therefore parking, but questioned the comments of the Economic Development team and suggested that further exploration was required regarding the site's viability. He praised the proposed design and questioned if the parking could be reconfigured to improve the issue.

Paragraph 6.4 of the report, relating to the shop's dependency on the attached accommodation, was highlighted by a member of the Committee and he therefore considered that it was not an independent commercial unit. He was of the view that the proposal was a positive, well designed development that would deliver the type of accommodation that was needed. He did not consider that the property would negatively impact the residential amenity of properties to its rear and that the primary concern was parking.

The Vice-Chairman was supportive of the application. She expressed sympathy with those objecting but considered that the site, in its present form, did not enhance the Conservation Area. She highlighted the marketing that had taken place and agreed that residential amenity would not be harmed by the development. She did not see any reason to refuse the application.

At this point in the meeting a site visit was proposed by Councillor Jones and was seconded by Councillor McCallum. The Chairman moved to a vote on the proposal which, by a majority, **FAILED**.

The Committee resumed its debate of the application. A member of the Committee was unsure on how he would vote on the application; he considered the parking to be a major issue but noted that the development would provide additional accommodation which would be accessible. He was of the view that there would not be a great loss of residential amenity and that the design would be an asset to the area.

The Chairman referred to the Highways Authority's comments at paragraph 4.2 of the report and reminded the Committee of its previous determinations, where parking was not available and approval had been given as the site was in a sustainable area. The Planning Development Manager added that the Highways Authority's parking standards had not been adopted by the Council and were therefore only considered guidelines, due to concerns that the standards did not have any degree of flexibility.

It was confirmed that, as the site was within the Conservation Area, permitted development rights would not exist.

There being no further debate, the Chairman moved to the recommendation to approve. It was proposed but not seconded and therefore **FAILED**.

The Chairman sought an alternative recommendation. Members of the Committee suggested that the application could be refused on the grounds of overdevelopment in a conservation area, highway amenity, and loss of residential amenity.

The Chairman adjourned the meeting at 11.03am, to allow officers to formulate an alternative recommendation for the Committee to consider. The meeting was reconvened at 11.11am.

The Planning Development Manager suggested that the Committee could refuse the application on the grounds that insufficient parking was provided on the site to meet the number of residential units proposed and was therefore contrary to policy DM19 of the existing Local Plan and policy SCLP7.2 of the emerging Local Plan.

The Chairman moved to the alternative recommendation as set out by the Planning Development Manager, which was proposed, seconded, and determined by a majority vote as follows:

DETERMINATION:

REFUSED on the grounds that insufficient parking is provided on the site to meet the number of residential units proposed and is therefore contrary to policy DM19 of the existing Local Plan and policy SCLP7.2 of the emerging Local Plan.

5. MELTON – DC/19/0521/OUT – Outline Application – Erection of 1 ½ storey dwelling house with access off Daines Lane at 1 Holly Villas, Melton Road, Melton, IP12 1PD for Mr S Smith

Outline Planning Permission was sought for the erection of a 1.5 storey dwelling with access of Daines Lane to the rear of 1 Holly Villas, Melton Road, Melton. The matters of appearance, scale and design

being reserved for future determination. The application therefore was to consider only the principle of development and means of access.

This item had come before the Committee as the Parish Council had raised objections along with fourteen third party objections. The application had been considered by the Referral Panel and it had requested that the application came before the Committee for it to consider the issues raised.

The Committee received a presentation on the application from the Development Management Team Leader (South), on behalf of the case officer.

The site was within the physical limits boundary of Melton but was not within the Conservation Area. It was located within the Character Area as defined in the Melton Neighbourhood Plan.

An indicative block plan of the site was displayed to the Committee, which outlined the space that would be available for parking. Access to the site was proposed to be from Daines Lane and the Committee was shown photos of the access area. The site's proximity to the nearby Hoo House was also demonstrated.

The key issues were summarised as all matters except access being reserved, the principle of development, and site access.

The Development Management Team Leader advised that the site was considered large enough to accommodate a dwelling, parking, and amenity space, in a way that was acceptable to the character of the area and the neighbouring dwellings.

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

The Chairman invited questions to the Officer.

It was confirmed that, should the application be approved, any reserved matters application would need to tally with the outline planning permission granted. The Planning Development Manager advised that this would mean that the dwelling would be limited to a height of 1.5 storeys, similar to Hoo House. She added that the Committee could condition the height of any dwelling at its discretion.

A member of the Committee asked if the particular design concept of Hoo House was a planning consideration. The Planning Development Manager reiterated that the application before the Committee was for outline planning permission and that further detail, such as the dwelling's location and orientation, would be considered under any reserved matters application.

Several members referred to the comments of Melton Parish Council at paragraph 3.1 of the report. The Planning Development Manager advised that Melton Parish Council would be addressing the Committee and could provide clarification on these points. It was confirmed that Daines Lane was a private highway.

The Chairman invited Mrs Gascoigne and Mr Bolton, objectors to the application, to address the Committee.

Mrs Gascoigne confirmed that she was a resident of Daines Lane. She said she was appalled that, in spite of fifteen objections and a total lack of supporting letters, the application had been recommended for

approval. She considered that this meant that residents were faced with a developer's financial gain taking precedence over local wishes. She noted that trees on the site had been felled in 2018, before the application had been made, and that this had already changed the site's relationship to the surrounding area.

The proposed development was not considered to be required in the area; Mrs Gascoigne noted several nearby new housing developments. She was of the opinion that if the application was approved it would set a precedent and would ruin the local area. She added that maintenance of the highway in Daines Lane was undertaken by residents and that costs had already been incurred by large vehicles damaging pipework. She recommended that the Committee visited the site before determining the application.

Mr Bolton said that he also lived in the area. He was concerned that there had been an impact on the view with the removal of trees from the site and that any development would overlook his property and cause a significant loss of residential amenity.

The Chairman invited questions to Mrs Gascoigne and Mr Bolton.

In response to a question regarding access to Daines Lane, Mrs Gascoigne confirmed that the access at the rear of Holly Villas was for Holly Villas only.

The Chairman invited Mr Bragg, representing Melton Parish Council, to address the Committee.

Mr Bragg said that Melton Parish Council accepted development within the village where appropriate, but did not feel that this was the case for the application. He said that the application represented overdevelopment that was contrary to policies in the Melton Neighbourhood Plan, existing Local Plan, and the emerging Local Plan, and would compromise residential amenity.

The development would have a severe impact on Daines Lane; Mr Bragg referred to earlier comments regarding damage to pipework by large vehicles. He agreed that a site visit was required so that the Committee could understand the access issues.

Mr Bragg advised that residents felt that the development was a "disaster waiting to happen" and would cause significant harm to Daines Lane.

The Chairman invited questions to Mr Bragg.

Mr Bragg advised the Committee that he was referring to policy MEL17 of the Neighbourhood Plan regarding overdevelopment. He considered that the development would change the character of the area and cause harm to residential amenity.

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

A member of the Committee queried if the Highways Authority had visited the site; he was minded at that stage that the Committee should undertake a site visit. The Planning Development Manager advised that the Highways Authority had visited the site.

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

RESOLVED

That the application be deferred so that a site visit can be undertaken, to assess the impact of the proposed development on the private highway.

It was suggested by the Planning Development Manager that the site visit be undertaken by East Suffolk Council's Planning Committee.

2. **BREDFIELD – DC/19/0244/FUL – Construction of dwelling and garage, Land To The Rear Of The Old Post Office, The Street, Bredfield, Suffolk, IP13 6AX for Mr & Mrs Green**

Full Planning Permission was sought for the erection of one dwelling and associated garage. There was an extant permission for a dwelling on the site which was due to expire on the 3rd August 2019 (reference DC/16/2362/FUL). This extant consent had not been implemented.

This item was presented to the Committee as the applicant worked for East Suffolk Council.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer. The site's location was demonstrated, highlighting its relation to the physical limits boundary of Bredfield, and the proposed block plan was also shown. The Area Planning and Enforcement Officer advised that the extant planning permission meant that principle of development on the site had already been established.

Drawings of the proposed elevations and floor plans were displayed, along with photographs of the application site.

The key issues were summarised as the principle of development, design and appearance, and residential amenity.

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

The Chairman invited questions to the Officer.

The Area Planning and Enforcement Officer confirmed that the access road was private, and not a maintained road.

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

Mr Wells informed the Committee that the extant planning permission had been obtained by the previous owners of the site. The current applicants had wanted to create something more contemporary and in a different location on the site, hence the new application.

It was confirmed by Mr Wells that the applicants were not in attendance as they were on holiday, however were very invested in the project on the site. He considered that the application was a simple one and did not create any overlooking.

The Chairman invited questions to Mr Wells.

Mr Wells confirmed that the applicant had bought some land outside of the physical limits boundary and acknowledged the condition to remove permitted development rights on that area of the site.

The Chairman invited Councillor Fryatt, Ward Member for Bredfield, to address the Committee.

Councillor Fryatt highlighted that the Parish Council had not objected to the application. He said that he was supportive of the application and asked if the Parish Council's concerns regarding sewage and waste collection had been addressed by condition 10 of the recommendation.

In response to Councillor Fryatt's question, the Area Planning and Enforcement Officer confirmed that the issue would be addressed by building regulations during the next phase of the application.

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

A member of the Committee highlighted the window apertures on the northern and southern sides of the proposed dwelling, querying if the distance of approximately 10m would result in the property overlooking the neighbouring Mallards property. In response, the Planning Development Manager referred to paragraph 5.21 of the report, which listed distances of 16m, 17m, and 19m. The member of the Committee expressed unease as this was within 20m; he was advised that any views from these apertures would be of Mallards and the front garden, as opposed to more private areas to the east.

There being no further debate the Chairman moved to the recommendation to approve, which was proposed, seconded, and determined by a majority vote as follows:

DETERMINATION:

APPROVED subject to the following conditions

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

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

2. The development hereby permitted shall not be brought into use until it has been completed in all respects strictly in accordance with PW994_PL01 and PW994_PL02 received 21st January 2019, 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: 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 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 areas within the site shown on PW994_PL_01 for the purposes of manoeuvring and parking of vehicles have been provided and thereafter those areas shall be retained and used for no other purposes.

Reason: To ensure that facilities for on site parking are provided and maintained in order to reduce parking and manoeuvring within the highway.

5. Prior to the commencement of development any feature along the highway frontage and within the splays shown in red on the plan hereby approved shall be reduced to 0.6 metres above the level of the adjacent carriageway and thereafter shall be maintained at or below that height.

Reason: In the interests of highway safety in order to maintain indivisibility between highway users.

6. No other part of the development hereby permitted shall be commenced until the existing vehicular access has been improved, laid out and completed in all respects in accordance with DM02 with an entrance width of 4.5 metres. Thereafter the access shall be retained in the specified form.

Reason: In the interests of highway safety to ensure that the layout of the access is properly designed, constructed and provided before the development is commenced.

7. No building shall be occupied until the screen walls or fences as shown on the approved plans have been erected between each adjacent dwelling hereby permitted, and shall be subsequently retained; unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbour amenity and in order to enhance the appearance of the locality.

8. Prior to the dwelling hereby permitted being first occupied, the vehicular access onto the highway shall be properly surfaced with a bound material for a minimum distance of five metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.

Reason: To secure appropriate improvements to the vehicular access in the interests of highway safety.

9. 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.

10. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking or re-enacting the said Order] no development of any kind specified in:

- Part 1, Class E (outbuildings, swimming or other pools, domestic fuel tanks etc)
- Part 2, Class A (Fences, walls, gates and other means of enclosure)
- Part 14, Classes A and H (domestic photovoltaics and domestic wind turbines)

of Schedule 2 of the said Order shall be carried out on the triangular shaped area of land to the east of the hereby approved dwellinghouse, unless otherwise agreed with the local planning authority.

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. This area of residential curtilage is a significant expansion beyond the defined physical limits boundary, and the residential curtilage previously permitted. Any structures within this area have the potential to significantly expand the built form which could adversely affect the appearance of the locality in the countryside.

4. LEISTON – DC/19/0621/ADN – Application to Display Signage, Leiston Sports Centre, Red House Lane, Leiston, Suffolk, IP16 4LS for Ms Laura Hack, East Suffolk Council

Advertisement Consent was sought for signage at the extended/refurbished Leiston Leisure Centre. This item had come before the Committee as the application had been made by the Council on its own land.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer. He explained that the purpose of the application was to replace the Suffolk Coastal District Council signage with signage for the new East Suffolk Council.

The elevations of the proposed new signage were demonstrated.

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

The Chairman invited questions to the Officer.

It was confirmed that similar signage replacement would take place at all of the Council's leisure centres.

The Chairman invited Councillor Cooper, Ward Member for Leiston, to address the Committee.

Councillor Cooper said that he was in support of the application.

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

There being no debate, the Chairman moved to the recommendation to approve which was proposed, seconded, and by a unanimous vote determined as follows:

DETERMINATION:

APPROVED subject to the following conditions:

1. This consent shall expire at the end of a period of five years from the date of this consent.

Reason: In accordance with the Town and Country Planning (Control of Advertisement) Regulations 2007.
2. The development hereby permitted shall be completed in all respects strictly in accordance with Drg No 161 C65 received 12.02.2019 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 advertisements hereby approved shall be maintained in a clean and tidy condition.

Reason: In accordance with the Town and Country Planning (Control of Advertisement) Regulations 2007.
4. No advertisement shall be sited or displayed so as to – endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: In accordance with the Town and Country Planning (Control of Advertisements) Regulations 2007.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

3. KESGRAVE – DC/18/3809/FUL – Construction of new vehicular access at: At Last, 112 Main Road, Kesgrave, IP5 1BL for Mr Stuart Lawson

At this point in the meeting, Councillor McCallum declared a Local Non-Pecuniary Interest in the application as Ward Member for Kesgrave West.

Councillor McCallum did not chair the Committee for the following item, nor sit as a member of the Committee, due to this Local Non-Pecuniary Interest. She remained in the Conference Room for the item in order to speak as a Ward Member, but did not take part in the debate or vote on the application.

Councillor Harvey, the Vice-Chairman, acted as Chairman for the duration of this application.

Planning Permission was sought for the construction of a new vehicular access at 112 Main Road, Kesgrave. This item had come before the Committee because the applicant was an Elected Member (formerly of Suffolk Coastal District Council, and remained an Elected Member of the shadow period of East Suffolk Council).

The item was presented to Suffolk Coastal District Council's Planning Committee in November 2018 with a recommendation of refusal on the grounds that the proposal would represent an unacceptable risk to highways safety, in-line with the recommendation of the Suffolk County Highways Authority. Determination was however deferred to enable that Committee to undertake a site visit, which took place on 17 December 2018 with officers from the Highways Authority in attendance.

The Committee received a presentation on the application from the Senior Planning Officer. He referred to the presentation received by Suffolk Coastal District Council's Planning Committee on 26 November 2018, which showed the site location, proposed block plan, and site photographs.

The Senior Planning Officer highlighted the areas where it was the Highways Authority to clear and maintain the land; the vegetation that was blocking visibility in the westerly direction had been identified as part of this area, which had resulted in the change of recommendation to one of approval.

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

The Acting Chairman invited questions to the Officer.

It was confirmed that conditions in the recommendation required hedgerows to be cut back in order to ensure visibility, so enforcement action could be taken with all responsible landowners if this did not happen.

The Planning Development Manager noted the influence of the Highways Authority's recommendations on this application and assured the Committee that Officers regularly interrogated consultee responses and challenged them where appropriate.

The Acting Chairman invited Councillor McCallum, Ward Member for Kesgrave West, to address the Committee.

Councillor McCallum assured the Committee that all hedgerows would be cut and maintained, this being enforced by Kesgrave Town Council and the Highways Authority. She said that it was refreshing that the application now had a more sensible recommendation for approval.

The Acting Chairman invited questions to Councillor McCallum.

Councillor McCallum stated that Kesgrave Town Council had been vigilant on the issue of hedgerows being cut back as required in Kesgrave and had been advised that it would continue to be.

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

There being no debate the Acting Chairman moved to the recommendation to approve, which was proposed, seconded, and determined as follows:

DETERMINATION:

APPROVED subject to controlling conditions including the following:

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 carried out in accordance with Drawing No's: ATLAST/KES/09/2018/01/A and ATLAST/KES/09/2018/02, received on 21 March 2019.

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

3. The new vehicular access shall be laid out and completed in all respects in accordance with: Suffolk County Council Standard Drawing for vehicular access No. DM02; and approved drawing no. ATLAST/KES/09/2018/01 Rev A, and with an entrance width of 3 metres. Thereafter the access shall be retained in the specified form.

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

4. The vehicular access shall not be used until the area within the site shown on ATLAST/KES/09/2018/01 Rev A for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on site parking and manoeuvring of vehicles is provided in the interests of highway safety.

5. Before the access is first used visibility splays shall be provided as shown on Drawing No. ATLAST/KES/09/2018/02 and thereafter retained in the specified form. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any

Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely.

6. The 3no. trees adjacent the southern boundary of the application site, as shown on Drawing No. ATLAST/KES/09/2018/01 Rev A, shall not be uprooted, felled, wilfully damaged or in any other way destroyed or removed without the prior written consent of the local planning authority.

Reason: To safeguard the visual amenity provided by these mature trees which fall outside of the approved visibility splays and therefore do not need to be removed.

Following conclusion of application, Councillor McCallum returned to the Chair. She wished all members of the Committee the best of luck for the future and invited Members and Officers to join her for lunch following the conclusion of the meeting.

The Meeting concluded at 12.20pm



STRATEGIC PLANNING COMMITTEE

Monday, 9 September 2019

PLANNING APPEALS REPORT

EXECUTIVE SUMMARY

This report provides an update on all appeal decisions received from the Planning Inspectorate between 27 May 2019 and 21 August 2019

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

1 INTRODUCTION

- 1.1 This report provides a summary on all appeal decisions received from the Planning Inspectorate between the 27 May 2019 and 21 August 2019.

2 APPEAL DECISIONS

- 2.1 A total of 28 appeals have been received from the Planning Inspectorate since the 27 May 2019 following a refusal of planning permission from either Suffolk Coastal District Council, Waveney District Council or the newly formed East Suffolk Council. In addition two appeals (Raedwald Road Rendlesham and Crown Nurseries Ufford) both scheduled for Public Inquiries have been withdrawn at the request of the appellants.
- 2.2 A summary of all the appeals received is appended to this report.
- 2.3 The Planning Inspectorate monitor appeal success rates at Local Authorities and therefore it is important to ensure that the Council is robust on appeals, rigorously defending reasons for refusal. Appeal decisions also provide a clear benchmark for how policy is to be interpreted and applications considered.
- 2.4 Very few planning refusals are appealed (approximately 20%) and nationally on average there is a 42% success rate for major applications, 27.25% success rate for minor applications and 39.25% success rate for householder applications. Taken as a whole that means that slightly over 36% (or 1 in 3) of app planning appeals are successful.
- 2.5 Of the 28 appeal decisions received three were determined by the Planning Committee with the remaining 25 being delegated. One appeal was made on the grounds of non-determination.
- 2.6 25 of the decisions were dismissed (89%) and three allowed (11%). These statistics show that the Council's success rate in defending appeals is above the national average and provides confidence that the Council is able to robustly defend against unacceptable development and has a suite of policies available to assist defence.
- 2.7 The Council has also been granted costs in their favour in relation to three appeals. Crown Nurseries Ufford and Raedwald Road Rendlesham were both withdrawn and the scheme in Kirton was dismissed. The costs were granted on the grounds of the Council being able to demonstrate a five year supply of housing.
- 2.8 There are no areas of concern raised in any of the appeals, although it is noted in two one decision no reasons for refusal were appended to the decision notice but the Inspector considered the officer's report and justification was sufficiently robust. This is an isolated instance and mechanisms have been put in place to ensure that this remains isolated.
- 2.9 The decisions usefully endorse the Council's approach to development in the countryside, Part Q conversions and how backland (tandem) development is approached.
- 2.10 It is also important moving forward with the evidence that the Council (both the Waveney and Suffolk Coastal Local Plan areas) can demonstrate a five year supply of housing and therefore officers should routinely consider whether applications for award of costs are appropriate to take forward.

3 REASON FOR RECOMMENDATION

3.1 This report is for information only.

RECOMMENDATION

That the contents of the report, updating the Strategic Planning Committee on appeal decisions received, be noted and endorsed.

APPENDICES

Appendix A	Summary of Appeal Decisions received from the Planning Inspectorate between 27 May and 21 August 2019
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BACKGROUND PAPERS

Please note that copies of background papers have not been published on the Council's website www.eastsuffolk.gov.uk but copies of the background papers listed below are available for public inspection free of charge by contacting the relevant Council Department.

Date	Type	Available From
27 May to 21 August 2019	Appeal Decisions received from the Planning Inspectorate	http://www.eastsuffolk.gov.uk/planning/planning-applications/publicaccess/

APPENDIX A

The following appeals have been received between 27 May 2019 to 21 August 2019. The full reports are available on the Council's website using the unique application reference.

Application Number	DC/18/0817ful
Appeal Number	APP/T3535/W/18/3207307
Site	33 Lakeside Rise, Blundeston NR32 5BE
Description of Development	Construction of an end terraced house
Committee / Delegated	Delegated
Decision Date	3 July 2019
Appeal Decision	Dismissed
Main issues	<ul style="list-style-type: none"> • The effect of the proposed development on the character and appearance of the area; and • The effect of the proposed development on the living conditions of the occupiers of No 33 Lakeside Rise with regard to outlook and daylight
Summary of Decision	<p>The host building has a prominent position at the end of a terraced row of dwellings, with garden land to the rear and side. The surrounding residential estate comprises relatively uniform dwellings with a reasonable plot size which are generally well spaced and reasonably well set back from their front boundaries. These factors, together with the estate's generous provision of open space, give the immediate area an open and spacious character.</p> <p>The proposed dwelling and its plot would have a limited scale which would be incongruous within the spaciousness of the locality. No equivalent development lies at the other end of the terrace, and the proposal unbalances the terrace causing significant harm to the character and appearance of the area.</p> <p>The proposal consequently conflicts with Policy WLP 8.29 of the WLP, which states that development proposals should respond to local context and the form of surrounding buildings in relation to scale, character and massing. Further conflict exists with Policy 8.33 of the WLP, which sets out that housing development on garden sites will be supported where the scale and siting of the proposal is in keeping with the character and density of the surrounding development and would not generate a cramped form of development.</p> <p>Living conditions</p> <p>The rear elevation to the host dwelling contains a kitchen window and in the single storey rear extension forms a dining room, with French doors which would face the side elevation to the new dwelling and lose the current spacious outlook over the dwelling's gardens. The length and proximity of the new dwelling would result in a significant enclosing effect on that property significantly diminishing outlook and losing light into the rooms..</p>
Learning Point / Actions	<p>The inspector has accepted fully the amenity and grain arguments made. The decision notice was issued without conditions but the Inspector accepts that the officer report was sufficiently explicit to understand the reason for refusal. While therefore this was a regrettable error on our part it had no bearing on outcome.</p> <p>The five year supply argument carries limited weight for a single unit, and further is not either accepted or rejected as insufficient</p>

	<p>information is available, similarly the argument we advanced in the lack of a RAMS contribution as removing the “presumption in favour” is also not debated as no further supporting information was provided in this case.</p> <p>Residential garden policies locally and in the NPPF outweigh the “Brownfield” land argument made</p>
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Application Number	DC/18/2241/OUT
Appeal Number	APP/T3535/W/18/3212605
Site	Former caravan site adjacent to 69 Beccles Road, Bungay, Suffolk, NR35 1HT
Description of Development	Outline Application (Some Matters Reserved) - Construction of one dwelling
Committee / Delegated	Delegated
Decision Date	23 July 2018
Appeal Decision	Dismissed
Main issues	The main issue is the character and nature of the street scene and the suitability of the site for a new dwelling.
Summary of Decision	<p>In view of the character and nature of the street scene, the site is not suitable for a new dwelling since its development would reduce the openness of the gap to the detriment of the distinctiveness and appearance of the area and would be contrary to development plan policies. The change in the settlement boundary in this location is clearly intended to recognise the clear break in development, and its value as a green corridor within an urban setting.</p> <p>Despite this being in a sustainable location it is encouraging that the inspector recognised the contribution of this gap in the urban area and the reasons for not including it within the settlement boundary of Bungay. This outweighed the benefits of providing a single dwelling well located to services and facilities nearby.</p>
Learning Point / Actions	None

Application Number	DC/17/5300/FUL
Appeal Number	APP/J3530/W/19/3219939
Site	Land At Former Beach Station , Beach Station Road, Felixstowe
Description of Development	Provision of container storage units and open caravan/boat open storage.
Committee / Delegated	Delegated
Decision Date	28 June 2019
Appeal Decision	Dismissed
Main Issues	The main issue is the effect of the proposed development on the character and appearance of the area.
Summary of Decision	<p>The proposed development would harm the character and appearance of the area. Therefore, it would conflict with Suffolk Coastal District Local Plan Core Strategy & Development Management Policies Development Plan Document July 2013 (CS) Policy SP1(k) which seeks development that maintains and enhances a sense of place, and with CS Policy SP15 which seeks development that protects and enhances the various distinctive historical and architectural value as well as landscape value and character areas of the district. It would also conflict with CS Policies DM21(a), (b) and (f) which require development that relate well to the character of their surroundings, provide a positive improvement in the standard of the built</p>

	<p>environment and give attention to the spaces between buildings and the boundary treatment of individual sites respectively.</p> <p>The proposal would also conflict with emerging LP Policy SCLP6.1 which supports development that improves the visitor experience, albeit this Policy carries limited weight.</p> <p>Despite the current appearance of the site (security fencing, railway paraphernalia, etc) and uses immediately opposite the site, the Inspector has accepted that Felixstowe, in the existing adopted Core Strategy, Felixstowe Area Action Plan and Emerging Local Plan sets out the aim to achieve a thriving seaside town and port, of which the proposal would be in conflict with those aspirations.</p>
Learning Point / Actions	None

Application Number	DC/18/4833/FUL
Appeal Number	APP/J3530/W/19/3225855
Site	Friarscroft , Marcus Road, Felixstowe, IP11 7NF
Description of Development	Proposed brickwork boundary wall fronting Golf Road and Marcus Road
Committee / Delegated	Delegated
Decision Date	26 June 2019
Appeal Decision	<p>Allowed with conditions:</p> <p>1) The development hereby permitted shall begin not later than three years from the date of this decision.</p> <p>2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan SDS55-1001, Garden Wall Plans & Elevations Drawing No. SDS55-0106 revision P02.</p> <p>3) The hedge planting indicated on the approved plan shall be implemented in the first planting season following the completion of the wall. Any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.</p>
Main Issues	The main issue is the effect of the development on the character and appearance of the area.
Summary of Decision	<p>Owing to the scale and design of the wall and the similarity in appearance to other nearby walls, the proposed wall would not be an imposing structure and, even though it would not reflect the materials of the dwelling itself, it would be in keeping with the character and appearance of the street scene.</p> <p>It was acknowledged that the existing hedge is of a softer appearance than the proposed wall, and that the proposed hedge could take some time to become established, but once it has grown the replacement hedge would visually soften the appearance of the wall.</p> <p>The proposal would not cause material harm to the appearance and character of the area and that the proposal would accord with the National Planning Policy Framework ('the Framework') and Policies DM21 and SP15 of the Suffolk Coastal District Local Plan Core Strategy & Development Management Policies.</p>

Learning Point / Actions	<p>No condition was put on the permission granted for the subdivision of the site and erection for a new dwelling (planning reference DC/17/4624/FUL) for boundary treatment details or the retention of the hedgerow (although this in itself would have limited weight and enforceability).</p> <p>Whilst there were similar examples within the vicinity of the site, these were of lower height and would arguably have less impact on the streetscene; nor were they in prominent locations (corner plot of two roads). Negotiations to lower the height of the proposed piers and submission of planting details prior to determination may have resolved in an acceptable scheme under delegated powers.</p>
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Application Number	DC/18/4303/FUL
Appeal Number	APP/J3530/W/19/3223508
Site	Land to the rear of 36 Fairfield Avenue, Fronting Springfield Avenue, Felixstowe, IP11 9JQ
Description of Development	Single storey dwelling on land at rear of garden including new access for donor house, site fronts Springfield Avenue
Committee / Delegated	Delegated
Decision Date	18 July 2019
Appeal Decision	Dismissed
Main Issues	The main issues are the effect of the proposed development on the character and appearance of the appeal site and street scene; and on the living conditions of future occupiers of the proposed dwelling, with regard to outlook and natural light.
Summary of Decision	<p>Whilst the proposed dwelling would not be dissimilar in scale and appearance to the neighbouring bungalows, it would be sited on a significantly smaller plot than these dwellings and others in the surrounding area. Moreover, it would be orientated differently with its side elevation facing the road on a building line further forward than the neighbouring dwellings. As such, its layout and position would be uncharacteristic and incongruous in the otherwise uniform setting of properties with much larger plot sizes, active street frontages and a consistent front building line.</p> <p>The proposed dwelling would have an unacceptably harmful effect on the character and appearance of the appeal site and street scene. Consequently, it is contrary to Policy DM7 of the Suffolk Coastal District Local Plan – Core Strategy and Development Management Policies document (the Core Strategy), which concerns infilling and backland development, including the requirement that development should not result in a cramped form of development out of character with the area or street scene. It is also contrary to Core Strategy Policy DM21, which concerns design and which states that proposals that comprise poor visual design and layout or otherwise seriously detract from the character of their surroundings will not be permitted.</p> <p>The Inspector found in the appellant's favour with regard to the main issue concerning living conditions, however it was insufficient to outweigh the unacceptable harm and conflict with the development plan and framework concerning the effect on character and appearance.</p>
Learning Point / Actions	None

Application Number	DC/18/3566/FUL
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Appeal Number	APP/J3530/W/18/3215981
Site	Land North Of Saxtead Road, Dennington, Suffolk
Description of Development	Retention of landscape features and equipment sheds forming part of the previously approved wildlife pond (DC/16/3554/FUL)
Committee / Delegated	Delegated
Decision Date	11 July 2019
Appeal Decision	Dismissed
Main Issues	The following condition 4 that has been applied to the application is not sound: <i>"The hereby permitted landscape features; buildings and pond shall only be used as a wildlife habitat, and for no other uses, including any recreational leisure activity uses, such as swimming; watersports; fishing or (including any other order specified in the Use Classes Order and/or any other use which maybe permitted through The Town and Country Planning (General Permitted Development) (England) Order 2015, or any orders revoking or redacting those Orders). The land enclosed within the red line shown on the site location plan does not form part of the residential curtilage associated with Wynneys Hall. 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."</i>
Summary of Decision	The condition that has been applied to the application is not sound, it should have been applied to the application when it was originally determined, as this application (DC/18/3566/FUL) added additional elements to the original application.
Learning Point / Actions	Not to retrofit conditions to planning applications for issues that could arise, but not to assume would a development could turn into.

Application Number	DC/17/5380/OUT
Appeal Number	APP/J3530/W/18/3206478
Site	Land At Redwald Road, Rendlesham, Suffolk, IP12 2TZ
Description of Development	Outline Planning Application for up to 290 dwellings, Car Parking, Open space, Including the provision of Allotments with Associated Infrastructure and Access
Committee / Delegated	Committee
Decision Date	03 April 2018
Appeal Decision	Appeal withdrawn on the 19 February 2019 by appellant
Main Issues	Had the appellant behaved unreasonably by withdrawing their appeal prior to the inquiry.
Summary of Decision	The appellant has behaved unreasonably by withdrawing their appeal prior to the inquiry. Cost can be claimed from 30 July 2018 (inclusive) on wards for working on the appeal. The reasons given by the appellant were for commercial reasons and will try and get the site area into the Local Plan. The Secretary of State did not feel that these were good enough reasons to withdraw the appeal without prior warning that costs will be applied for. The Local Planning Authority are currently compiling the costs.
Learning Point / Actions	To only withdraw an appeal with very good reasons

Application Number	DC/16/4134/FUL
Appeal Number	APP/J3530/W/19/3220555
Site	7 Main Street, Leiston
Description of Development	Housing development of 5 houses, with associated parking and access.
Committee / Delegated	Non determination

Decision Date	10 July 2019
Appeal Decision	Dismissed
Main Issues	Effect of development on listed buildings and Leiston Conservation Area.
Summary of Decision	As a consequence of the loss of part of the open space which is identified as an important open/green/tree space in the Conservation Area Appraisal; the inspector considered that there would be harm to Leiston Conservation Area from the proposed development that was not outweighed by the limited public benefits. There was acknowledgement that the provision of part of the site for the establishment of the Leiston Works Railway could amount to a significant public benefit however the lack of information/legal agreement to secure the delivery of the works meant that limited weight could be given to this public benefit.
Learning Point / Actions	Unless there is a legal agreement in place for the establishment and operation of the Leiston Works Railway there would be insufficient public benefit to outweigh the less than substantial harm to Leiston Conservation Area.

Application Number	DC/18/3989/FUL
Appeal Number	APP/J3530/W/19/3224893
Site	48 High Street, Aldeburgh, IP15 5AB
Description of Development	Change of use from A2 to C3 for ground floor only.
Committee / Delegated	Committee
Decision Date	3July.2019
Appeal Decision	Dismissed
Main Issues	Effect of development on the long-term growth and resilience of the local economy.
Summary of Decision	The property was not subject to a sufficient period of marketing, in accordance with the SCDC Commercial Property Marketing Best Practice Guide. Issues with the internal layout of the property did not outweigh the limitations of the marketing exercise. The appeal scheme was considered to have a harmful effect on the long term growth and resilience of the local economy contrary to policy DM10.
Learning Point / Actions	Moderate weight can be given to the SCDC Commercial Property Marketing Best Practice Guide.

Application Number	DC/18/0086/FUL
Appeal Number	APP/J3530/W/18/3212935
Site	Bank House, 177 High Street, Aldeburgh, IP15 5AN
Description of Development	Demolition of existing outbuilding and garage. Erection of new dwelling (comprising basement and room-in-roof levels) with integral parking and widened vehicle cross over.
Committee / Delegated	Committee
Decision Date	4 June 2019
Appeal Decision	Dismissed
Main Issues	Effect of development on the character and appearance of the Aldeburgh Conservation Area, with specific regard to its detailed architectural design and palette of materials.
Summary of Decision	Although the chosen materials are appropriate to the high quality architectural design proposed, the vertical timber boarding would be out of character with the prevailing historic palette of materials in the area and significantly erode the existing sense of place. As a consequence the proposed development would be harmful to the character and appearance of the conservation area.

Learning Point / Actions	Choice of materials is important irrespective of the high quality of the design proposed in a Conservation Area.
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Application Number	DC/19/0318/FUL
Appeal Number	APP/J3530/W/19/3225597
Site	Land at Cireanin, Woodbridge Road, Bredfield IP13 6AW
Description of Development	Proposed residential development of two bungalows and associated garages
Committee / Delegated	Delegated
Decision Date	1 August 2019
Appeal Decision	Dismissed
Main Issues	Two dwellings located in the countryside, but on the edge of a Physical Limits Boundary. Development in this location will lead to backland development, which is contrary to the grain of development within the Village.
Summary of Decision	<p>It is agreed that the dwellings proposed are located in the countryside as they are outside of the physical limits boundary, they do not accord with the other policies that allow development in the countryside and therefore contrary to Policy.</p> <p>Also this development if allowed would impact on the grain of development in the village and would introduce built form where there currently is none. The buildings being proposed are bungalows but development in this area would go against the character of the area.</p> <p><i>"the proposed development would have a significantly urbanising effect on the rural character of the area."</i></p> <p>The appellant argued that DM3 and SP29 are out of date, but the inspectors notes that they are broadly similar to the NPPF countryside policies. But it is not considered that they are and the tilted balance was engaged by the inspector who concluded that:</p> <p><i>"Taking these matters together, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits. As a result, the application of paragraph 11 of the Framework does not indicate that permission should be granted."</i></p>
Learning Point / Actions	Development on the edge of settlement boundary is still in the countryside

Application Number	DC/17/5302/COU
Appeal Number	APP/T3535/W/18/3210016
Site	Carriage House, Ashmans Hall, Bungay Road, Beccles, NR34 8HE
Description of Development	Change of use from agriculture to use for the leisure/holiday placement of mobile homes compliant with Caravan Sites and Control of Development Act 1960, as supplemented by Section 13 of the Caravan Sites Act 1968
Committee / Delegated	Delegated
Decision Date	12 July 2019
Appeal Decision	Dismissed
Main Issues	Setting of listed building, character of the landscape and highway safety
Summary of Decision	Permission for two mobile homes had been granted on the site previously but the claim that the principle of development of the land for mobile homes on the site had been established was incorrect. Harm to the setting of a heritage asset might not necessarily result

	<p>from visual considerations and that it is a matter of planning judgement whether harm would actually be caused. The setting of a heritage asset is the surroundings in which an asset is experienced. Ashmans Hall was originally set within parkland surroundings and though eroded to a degree the open parkland remains. The introduction of 12 mobile homes would be seriously harmful to the setting of Ashmans Hall, irrespective of any planting that might be introduced. Planting itself would be harmful as it would compromise the open parkland setting. Intrusion into the open parkland would have a significant adverse impact on the character of the landscape. The proposal would significantly increase traffic using the track leading to Ashmans Hall leading to an increased likelihood that traffic conflicts would occur at the junction with Bungay Road.</p>
Learning Point / Actions	Benefits to tourism and to the local economy do not, as a matter of planning judgement, outweigh harm that would be caused to the setting and significance of a Grade II* listed building.

Application Number	DC/17/3683/FUL
Appeal Number	APP/T3535/W/18/3198945
Site	Land adjacent Hall Cottage, Church Road, Suffolk, Henstead, NR34 7LD
Description of Development	Construction of a detached dwelling
Committee / Delegated	Delegated
Decision Date	20 May 2019
Appeal Decision	Dismissed
Main Issues	Whether the site is a suitable location for a dwelling having regard to the development plan, the effect on the character and appearance of the surrounding area and whether the proposal makes adequate provision for habitat mitigation.
Summary of Decision	<p>A previous appeal had been dismissed but this was determined under the now superseded policy DM22 which was permissive of certain infill developments. However, there was an additional requirement that the development needed to be accessible to local services and facilities. There is no similar requirement within LP Policy WLP8.7 and therefore, with regards to the sustainability of the location, the Inspector attached limited weight to the earlier appeal decision. The proposal could be regarded as small scale development in the countryside. The proposal would sit in close proximity to the common boundary with the neighbouring semi-detached dwellings and follow their built line of development. As such it would appear in keeping with the semi-detached dwellings to its side.</p> <p>The Inspector agreed with the previous Inspector that the proposal would not necessarily harm the setting of the listed building given its degree of separation and the surrounding development to both the east and west.</p> <p>With regards to habitat mitigation the RAMS SPD is in draft form and is at an early stage of the adoption process. As such, very limited weight was attached to it at this early stage as there is no certainty regarding the effectiveness of the mitigation measures nor their timeliness of delivery. Whilst the appellant had made a financial contribution towards the RAMS, there was no legal agreement to demonstrate that the mitigation would be effective and whether it would be secured for the specified purpose in the first place, and in a timely way.</p>

	In relation to the suitability of the location and character and appearance of the surrounding area the Inspector was of the view that planning permission should be granted. However, the Inspector was of the view that there was no means of securing appropriate mitigation in respect of the Benacre to Easton Bavents SPA and the Minsmere to Walberswick Heaths & Marshes SAC. For this reason alone, the appeal was dismissed.
Learning Point / Actions	This decision was considered a somewhat 'rogue' decision. RAMS contributions can be made either 'upfront' (as was the case here) or by legal agreement. On all other applications upfront payments of the RAMS contribution has been considered sufficient habitat mitigation in line with advice from Natural England and has been accepted by other appeal Inspectors.

Application Number	DC/18/2588/FUL
Appeal Number	APP/T3535/W/18/3216317
Site	Hill Farm Barn, London Road, Weston, NR34 8TE
Description of Development	Custom designed single storey two bedroom, self-build, retirement dwelling and site wild-scaping.
Committee / Delegated	Delegated
Decision Date	18 June 2019
Appeal Decision	Dismissed
Main Issues	Whether the appeal site is a suitable location for a dwelling having particular regard to the settlement strategy and the accessibility of services; and the effect of the proposal on the setting of a nearby listed building, Hill Farm House.
Summary of Decision	<p>Regarding the location it was acknowledged that the site was outside any settlement boundary and therefore in the countryside for planning purposes. The Inspector found that the site conflicted with the policies in the local plan which allow for housing in the countryside. Furthermore, it was found that accessing services and facilities in Beccles by a safe means (i.e. footpath and bridleway) was not possible particularly for the more vulnerable groups and any future occupants would be heavily reliant on the private car. This weighed significantly against the proposal.</p> <p>Turning to the impact on the listed building it was noted that the harm was 'less than substantial harm' which in turn requires an assessment against the public benefits of the proposal, as advocated in the NPPF. Paragraph 22 of the appeal decision deals with this matter and states that "<i>I find the provision of one dwelling would make only a very modest contribution to the housing supply</i>". Any benefits via construction and upkeep would, in the view of the Inspector, be modest and mainly temporary. In conclusion, the Inspector noted that there was insufficient benefit to outweigh the harm to the setting of the heritage asset and therefore failed the tests in the Framework.</p>
Learning Point / Actions	This decision upholds policies that seek to prevent isolated new dwellings in the countryside having regard to accessibility to services and the settlement strategy.

Application Number	DC/18/0673/OUT
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Appeal Number	APP/T3535/W/18/3210972
Site	Manor Farm House, Church Road, Mutford, NR34 7UZ
Description of Development	Outline Application (All Matters Reserved) - Construction of a single new dwelling with detached garage and the formation of a new vehicular access
Committee / Delegated	Delegated
Decision Date	5 June 2019
Appeal Decision	Dismissed
Main Issues	The main issue is whether the appeal site is a suitable location for a dwelling with particular regard to the settlement strategy for the area and the accessibility of services and facilities.
Summary of Decision	<p>The appeal site was located outside the defined settlement boundary and therefore in the countryside. However the Inspector agreed that the proposal would not extend further into open countryside due to there being built development to either side. However, in order to satisfy the provisions of Policy WLP8.7, the appeal site must constitute a clearly identifiable gap within a built-up area of a settlement and there must be existing residential properties on two sides of the site. The site did not meet this criteria.</p> <p>With regards to accessibility to services and facilities the Inspector noted that there was no continuous footway between the appeal site and the bus stop and the services and facilities of Mutford. Given the nature of the route future occupants would be unlikely to choose to walk. There was also limited regularity of bus services. As such, future occupiers would be highly dependent on travel by private car. This is contrary to the objectives of the Framework, and the overall aim of LP Policy WLP1.2. This was a significant factor weighing against the scheme. The Inspector concluded the site was not a suitable location for a new dwelling.</p>
Learning Point / Actions	This decision upholds policies that seek to prevent isolated new dwellings in the countryside having regard to accessibility to services and the settlement strategy.

Application Number	DC/18/2607/FUL
Appeal Number	APP/T3535/W/18/3212250
Site	Rivendell, Church Road, Mutford, Beccles, NR34 7UZ
Description of Development	Demolish existing double garage and remove outbuilding to allow erection of No. 1 Self Build Chalet Bungalow/one half storey house and detached garage.
Committee / Delegated	Delegated
Decision Date	4 June 2019
Appeal Decision	Dismissed
Main Issues	The character and appearance of the surrounding area and the living conditions of the future occupants of Rivendell, with particular regard to noise and disturbance.
Summary of Decision	The area has a pleasantly open and semi-rural character that the appeal site shares. The proposal would introduce a substantial sized dwelling. As a consequence of its scale and position and given the absence of tandem development along this length of Church Road, the proposal would appear significantly at odds with the prevailing linear pattern of development. The Inspector conclude that the proposal would cause unacceptable harm to the character and appearance of the area contrary to Policy WLP8.29 in so far as this policy requires development to respond to local context and the form of surrounding

	<p>buildings in terms of overall scale and character, layout and height and massing.</p> <p>Access would be along the existing driveway situated alongside the existing dwelling, Rivendell. The constrained width of the existing driveway, the positioning of the parking area near to the rear boundary of Rivendell and the consequent close proximity of passing and manoeuvring vehicles, would likely give rise to a serious adverse effect by way of noise and disturbance to the occupiers of Rivendell, Resulting in a significantly unacceptable standard of living conditions.</p>
Learning Point / Actions	A good example to use in defence of similar proposals that may come forward for backland development. The decision makes good use of new design and backland development policies.

Application Number	DC/18/1952/FUL
Appeal Number	APP/T3535/W/18/3212210
Site	Land Adjacent to 48 McLean Drive, Kessingland, Lowestoft, Suffolk NR33 7TY
Description of Development	Erection of a three bedroom detached bungalow plus new dropped kerb.
Committee / Delegated	Delegated
Decision Date	9 August 2019
Appeal Decision	Dismissed
Main Issues	The main issue is the effect of the proposed development on highway safety and convenience.
Summary of Decision	The site is located close to the end of Turrell Drive, where there is a group of publicly accessible parking spaces. There is evidently some pressure on the public parking that is available. The site is within the built up area and evidently would be sustainable in principle. However despite the on-site parking proposed the proposal would result in the loss of at least one publicly available parking space. Site access would be relatively narrow, restricted by the existing telegraph pole and requiring a tight turn for cars entering the new parking spaces. In consequence, the scheme would be awkward in itself and would add to parking pressures in the vicinity, causing unnecessary harm to highway conditions and prejudicing highway safety and convenience.
Learning Point / Actions	This application was refused solely on highway grounds, which the Highway Authority expanded upon by providing a statement. The effect on highway safety and convenience, though relatively small in scale, can outweigh the benefits of a scheme.

Application Number	DC/18/0167/FUL
Appeal Number	APP/J2530/W/18/3210761
Site	Former Blue Cross Animal Welfare Centre, 333 High Street, Walton, Felixstowe
Description of Development	Demolition of existing buildings and construction of 10no. new dwelling houses
Committee / Delegated	Delegated
Decision Date	9 May 2019
Appeal Decision	Dismissed
Main Issues	Effect of the character and appearance of the area, including regarding trees, the effect on the living conditions of future and neighbouring occupiers and the effect of the development on highway and pedestrian safety.
Summary of Decision	The appeal was dismissed due to the scheme adversely impacting on the character and appearance of the area as a result of the loss of

	important trees. Also that the separation distances between dwellings was not sufficient to result in acceptable levels of privacy for occupiers of existing and the proposed dwellings. The concerns regarding highway safety and parking levels were not upheld by the Inspector who commented that the speed of vehicles entering the site given the relatively small number of dwellings would not result in an unacceptable impact on pedestrian safety.
Learning Point / Actions	The Highways reasons for refusal were not upheld and site specific circumstances should be considered in addition to the Highways Authority's technical requirements for accesses. Good decision regarding the positive impact glimpses of single trees can make in an urban setting and also on acceptable levels of privacy.

Application Number	DC/18/2428/FUL
Appeal Number	APP/T3535/W/19/3220766
Site	3 White Point, Eversley Road, Southwold
Description of Development	Construction of glazed pavilion to roof terrace.
Committee / Delegated	Delegated
Decision Date	31.05.2019
Appeal Decision	– Allowed
Main Issues	Impact upon the character of the Conservation Area.
Summary of Decision	The Inspector did not agree with the Council's view that the pavilion on the roof terrace would represent a discordant feature not in keeping with the buildings design, detracting from its strong architectural statement by adding visual clutter to the clean roofline of the building. The Inspector was of the view that the pavilion would complement the existing design rather than detract from it and because it is in keeping with the original design will preserve and enhance the character of the Conservation Area. Contrary to the view of the Council the Inspector considered the proposal would not be unduly prominent in the Conservation Area despite being visible from what he described as two near viewpoints and some private gardens. Given the prominent position of the building with frontages to two roads, the Council's view is that it would be seen from more than just two near points.
Learning Point / Actions	None. There was just a difference of opinion of what constituted an acceptable design.

Application Numbers	DC/18/2921/OUT and DC/18/2922/OUT
Appeal NumberS	APP/J3530/W/18/3216881 and 3216884
Site	33 Thurmans Lane, Trimley St Mary, IP11 0SR
Description of Development	Severance of part garden and erection of detached dwelling; and Severance of side and erection of detached dwelling.
Committee / Delegated	Delegated decision.
Decision Date	28 June 2019
Appeal Decision	Both appeals dismissed.
Main Issues	Whether the proposed development would provide a suitable location for housing having regard to the character and appearance of the area. Secondary issue of whether there is a requirement to provide additional visibility from the proposed access and, if so, the effect of this on the character and appearance of the area.
Summary of Decision	These were two appeals which differ only in their location in relation to the existing building at No. 33 Thurmans Lane. The proposals were in outline and sought planning permission for the development of a dwelling on each side of the existing building. Whilst they were two

	<p>separate planning applications, they were both determined via a single appeal decision.</p> <p>The appeal site is located in the countryside and within a designated area to be protected from development within the Felixstowe Peninsula Area Action Plan DPD (2017). The Inspector identified that the narrow lane has an open, green feel derived from the modest amount of dwellings and presence of hedgerows and vegetation. It was concluded that the proposals for two detached dwellings would increase the concentration of dwellings along Thurmans Lane, resulting in additional built development that would have an urbanising effect - diminishing the open rural character of the area. It would visually expand the built up area of Trimley St Mary contrary to the aims of the Local Plan.</p> <p>The Inspector ultimately concluded that the proposed development would not provide a suitable location for housing, having regard to the character and appearance of the area.</p> <p>The Inspector acknowledged that to make the proposed new vehicular access safe that a planning condition would be necessary to secure visibility splays. It was concluded though that this would likely require the removal of significant hedgerow which would erode the rural character of the site frontage and Thurmans Lane, further harming the character and appearance of the area.</p>
Learning Point / Actions	<p>Along Thurmans Lane an infill dwelling was constructed adjacent the site prior to the area being designated as an Area to be Protected from Development. The Inspector did not accept that an infill plot adjacent the appeal site was suggestive that the appeals should be allowed, as this infill dwelling was approved before the area was protected from development under the Local Plan. This demonstrates that precedent from dated planning approvals does not necessarily outweigh the content of up-to-date Local Plan policies.</p>

Application Numbers	DC/18/2068/FUL
Appeal NumberS	APP/J3530/W/18/3212128
Site	8 Birch Grove, Martlsham Heath, Ipswich IP5 3TD
Description of Development	Proposed detached two-storey dwelling (revised scheme)
Committee / Delegated	Committee
Decision Date	24 May 2019
Appeal Decision	Dismissed
Main Issues	The effect of the proposed development on the character and appearance of the area.
Summary of Decision	The Inspector considered the proposed infill plot would cause significant harm to the settlement pattern and spacious urban character of the area, and thus contrary to policies within the Development which includes the Neighbourhood Plan and paragraphs 127 and 130 of the NPPF. It was considered the house would appear cramped because it would result in a row of three properties with much narrower intervening gaps inconsistent with the prevailing pattern of development in Birch Grove. The prominent position of the scheme and its relationship with neighbouring dwellings would be publicly visible when approaching from both directions on Birch Grove which would intensify its harmful impact.

	<p>Despite the site being in a sustainable location with good access to shops and services, it was considered the significant harm to the character of the area would outweigh the modest benefits of the scheme, namely one additional family house and local employment during construction.</p> <p>Further to the appellants claim that the scheme should be considered against the presumption in favour of sustainable development the Inspector concluded that the proposal does not accord with the Development Plan and the relevant policies are not out of date so the presumption in favour of sustainable development as outlined in paragraph 11 of the Framework is not engaged in this instance.</p>
Learning Point / Actions	Good example of ensuring development is sympathetic to local character.

Application Numbers	DC/18/4380/FUL
Appeal Numbers	APP/J3530/W/19/3226122
Site	Woodlands, Woodbridge Road, Debach
Description of Development	Change of use from cartlodge and residential annex to separate and self-contained dwelling
Committee / Delegated	Delegated
Decision Date	16 August 2019
Appeal Decision	Allowed
Main Issues	If the house and the annex are considered as one dwelling on the site and can be subdivided to create two, in accordance with Policy DM3 of the Core Strategy.
Summary of Decision	The application site is considered to be one dwelling (house and annex) therefore there it can be subdivided in accordance with Policy DM3 and the NPPF. There is no need to be justified for the subdivision of the dwelling as the NPPF is up to date and the Core Strategy is not.
Learning Point / Actions	The meaning of residential curtilage does mean main house and outbuildings; this is not just the main dwelling on the site.

Application Numbers	DC/18/4243/FUL
Appeal NumberS	APP/054/2019
Site	28 Upperfield Drive, Felixstowe
Description of Development	Proposed new boundary fence
Committee / Delegated	Delegated
Decision Date	19/6/19
Appeal Decision	Dismissed
Main Issues	The main issue is the effect of the development on the character and appearance of the area.
Summary of Decision	The proposed fence would cause material harm to the appearance and character of the area and would be contrary to Policies DM21 and SP15 of the Suffolk Coastal District Local Plan Core Strategy & Development Management Policies which seek to protect appearance and character through high quality design and establish a strong sense of place.
Learning Point / Actions	The open area surrounding the bungalows makes a positive contribution to the appearance and character of the street.

Application Numbers	DC/18/3891/VOC and DC/18/5244/VOC
Appeal Numbers	APP/J3530/W/19/3225385 and APP/J3530/W/19/3225391
Site	Park Farm, Chapel Road, Bucklesham IP10 0BT

Description of Development	Variation of condition to alter occupancy period on caravan site from 56 days to 11 months.
Committee / Delegated	Delegated
Decision Date	2 August 2019
Appeal Decision	Dismissed
Main Issues	The loss of control over the use of the units on site from holiday use to main residence use.
Summary of Decision	The current condition is reasonable and necessary. Not enough evidence has been provided showing that a different condition would be beneficial to the site. The current wording of the condition is not over burdensome. LP Policy SP8 seeks to locate development for tourism within sustainable locations. As such, permanent occupation of the static caravans would be contrary to the provisions of local plan policies.
Learning Point / Actions	The standard condition applied for caravans for the use of tourism within the existing local plan area is reasonable and necessary regardless of inspectors overturning decisions previously on other sites in relatively close proximity.

Application Numbers	DC/18/2387/PN3
Appeal Number	APP/J3530/W/19/3221398
Site	Building at Whitehouse Farm, Lowes Hill, Saxmundham, Suffolk IP17 2PQ
Description of Development	'The building will be converted to provide 5 bedroom, two-storey residential accommodation as detailed in drg no. 1813 2D'
Committee / Delegated	Delegated
Decision Date	21 June 2019
Appeal Decision	Dismissed
Main Issues	<p>This appeal related to the refusal of an application which sought Prior Notification Approval under Class Q of Part 3 of the General Permitted Development Order (England) 2015 (As Amended), for the change of use and physical works to use an agricultural building as a dwelling.</p> <p>The issues for consideration related solely to an assessment as to whether the proposal met the criteria defined within Class Q of the above regulations. These criteria include whether the level of works proposed are those specified in the regulations, reasonably necessary and/or constitute a rebuild rather than conversion of the building.</p>
Summary of Decision	<p>The Inspector concluded that the level of works proposed, are more than those reasonably necessary for the building to function as a dwelling house.</p> <p>In reaching this conclusion the Inspector acknowledge the Hibbit v SSCLG (2016 WNH 2853 judgement which established that the agricultural building must be capable of conversion to residential use without operations that would amount to either complete or substantial rebuilding.</p> <p>The works included the installation of a first floor and a substantial balcony, which appeared to require more structural support than that which could be provided by the existing concrete frame of the building.</p> <p>However, the inspector also considered that even if additional structural support was not required, such works would go beyond the definition of works reasonably necessary for the building to function as a dwelling, and therefore were not permitted under Class Q.</p>

Learning Point / Actions	This decision confirms the approach that officers have been taking in assessing the type and level of additions proposed under Class Q Prior Notification Applications.
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Application Numbers	DC/18/4257/FUL
Appeal Number	APP/T3535/W/19/3221413
Site	Land opposite Hathway House and Blything View, The Street, Rumburgh, Suffolk, IP19 0JX
Description of Development	Construction of a four bedroom bungalow and garages
Committee / Delegated	Delegated
Decision Date	15 August 2019
Appeal Decision	Dismissed
Main Issues	The main issues in this case are i) the suitability of the appeal site's location for a new dwelling; ii) the design of the proposed bungalow; and iii) the effect on the living conditions of neighbouring occupiers.
Summary of Decision	<p>The inspector concluded that the appeal proposal was not in a location that is acceptable for a new dwelling, in contravention of policy WLP8.7 as it is not within a clearly identifiable gap within a built up area, it does not have existing residential development on 2 sides, and it would extend further into the undeveloped countryside than the existing extent of the built up area.</p> <p>The inspector also concluded that the proposed dwelling does not meet the required standard of high quality design, in respect of the actual design, its relationship context to the surrounding area, and the harmful impact on neighbours living conditions. It was therefore concluded that it fails to meet the aims of policy WLP8.29 and the NPPF.</p>
Learning Point / Actions	<p>The decision sets out that the context of development is an important factor in assessing if a proposal is of good design, and just because a area does not provide much in the way of local distinctiveness, it should not mean that poor design in new development should be accepted.</p> <p>Also of note is that the inspector made reference to the wrong local authority's local plan, insofar as they label the new Waveney Local Plan, as the "Waverley Local Plan 2019".</p>

Application Number	DC/18/3250/COU
Appeal Number	APP/T3535/W/18/3214230
Site	36 Tennyson Road, Lowestoft, Suffolk NR32 1PS
Description of Development	The development proposed is change of use to small HMO
Committee / Delegated	Delegated
Decision Date	19 September 2018
Appeal Decision	17 May 2019 Appeal dismissed
Main Issues	The main issue is whether 36 Tennyson Road is a suitable property for change of use to a small House in Multiple Occupation (HMO) having regard to floor space and Policy WLP8.4 of the Local Plan.
Summary of Decision	<p>The floor space falls below the 120m² as stated in policy WLP8.4</p> <p>Given the size of the appeal property it was considered to be more suitable for use as a small/single family home of which there is a need in the District. There was no evidence given to the Inspector to suggest</p>

	<p>that the property would be unsuitable for occupation as a small family home.</p> <p>The appellant argued that such homes were needed for young unemployed people however the Inspector stated that the needs for HMOs did not outweigh the needs of small families to such a point so as to justify a departure from planning policy in this case and needs to be weighed against the public benefit.</p> <p>Furthermore the Inspector stated the development would conflict with the development plan's requirement to protect the District's stock of small family homes against conversion to HMOs and was satisfied that this legitimate aim can only be adequately safeguarded by the refusal of permission</p>
Learning Point / Actions	That the use of smaller housing stock for HMO's is not acceptable and that policy WLP8.4 can be given great weight. East Suffolk Council (Waveney) continues to have a problem with properties for HMO use but that policy WLP8.4 gives greater protection and protects public interest.

Application Number	DC/18/2061/COU
Appeal Number	APP/T3535/W/18/3208503
Site	189 Raglan Street, Lowestoft, Suffolk NR32 2JX
Description	The development proposed is change of use to small HMO
Committee/Delegated	Delegated
Decision Date	3 July 2018
Appeal Decision	17 May 2019 – Appeal Dismissed
Main Issues	The main issue is whether 189 Raglan Street is a suitable property for change of use to a small House in Multiple Occupation (HMO) having regard to floor space and Policy WLP8.4 of the Local Plan.
Summary of Decision	<p>The floor space falls below the 120m² as stated in policy WLP8.4 Given the size of the appeal property it was considered to be more suitable for use as a small/single family home of which there is a need in the District. There was no evidence given to the Inspector to suggest that the property would be unsuitable for occupation as a small family home.</p> <p>The appellant argued that such homes were needed for young unemployed people however the Inspector stated that the needs for HMOs did not outweigh the needs of small families to such a point so as to justify a departure from planning policy in this case and needs to be weighed against the public benefit.</p> <p>Furthermore the Inspector stated the development would conflict with the development plan's requirement to protect the District's stock of small family homes against conversion to HMOs and was satisfied that this legitimate aim can only be adequately safeguarded by the refusal of permission</p>
Learning Points/Actions	That the use of smaller housing stock for HMO's is not acceptable and that policy WLP8.4 can be given great weight. East Suffolk Council (Waveney) continues to have a problem with properties for HMO use but that policy WLP8.4 gives greater protection and protects public interest.



STRATEGIC PLANNING COMMITTEE

Monday, 9 September 2019

DEVELOPMENT MANAGEMENT PERFORMANCE REPORT

EXECUTIVE SUMMARY

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

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

1 INTRODUCTION

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

2 PERFORMANCE STATISTICS

- 2.1 The breakdown for Q1 (April through to end of June 2019) is reported as follows:

	Q1 Percentage	Q1 Total	Targets
Major Development	100%	13/13	60% national 65% stretched
Minor Development	67%	104/154	65% national 75% stretched
Other Development	85%	437/516	80% national 90% stretched

- 2.2 In respect of these statistics, it is reported that all the government benchmarks were met in all areas, but the performance was slightly below the stretched targets for the District Council in regards to minor and other development. In response mechanisms have been instigated in the teams to promote swifter decision making on all applications and reduce any reliance on the use of Extensions of Time to maintain performance targets.
- 2.3 The Q2 period expires at the end of September 2019 and therefore it is felt useful to update Members on the current statistic levels for July and August. The figures are reproduced below:

Statistics for July 2019

	Q1 Percentage	Q1 Total	Targets
Major Development	100%	2/2	60% national 65% stretched
Minor Development	87%	33/38	65% national 75% stretched
Other Development	99%	103/104	80% national 90% stretched

Statistics for August 2019

	Q1 Percentage	Q1 Total	Targets
Major Development	100%	11/11	60% national 65% stretched
Minor Development	81%	64/79	65% national 75% stretched
Other Development	95%	215/227	80% national 90% stretched

- 2.4 The figures show a marked improvement in speed of determinations in both the minor and other classifications with the Council meeting both the national benchmark figures and the locally stretched figures.
- 2.5 It is also important to report that of these applications the approval rates sit at 75% in July and 84% in August demonstrating that the Councils takes a positive and proactive approach to determining applications in line with guidance contained in the NPPF. Where applications are refused Officers seek to defend those refusals strongly. Members will note the separate appeals report on the SPC agenda which demonstrates confidence that applications are being refused correctly and those decisions are for the most part upheld at appeal.

Testing against 2018/2019

- 2.6 As a benchmark, it is officers have sought to test performance against the previous year (until the end of March 2019). The combined figures across the formerly Waveney and Suffolk Coastal District Council areas are as follows:

	Year End	Targets
Major Development	84%	60% national 65% stretched
Minor Development	75%	65% national 75% stretched
Other Development	79%	80% national 90% stretched

The figures show that whilst the national performance indicators were met in major and other categories, the performance on other applications fell below the government standard. The figures show that to date there has been a significant and continual improvement in determination timescales.

- 2.7 This uplift in performance sits alongside a review of the use of Extensions of Time (EOT) for applications. Whilst these remain a useful and important mechanism to secure appropriate development, the department is taking a more rigorous review of the use of EOTs and justification needs to be provided to ensure it is appropriate. The decision on whether to accept an EOT lies with the case officer in conjunction with senior officers. This seeks to ensure that applications move through the process, instilling confidence from customers that decisions are made in a timely manner and that individual officer's case list can be appropriately managed. EOTs should not be used to delay determination unnecessarily, avoid making difficult decisions or allow the continuation of negotiation on applications which should be done outside of the formal process.
- 2.8 In the 2018/2019 reporting period the Council determined 2727 planning applications broken up into:
- 74 major proposals
782 minor proposals
1781 other proposals
- 2.9 To date, the Council has determined 1144 planning applications in a period just under five months. This is broken up into:
- 26 major proposals

271 minor proposals
847 proposals

- 2.10 If this level was to be extrapolated across the reporting timescale the Council is likely to determine more applications in 2019/2020 than it did the previous year.

Income Levels

- 2.11 In the 2018/2019 financial year the combined Authorities of Suffolk Coastal and Waveney District Councils generated a net income of £2,348,326 within the department (planning application and pre-application charging). In the five months from April through to July the income within that period was £721,457.
- 2.12 To contrast, in the same five month period, April through to July, in the 2019/2020 financial year, the net income from the Development Management functions is £1,008,029. The level of income generation therefore exceeds last years income by £286,572 and also exceeds the predicted income in the budget.

3 REASON FOR RECOMMENDATION

- 3.1 This report is for information only.

RECOMMENDATION

That the contents of the report, updating the Strategic Planning Committee on the performance of the Development Management Team, be noted and endorsed.

APPENDICES – None

BACKGROUND PAPERS – None



STRATEGIC PLANNING COMMITTEE

Monday, 9 September 2019

PLANNING POLICY AND DELIVERY UPDATE

EXECUTIVE SUMMARY

This report provides updates on the emerging Suffolk Coastal Local Plan, the East Suffolk Housing Action Plan, the Housing Land Supply position and Community Infrastructure Levy spend process review, for information.

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

1 INTRODUCTION

- 1.1 The last meeting of the Strategic Planning Committee received an update on Local Plan and Neighbourhood Plan progress and the forward work programme. This report provides a brief update on the emerging Suffolk Coastal Local Plan, the Housing Action Plan and the 5 year housing land supply position for both Local Plan areas.

2 LOCAL PLAN FOR THE FORMER SUFFOLK COASTAL AREA

- 2.1 As Councillors will be aware from the last meeting of this Committee, the Local Plan for the former Suffolk Coastal area is well progressed and was submitted to the Secretary of State, for Examination by the Planning Inspectorate, on 29th March 2019. Inspector Philip Lewis BA (Hons) MA MRTPI was appointed to conduct the Examination to determine whether the Local Plan is sound.
- 2.2 The public Hearing stage of the Examination commenced on Tuesday 20th August. Nine hearing days are scheduled over a 5 week period, closing on Friday 20th September. At the time of preparing this report 3 days of hearings have taken place in the first week, including matters relating to legal compliance, housing strategy, employment strategy and infrastructure, including major energy infrastructure. Latest news and updates including the hearing programme can be accessed via the following link.
<https://suffolkcoastallocalplan.inconsult.uk/consult.ti/SuffolkCoastalExamination2019/viewContent?contentid=389043>
- 2.3 As is usual practice, it is anticipated that the Inspector will require modifications to be made to the Local Plan. These will need to be published for at least 6 weeks consultation. The Inspector will then consider the feedback, any changes and whether the hearing needs to be re-opened. Assuming all goes well, the Inspector will write his report and the Local Plan will be presented to Full Council for consideration for adoption. Based on current timings it is anticipated this will be early next year.
- 2.4 On adoption, this plan will supersede the Core Strategy and Development Management Policies 2013, Site Allocations and Area Specific Policies 2017, Felixstowe Peninsula Area Action Plan 2017 and the remaining 'saved' policies from 2001 Local Plan, (pre the 2004 Planning and Compulsory Purchase Act).

3 EAST SUFFOLK HOUSING ACTION PLAN

- 3.1 All Councillors were emailed a briefing note for the East Suffolk Housing Action Plan on 20th August 2019 along the lines of the text below. Due to timescales set by Government it wasn't possible for the Housing Action Plan to be considered by this Committee prior to it being signed off by the Cabinet Member for Planning and Coastal Management. In future the Housing Action Plan will be reported to this Committee prior to it being finalised.
- 3.2 The Housing Delivery Test was introduced by the Government in 2018 and assesses how successful each Local Authority has been in delivering the required number of houses in the previous three financial years. In Local Planning Authority areas where less than 95% of the required housing has been delivered over the past three years, authorities must produce a Housing Action Plan. In those areas where less than 85% of the requirement was delivered there is an additional requirement to apply a 20% buffer to their 5-year land supply, and where less than 75% is delivered the 'presumption in favour of sustainable development' would also apply in decision making. The Government intends to publish the results of the Housing Delivery Test in November each year (for the previous three full financial years) and transitional arrangements mean that the requirements outlined above are being phased in over the period up to November 2020. The purpose of a Housing Action Plan is to identify the

reasons for under delivery and to set out measures to reduce future risk. The Government requires that a Housing Action Plan, where necessary, should be published within 6 months of the publication of the Housing Delivery Test results.

- 3.3 The first set of Housing Delivery Test results, covering the period 2015/16-2017/18, were published in February 2019 and relate to the areas covered by the Local Plans: the result for the former Suffolk Coastal area is 128% and the result for the former Waveney area is 72%.
- 3.4 Whilst further action is not required for the former Suffolk Coastal area, a Housing Action Plan and applying a 20% buffer to the 5-year land supply is required for the former Waveney area. Under the transitional arrangements the 'presumption in favour of sustainable development', triggered at less than 75% delivery of the housing requirement, will not apply until the November 2020 results. As both areas are now within East Suffolk, and in view of the corporate objectives surrounding housing delivery and the desire to ensure strong delivery is maintained across East Suffolk, the Housing Action Plan covers the whole of East Suffolk local planning authority area (excluding the Broads Authority area).
- 3.5 As required by the Government, the Housing Action Plan was published on 19th August 2019. <http://www.eastsuffolk.gov.uk/assets/Planning/Housing-Action-Plan/Housing-Action-Plan-2019.pdf> The Council is in a positive position in terms of setting out its planned approach to housing delivery, with the Local Plan for the former Suffolk Coastal area at an advanced stage and the Local Plan for the former Waveney area having been recently adopted. The two new Local Plans set ambitious targets for housing delivery, along with site allocations and policies to bring development forward. In the former Waveney area the Local Plan has sought to address previous reasons for under delivery in the Local Plan through a range of site allocations.
- 3.6 There are a number of initiatives related to housing delivery which have already been put in place prior to the drafting of the Housing Action Plan, and the Plan acknowledges that the Council is already taking positive steps to boost and maintain delivery. The actions identified are focused on delivering the new Local Plans and the Housing Action Plan sets out specific actions around ongoing and further improvements to processes and procedures in the Planning Service, the development of further policy tools to support delivery, and the work of the new Major Sites and Infrastructure Team.
- 3.7 Whilst some sites in the new Local Plans are expected to come forward in the short term, others will take longer to deliver, and the Housing Action Plan will not have an immediate influence on the Housing Delivery Test results. The expectation is that the 2019 Housing Delivery Test will result in over 100% for the former Suffolk Coastal area and approximately 85% for the former Waveney area. As set down in National Planning Practice Guidance for new Councils, the 2020 Housing Delivery Test is anticipated to relate to the full East Suffolk local planning authority area and it is possible that the results will be close to 100% for East Suffolk under which no action will be required. However, regardless of future results, it is intended to produce an annual Housing Action Plan as a tool to 'check' the progress and success of actions to secure housing delivery and enable the Council to take early steps to minimise any future risk of under delivery.

4 HOUSING LAND SUPPLY

- 4.1 The Statement of Housing Land Supply as at 31 March 2019 was published on 6th August 2019.

- 4.2 The purpose of the 5 year housing land supply is to provide an indication of whether there are sufficient sites available to meet the housing requirement for the next 5 years. Where strategic policies are up to date, which is the case for the former Waveney area, the housing requirement is the adopted figure (374 dwellings per annum). Where strategic policies are more than 5 years old, as is the case for the former Suffolk Coastal area, local housing need calculated using the standard method should be used in place of the housing requirement (542 dwellings per annum).
- 4.3 The revised National Planning Policy Framework (NPPF) published in February 2019 is more challenging for local planning authorities than previously, in terms of demonstrating that sites are 'deliverable' i.e. can be delivered with the next 5 years. This has required greater engagement and additional information from developers to produce a robust 5 year land supply. The 5 years covered in this statement are 1st April 2019 to 31st March 2024.
- 4.4 The Statement confirms that the Suffolk Coastal Local Plan area for East Suffolk has a housing land supply of 7.03 years (including the standard 5% buffer) and for the Waveney Local Plan area 6.58 years including a 20% buffer in accordance with the Housing Delivery Test requirement. <http://www.eastsuffolk.gov.uk/planning/planning-policy-and-local-plans/suffolk-coastal-local-plan/monitoring-information/housing-land-supply-assessment/>

5 COMMUNITY INFRASTRUCTURE LEVY (CIL) SPEND REVIEW

- 5.1 As Councillors will be aware, CIL is the main way in which the Council collects contributions from developers for infrastructure provision to support development planned in the Council's Local Plans. The former Suffolk Coastal and Waveney Councils had similar annual approaches to the spending of CIL. As one Council, the approach needs to be reviewed.
- 5.2 At present the annual CIL spend process has been placed on hold pending the commencement of the new Infrastructure Delivery Manager in September and the establishment of a new structure for the East Suffolk CIL spend process, utilising the combined CIL collection funds from both the former Waveney and Suffolk Coastal Districts.

6 REASON FOR RECOMMENDATION

- 6.1 This report is for information only.

RECOMMENDATION

That the contents of the report, updating the Strategic Planning Committee on the emerging Suffolk Coastal Local Plan, the East Suffolk Housing Action Plan, the Housing Land Supply position and Community Infrastructure Levy spend process review, be noted and endorsed.

APPENDICES – None

BACKGROUND PAPERS – None

STRATEGIC PLANNING COMMITTEE

Monday, 9 September 2019

APPLICATION NO DC/19/1637/FUL

LOCATION Sizewell B Power Station Complex and Adjoining Land, Sizewell Power Station Road, Sizewell, Leiston IP16 4UR

EXPIRY DATE 31 September 2019

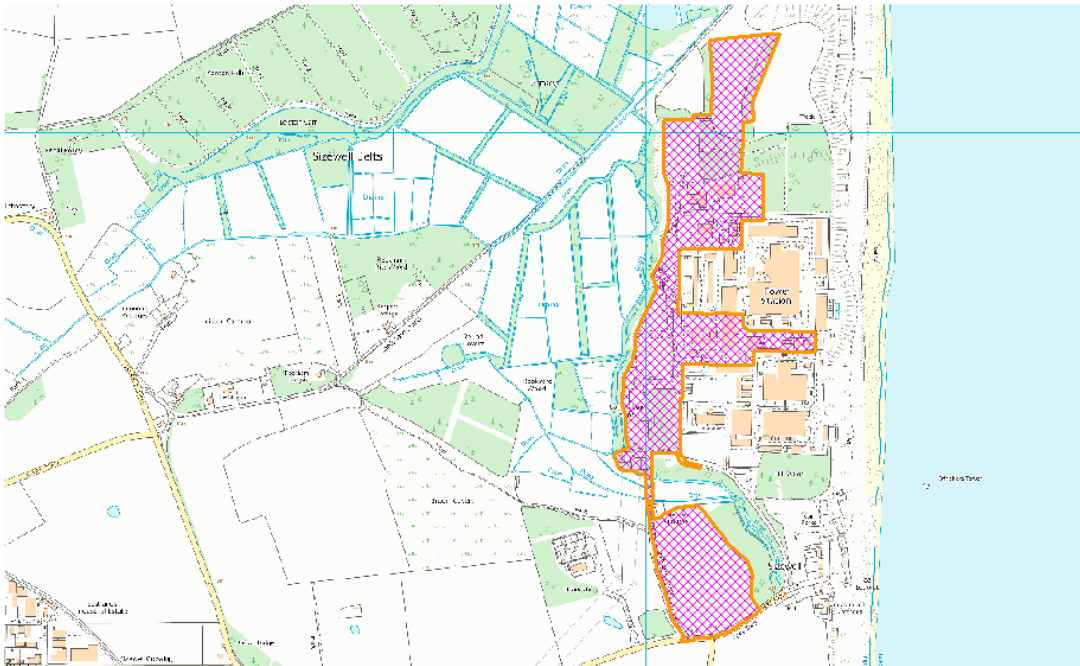
APPLICATION TYPE Hybrid application (part outline part full)

APPLICANT Mr Nick Cofield, EDF Energy

PARISH Leiston cum Sizewell

PROPOSAL 1. In outline, comprising a Visitor Centre (maximum 2,000sq.m GEA) and a maximum of 9,500sq.m (GEA) of floorspace to provide administration, storage, welfare and canteen facilities with all matters reserved apart from access. 2. In full, for the demolition of the existing Outage Store, Laydown Area, Operations Training Centre, Technical Training Facility, Visitor Centre, and Rosery Cottage garage; removal of technical training and pool car park (63 spaces), Coronation Wood car park (21 spaces), Visitor Centre car park (16 spaces) and northern outage car park (576 spaces); meantime use of the Technical Training Centre as an interim Visitor Centre followed by its demolition; and erection of new (all floorspace in GEA) Outage Store (2,778sq.m), Laydown Area (11,990sq.m) including New Western Access Road, Yardman's Office (23sq.m), Training Centre (4,032sq.m), Rosery Cottage garage (30sq.m), Replacement Car Park (2,363sq.m) providing 112 spaces, and Outage Car Park (15,525sq.m) providing (576 spaces) including new access road (and alternative access to bridleway), footpath and amended junction at Sizewell Gap; and associated landscaping earthworks/recontouring, tree felling and boundary treatment.

CASE OFFICER Lisa Chandler – Energy Projects Manager
Lisa.chandler@eastsoffolk.gov.uk
 01394 444538



1 EXECUTIVE SUMMARY

- 1.1 Full Planning Permission is sought for the demolition of an existing outage store, laydown area, operations training centre, technical training facility, visitor centre and Rosery Cottage garage. A planned outage takes place approximately every 18 months at a nuclear power station, for a period of approximately 2 months, the reactors are taken off-line, fuel rods are removed / added and necessary maintenance at the plant takes place. A typical outage adds between 600 - 1300 people to the usual number of workers at the site. The removal of technical training and pool car park (63 spaces), Coronation Wood car park (21 spaces), visitor centre car park (16 spaces) and northern outage car park (576 spaces). The existing Technical Training Centre will be used as an interim Visitor Centre and then demolished. In full, the proposal includes an outage store (2778 sq.m GEA – gross external area), and Laydown area (11990 sq.m GEA), a new Western Access road, Yardman's Officer (23 sq.m GEA), Training Centre (4032 sq.m GEA), Rosery Cottage garage (30 sq.m GEA), replacement car park (2363 sq.m GEA) providing 112 spaces; and outage car park (15525 sq.m GEA) providing 576 spaces and including new access road and alternative access to bridgeway 19, footpath and amended junction at Sizewell Gap; and associated landscaping earthworks / recontouring, tree felling and boundary treatment.
- 1.2 Outline Planning Permission is sought for a Visitor Centre (maximum 2000 sq.m GEA) and a maximum of 9500 sq.m GEA of floorspace to provide administration, storage, welfare and canteen facilities, all matters are reserved except for access.
- 1.3 This item has come before members because the redevelopment although submitted separately from proposals for a new nuclear power station, it is necessary as the existing Sizewell B buildings are on land allocated for the Sizewell C proposals and identified in the National Policy Statement EN-6 as a new nuclear nominated site. Given the strategic nature of the proposal, the scale of the development proposed, and the importance of nuclear generating energy to East Suffolk, it was determined that the application should be considered and determined by the Strategic Planning Committee.
- 1.4 The application is recommended for conditional approval subject to the signing of a Section 106 legal agreement.

2 SITE DESCRIPTION

- 2.1 Sizewell B Power Station is situated on the Suffolk coast to the east of Leiston. It is expected to be in operation until at least 2035, with the potential for an extension of its lifetime for 20 years. Sizewell B is located to the north of the Sizewell A Power Station which is currently being decommissioned.
- 2.2 The application site is 30.87 hectares in area; it has a frontage on the East coast to the North Sea and is bordered on the south by the Sizewell A power station and on the north partially by rural land and partially by existing facilities that are to be relocated. A large part of the area to the north of the B Station is part of the nominated new nuclear site for Sizewell C identified in the National Policy Statement for Energy EN-6, new nuclear proposals.
- 2.3 Sizewell B Power Station is accessed from the A12 via a designated HGV route on the B1122, Lover's Lane and Sizewell Gap Road. A private road runs northwards from the Sizewell Gap Road into the Sizewell Power Station complex from a priority junction off Sizewell Gap.
- 2.4 The site is within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB) – a national designation, and is within the Suffolk Heritage Coast. The Sizewell Marshes Site of Special Scientific Interest (SSSI) is located immediately west and north of the site.
- 2.5 Coronation Wood lies within the site. This is a mixed plantation, mainly comprising semi-mature and mature pine with mature broadleaf trees around the eastern, southern and south-western edges. It is understood that this was planted to commemorate the coronation of King George V.
- 2.6 The site extends south from Coronation Wood to run alongside Rosery Cottages and includes Sandy Lane, the existing bridleway and Pillbox Field. The field is named from a World War II pillbox located in the field. The field comprises former arable farmland that has now reverted to grassland. To the west of Pillbox Field is the Greater Gabbard and Galloper Offshore Wind Farm onshore sub-station facilities.
- 2.7 Areas to the south, east and north of Pillbox Field (including the Sizewell marshes SSSI) and the northern area of the site fall within Flood Zones 2 and 3 (potential for flooding), the remaining areas of the site are within Flood Zone 1 (less potential for flooding).
- 2.8 The application site lies approximately 2 kilometres from the eastern edge of the town and Leiston and approximately 200 metres from the hamlet of Sizewell adjacent the popular Sizewell beach which is popular with locals for dog-walking and recreationally in summer. It is also the location for a weekly Park Run.

3 PROPOSAL

- 3.1 The proposal is for the relocation of essential Sizewell B facilities that are currently located on land proposed for the new build new nuclear power station Sizewell C. This consent is being sought in advance of development consent being secured for Sizewell C so that development of the Sizewell C station is not delayed. To meet the current construction programme advocated by EDF Energy for the Sizewell C project, the relocated facilities works need to begin at the start of 2020.
- 3.2 The development proposal although of a major scale is not definitively required to be accompanied by an Environmental Statement under the 2017 Environment Impact Assessment Regulations. However, the applicant has undertaken a voluntary EIA and submitted an Environmental Statement in support of the planning application, an approach which is supported by this Authority. Pre-application consultation on the proposal was

carried out with Suffolk Coastal District Council prior to the merger and formation of East Suffolk Council.

- 3.3 There are two clear phases for the development identified, the first being the elements considered in full in this application, the second being the elements being considered in outline in this application.
- 3.4 The planning history for the Sizewell Power Station Complex reveals 78 planning applications of varying types dating back to 1988 (the stations were given permission under different consenting regimes). The primary consent to note would be that for the Sizewell B Dry Fuel Store consented in July 2011 under a different consenting regime.

4 CONSULTATIONS/COMMENTS

- 4.1 Leiston-cum-Sizewell Town Council (HOST): OBJECTS to the application stating: “Cllrs strongly recommend refusal. The application proposes unacceptable incursion into green field sites and would attract a clear refusal at every level if viewed in isolation.”
 - 4.1.1 The premature destruction of green sites, and other elements in the application, cannot be allowed to go ahead until the DCO for Sizewell C has been approved, but in our opinion not even then.
 - 4.1.2 We are unconvinced by the EDF argument that this town and country application “reduces the need for an additional layer of development to be determined under the SZC DCO”. We can see no reason for this application to be developed until that DCO. This would then allow for more appropriate use of space should the DCO be forfeit for any reason. If the DCO does succeed then these works could be undertaken during the time the major road and rail infrastructure is being planned and constructed for SZC – this will give around a three year window for these proposals to be undertaken and would form part of the site preparation.
 - 4.1.3 Our comments are based on this being a standalone application under the Town and Country planning criteria.
 - 4.1.4 The Coronation Wood provides valuable screening to SZA and SZB Power stations, which will now be lost under this proposal, EDF Energy justifies this by claiming the wood is in poor condition. If this is the case, LTC suggests that the wood should be restored and the area improved as a socio-economic project, rather than turned into industrial land. Coronation Wood is on the highest elevation on the SW side of the power stations, and provides good screening, but has not received the same attention other woodland owned by EDF has had.
 - 4.1.5 The Pillbox field also provides green space to buffer the nuclear industrial sites, and it has been agreed in the past that this will remain. It is very disappointing to see the intention is to use this site in a SZC related project. LTC believes that more should be done to identify any land becoming available as SZA is decommissioned. Land at the SZA site could be liberated under this proposal and used to site infrastructure planned for coronation wood and Pillbox field. The visitors centre could also be relocated to another site, free from security restrictions, somewhere within the parish and become part of the wider tourist provision of the area.

- 4.1.6 LTC notes that it was not considered to be part of any of the 'Key Stakeholder' meetings, and therefore had no opportunity to engage with the applicant on these proposals other than to respond to the scoping request.
- 4.1.7 It is noted that the proposed outage carpark could be 'hidden' by the contours of the field. It is hoped that the lighting will be downfacing and discrete. The major issue with this proposal however is the entrance to bridleway 19. There is no need for any incursion onto bridleway 19 to access this carpark. Indeed, if the entrance was brought to roughly opposite Home Farm Road, then there would be no need for clearance of the hedgerow back from the road, as the visibility from there is better and safer. EDF could then help horses/bicycles etc. access bridleway 19 from Home Farm road with a crossing and an extended bridleway along the frontage to the new junction.
- 4.1.8 The inclusion of a pedestrian walkway and footbridge etc. from the new car park to the site would not reduce the journey that much. It should be an aim of this project to keep the woodland as undisturbed as possible. If the walkway goes ahead, it should also be engineered to ensure workers are kept clear of bridleway 19, as it is a local amenity, much enjoyed by residents and tourists alike, and its character must be respected and retained.
- 4.1.9 The retained woodland will not be high or dense enough to perform the screening function that coronation wood currently does so well. The new training centre will be very obvious and prominent, despite what the visuals are trying to make out. In particular, the light pollution from the windows will make it even more obvious through the darker evenings. Coronation Wood was cited by SZB as effective screening for the dry fuel store, and this was accepted and noted. This is an elevated position and cannot be deforested without visual consequences.
- 4.1.10 Overall, the town councils main objections are the removal of vital screening of the nuclear site, the incursion on to greenfield sites and the height of new buildings built on to the elevated site. The entrance to the Pillbox field carpark should be rethought, moved east and a crossing should be put in. Bridleway 19 must not be used during construction or operations.
- 4.1.11 None of this mentions the AONB and the transport elements. LTC will therefore fully endorse any objections, comment or criticism by Suffolk Wildlife Trust, Natural England and the RSPB. They would comment on the transport to SCC but would urge them to consider a 40mph speed limit at Halfway Cottages and the Household waste site as non local drivers will be unaware of the hazards. This inclusion will be essential as part of the mitigation for this project, and in the future, to address the impacts of other NSIP projects being muted for adjacent locations."
- 4.2 Aldeburgh Town Council: OBJECTS to the application stating: "we disagree with the use of greenfield sites where brownfield sites exist. Coronation Wood provides valuable screening to the Sizewell A and B Power Stations. EDF Energy has failed in its obligation to maintain the wood – it was described as part of the interim waste / dry fuel store permission that Coronation Wood was valuable screening against noise and visual impact. We suggest that the wood be restored and the area improved rather than turned into industrial land. If approved, ATC expects that substantial mitigation be required to replace the lost amenity. For every tree removed, at least two mature specimens should be planted.
- 4.2.1 ATC understands that the ownership of Pillbox Field would need to be established before the utilisation of this area by EDF Energy. Currently this land plays a vital part in providing green

space to buffer the industrial site. We believe it should be possible to relocate some of the proposed infrastructure on brownfield land reclaimed by the decommissioning of Sizewell A. This would avoid building on Coronation Wood and Pillbox Field. Both Magnox and EDF should be required to begin a meaningful dialogue.

Outage store, laydown and car park

- 4.2.2 ATC questions the need for the outage store to be combined with the contractor officer and mess facilities into an imposing four-storey building. If the facilities were separated, it might be possible to locate them more easily and with less visual impact.
- 4.2.3 The outage laydown area covers 140 hectares, extending 1.8km inland. ATC believes this would have a negative environmental impact.
- 4.2.4 ATC disagrees with the use of Pillbox Field. Reclaimed land at Sizewell A could be utilised. Alternatively, parking could be provided away from the site to accommodate personnel and potentially Sizewell C contractors. Development here would further industrialise the area and require extensive mitigation in the form of screening.

Phase 1 – Technical training & visitor centre car parking, training centre and access road

- 4.2.5 Parking for the technical training and visitor centre should be situated on reclaimed land at Sizewell A.

Phase 1 – Training centre

- 4.2.6 Consideration should be given to land reclaimed from Sizewell A or, preferably, a site adjacent to the Emergency Planning Centre. This would prevent the need for an access road and development on greenfield land. The location here would be of benefit to the wider community.

Phase 2 – Visitor centre and other building

- 4.2.7 The Eastlands Industrial Park in Leiston could provide a new centre free from security restrictions. Reference to the Visitor Centre at Hinkley Point which is off-site.
- 4.2.8 There is currently insufficient information to assess the impact of other buildings including the outage office, projects office etc.

Adverse impact

- 4.2.9 Noise, light and dust pollution in an area used for recreational purposes and contributes to the tourism industry of Aldeburgh and beyond.
- 4.2.10 Increased traffic would have an adverse impact on residents living adjacent to the road and visitors trying access Aldeburgh and surrounding area.
- 4.2.11 The Proposed Development would industrialise land which is currently landscaped buffer zones between the existing power stations.
- 4.2.12 Would substantially increase the footprint to the west and south of the existing site to accommodate Sizewell C.

Cumulative impact

- 4.2.13 ATC calls for greater transparency on how the Proposed Development will overlap with other major energy projects planned for this area. ATC believes this application should not be determined in isolation to other NSIPs.
- 4.2.14 As the current EDF Energy relocation proposals were not scheduled when planning permission for Sizewell B was originally granted, ATC believes the Proposed Development would impact on the total carbon rating of the energy produced.

- 4.2.15 If approved, the plans should include an additional socio-economic package of mitigation measures and the creation of alternative green space to that which has been lost. Substantial replanting of lost trees should be the minimum requirement.

Consultation

- 4.2.16 ATC does not understand why it was excluded from the Council's customary planning consultation process. Any proposed work at the Sizewell site could have a negative impact on the broader community, including Aldeburgh.
- 4.2.17 ATC is taking a keen interest in this planning application because of the cumulative impact it could have on the town's fragile economy.

Concluding comments

- 4.2.18 ATC calls for a coordinated approach to all planning applications, including this proposal, in respect of the NSIPs.
- 4.2.19 Piecemeal development of this environmentally sensitive area should not be allowed.
- 4.2.20 The opportunities afforded by the early decommissioning of Sizewell A should be fully explored before this planning application is approved.
- 4.2.21 There seems little point in increasing the footprint of the present site if a more imaginative solution is to hand."
- 4.3 Theberton and Eastbridge Parish Council: OBJECTS to the applications stating: "Application should only be considered as part of the DCO and any enabling development only commenced following DCO approval.
- 4.3.1 The development permanently removes Coronation Wood and a significant proportion of Pillbox Field, both within the AONB, with only partial compensation and mitigation proposed.
- 4.3.2 The proposal to move these facilities would be unnecessary in the event of a rejection of a DCO application and upgraded facilities could be contained within the existing Sizewell B footprint and decommissioned areas of the Sizewell A complex.
- 4.3.3 Should Sizewell C be inappropriate for the site based on EN-6 and the NPS, the need for the Relocated Facilities, the destruction of Coronation Wood and the use of Pillbox Field would be unnecessary as the existing Sizewell B and proposed Sizewell C site have enough space to accommodate such developments within the overall footprint.
- 4.3.4 140 lorry movements per day at peak over 4 years using the B1122 will significantly impact residents in Theberton. It will also overlap with Scottish Power's Wind Farm projects, and should it be approved, the initial stages of any Sizewell C development.
- 4.3.5 The removal of Coronation Wood, which acts as screening, will be replaced by immature new planting and will take decades to mature.
- 4.3.6 Three mature oaks will be lost along with over 330 other trees, hedgerow and footbridge built across SSSI land where wet woodland will also be damaged – no adequate compensation is proposed for this loss within the application.
- 4.3.7 Habitat studies are 5 years old and have only been walk-over reviewed. It is also unclear whether the areas immediately to the west and south of Coronation Wood and Pillbox Field have been thoroughly sampled or studied as they are only available if requested.
- 4.3.8 The damage proposed to Coronation Wood will fail to meet the requirements of Policy SCLP 10.1 and 10.4.

4.3.9 The Parish Council support and echo the ecological and environmental concerns raised by the Environment Agency and recommend that they be assessed in conjunction with the overall impact of the SZC project within the DCO process.”

4.4 Middleton-cum-Fordley Parish Council: OBJECTS to the proposal stating: “The application is premature and there is no justification for it in the extant or draft Local Plans. It should only be considered as part of the DCO.

4.4.1 It would be wrong to approve a development that would remove around 90% of Coronation Wood and up to 50% of Pillbox Field when the DCO request for Sizewell C has neither been submitted nor approved, and when the National policy Statement on site selection for new nuclear reactors is under review.

4.4.2 The cumulative impact is expected to be considerable.

4.4.3 Will have an enormous impact on the AONB, natural history, visitor economy, local communities and the traffic and transport infrastructure.

4.4.4 In the event of Sizewell C not going ahead, it would be unacceptable for landscape to have been destroyed and such ecological damage inflicted for no reason. EDF should be able to upgrade its facilities without destroying the landscape.

4.4.5 Should be considered as part of DCO

4.4.6 The application should form part of the DCO for Sizewell C should Sizewell remain a potential site following the Government’s review of nuclear policy.

4.4.7 Until the new NPS is in place and Sizewell C has been properly assessed against new criteria as well as the latest habitat regulations and Sea Level/Climate Data, then Sizewell C may not meet those requirements.

4.4.8 Any preparatory work should be postponed until such time as these new assessments and regulations are in place and Sizewell has been added to the potential site list within the new NPS, and the new legislation has been approved by Parliament. This requires a further BEIS consultation and the new NPS is not expected to come before parliament until 2020.

Impact on AONB and visitor economy

4.4.9 Will result in the loss of further natural landscape and habitat and impact on the AONB, including Coronation Wood and Pillbox Field.

4.4.10 The cumulative impact of Sizewell and other proposed strategy energy developments will threaten the £250m per annum local tourism industry. Noise, dust, loss of access and visual impacts will deter visitors to the coast between Southwold and Aldeburgh.

Public consultation

4.4.11 Unreasonable to expect communities and groups to comment on individual projects without being able to assess the cumulative impacts of projects that will be implemented at the same time, and by the same developer.

4.4.12 The consultation on Sizewell B facilities was short and ran concurrently at the beginning of the consultation on Sizewell C. It was overshadowed by a larger project and escaped the attention of a larger number of people that will be affected by it.”

4.5 Kelsale-cum-Carlton Parish Council: OBJECTION, stating: “There has not been the time to cross reference application documents with the Environmental Impact Assessment, it appears to suggest that any more recent surveys are either in the pipeline or not done as yet. This application should be looked at together with any application for Sizewell C and not

in isolation. Material grounds for objection are: cumulative impact, prematurity, site history, and biodiversity. We refer to our response on Sizewell C earlier this year."

Statutory Consultees

- 4.6 Environment Agency: No objections however, the site is within fluvial and tidal Flood Zones 1, 2 and 3a. The majority of the work has been sequentially sited and is located in Flood Zone 1. However, Field 2 and Pillbox Field fall within Flood Zone 3a, Field 2 will be used to stockpile material and Pillbox Field will be used as a car park. The works could be classified as less vulnerable if they do not include work to the electricity generating element of the site. The site is at risk from flooding however there are tidal sea defences in place and even in the event of climate change resulting in the defences being overtopped the flood water does not reach the Pillbox Field or Field 2, the sites are therefore not at actual risk of fluvial or tidal flooding. There remains a residual risk of a failure of the flood defence mechanism; this is explored in Section 3.4 of the FRA Addendum. Pillbox Field and Field 2 do not have a safe means of access in the event of a breach allowing for climate change. However, a large portion of Pillbox Field will not flood. An Emergency Flood Plan has been provided and this will ensure the safety of site users. Advisory comments to the LPA are provided.

Ecology

Chapter 6: terrestrial ecology

- 4.6.1 The loss of existing habitat can be acceptable where sufficient resource is invested into re-establishing new habitat and enhancing habitat that remains. The proposal specifies multiple ways in which mitigation measures could be implemented through replanting, but this will take a number of years to develop. The natural habitat losses stated in paragraph 6.6.37 may exceed biodiversity gain.
- 4.6.2 The EA encourage long term active monitoring, as stated in section 6.7c, of the implemented mitigation and surface water collection systems to ensure measures are effective and successful.
- 4.6.3 They note Himalayan Balsam (listed on Schedule 9 of the Wildlife and Countryside Act) was identified on site and must be managed accordingly to remove and prevent spread.

Chapter 16: cumulative impacts

- 4.6.4 The EA note that cumulative impacts are possible upon terrestrial ecology and ornithology during construction stages in combination with the proposed development of Sizewell C, SPR EA1N and EA2 despite the proposals being at various stages. This reinforces the importance of creating, enhancing and maintaining sufficient habitat and biodiversity that is resilient to future pressures.

Groundwater and contaminated land

Chapter 12: land quality

- 4.6.5 The EA note the review of previous reports refers only to soil data and comparison with Human health criteria (12.4.45, 12.4.50, 12.4.58, 12.4.63). It would be useful if it was confirmed whether groundwater quality data is available and what GAC (general assessment criteria) were used to assess the results.
- 4.7 Historic England: Do not object in principle to the proposal and consider the applicant has taken a responsible approach to the impact upon the historic environment. We have become aware of the potential importance of some of these existing buildings in relation to the story of the development of Britain's nuclear industry, and that these buildings may have an intrinsic interest beyond their current life. Such assets would be considered as non-

designated heritage assets. Mitigation in the form of a level 2 recording of the buildings was suggested. We note the applicants approach to mitigation is set out in the Environmental Statement Chapter 8.7 and acknowledge that this is suitable and takes into consideration our position. If minded to grant permission the mitigation proposed must be supported by a full set of appropriately worded historic environment conditions to support the mitigation as set out Chapter 8.7.

- 4.8 Natural England: Raise concerns with the proposal. We advise that ESC should consider whether or not it is appropriate to assess these aspects of the Sizewell C development proposals through a standalone planning application in advance of the applicant's forthcoming Development Consent Order submission. It is an important consideration from NE's remit in terms of properly assessing cumulative and in-combination impacts.
- 4.8.1 We note that EDF Energy require the training and visitor centre to be near to the power station, as users of both facilities, require access to the power plant. It is therefore considered unfeasible by EDF Energy to relocate them beyond the Sizewell Estate, outside a nationally important landscape (AONB) and away from internationally and nationally important sites for wildlife (Special Protection Areas, Ramsar Sites and Sites of Special Scientific Interest (SSSI). However, the ES states that an off-site alternative to the outage car parking was considered, given the proposed siting impacts on the AONB and SPA, Ramsar and SSSI interest features, an alternative would avoid these impacts. As a key principle for sustainable development, ESC should consider whether the justification provided in discounting any possible alternatives provided by EDF Energy outweighs the requirement to protect internationally and nationally important wildlife sites and landscapes.
- 4.8.2 Based on the information provided, NE consider there is insufficient information to allow adverse effects to the Minsmere – Walberswick Heaths and Marshes SPA and Ramsar site to be ruled out. There is insufficient information to rule out adverse effects to Sizewell Marshes and Minsmere-Walberswick Heaths and Marshes SSSIs.
- 4.8.3 However, we advise that the significance of such disturbance and adequacy of mitigation cannot be confidently assessed without consideration of the impacts to all relevant species, based on full and robust survey data. We consider that further information is therefore required as follows:
- Project-specific bird survey data covering all relevant species (SPA, Ramsar site and SSSI features) within the noise disturbance Zol;
 - Should significant numbers of birds be found to be present, modelling of predicted noise levels (during demolition, construction and operation) vs. existing background noise levels, and assessment of significance based on the project-specific bird survey data and suitable disturbance thresholds;
 - If shown to be required following the noise modelling, further details on how the proposed mitigation is likely to be effective (i.e. how it would reduce noise levels to acceptable levels in the context of the bird disturbance thresholds) and how it would be monitored to ensure its efficacy. This should consider timings of works, including any construction works phasing which would avoid/minimise noise impacts during the most sensitive times for the relevant species;

- Impact from light disturbance, welcome the Lighting Strategy but require further details of the visitor centre.
- Impacts on hydrology and hydrogeology, welcome a programme of monitoring to check the effectiveness of the proposed dewatering mitigation measures to allow them to be adjusted if necessary. These measures should be discussed and agreed with the Environment Agency and Natural England.

Advice on Protected Landscapes

- 4.8.4 The proposed development represents major development within the AONB.
- 4.8.5 One of the criteria for NPPF Paragraph 172 is whether the development need could be met in some other way or be located outside the AONB. As already outlined in our advice above, we note from the planning documents that EDF Energy requires the training and visitor centres to be near to the power station as users of both facilities require access to the power plant. It is therefore considered unfeasible by EDF Energy to relocate them beyond the Sizewell Estate outside the nationally important Suffolk Coast and Heaths AONB.
- 4.8.6 However, we note from the ES that “There was...early consideration of an offsite park and ride as an alternative to Pillbox Field for the Outage Car Park only. However, this option was discounted due to the increased logistics and costs that would be incurred around the critical outage periods”.
- 4.8.7 Bearing in mind that the siting of this car park is within the AONB, alternative options which could be sited outside it would clearly be preferable in this respect. We therefore advise that your authority must consider whether the justification provided in discounting this alternative (and any other possible alternatives) on the basis of increased logistics and cost to the developer constitute the ‘exceptional circumstances’ referred to above.
- 4.8.8 With regard to the likely impacts of the development on the AONB we are concerned that it will:
- extend the industrializing footprint of the nuclear facility further across the currently undeveloped parts of the AONB;
 - introduce new and visually intrusive built structures; and
 - through the clearance of Coronation Wood remove both an important local landscape feature and an important component of the screening of the lower parts of the Sizewell power station complex.

Other Advice

- 4.8.9 We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:
- local sites (biodiversity and geodiversity)
 - local landscape character
 - local or national biodiversity priority habitats and species.
- Environmental enhancement and LPA biodiversity duty

- 4.8.10 Advise the LPA to follow the mitigation hierarchy as set out in paragraph 175 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, consideration to off site measures should be given.
- 4.8.11 They note that the proposed landscape mitigation planting within Pillbox Field consists of native species appropriate to the area to create new woodland, trees, scrub, gorse and acid grassland which would provide habitat for a number of species such as reptiles. Other opportunities for enhancement might include:
- Providing new footpaths through the new development to link into existing rights of way;
 - Restoring neglected hedgerows;
 - Creating new ponds as an attractive feature on the site;
 - Planting trees characteristic to the local area to make a positive contribution to the local landscape;
 - Using native plants in landscaping schemes for better nectar and seed sources for bees and birds;
 - Incorporating swift boxes or bat boxes into the design of new buildings;
 - Designing lighting to encourage wildlife; and
 - Adding a green roof to new buildings.
- 4.8.12 Also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place. For example:
- Links to existing greenspace and/or opportunities to enhance and improve access;
 - Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips);
 - Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links; and
 - Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).
- 4.9 Suffolk County Council - Archaeological Service: The County Historic Environment Record has defined archaeological remains of medieval date and as a result there is high potential for additional archaeological remains to survive within this area and proposed works will damage or destroy known archaeological features. Within Coronation Wood, which has never previously been subject to archaeological assessment, there is potential for previously unrecorded earthworks to survive as well as below ground archaeological remain as multi-period archaeological finds and features are recorded in the vicinity. As a result, there is high potential for the discovery of above and below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.
- 4.9.1 There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed. Two conditions are recommended.

- 4.10 Suffolk County Council – Lead Local Flood Authority: Approval of this application subject to a number of detailed conditions relating to disposal of surface water drainage and details of sustainable drainage system components. They ask that the applicant engages with them prior to submitting an application to discharge these conditions.
- 4.11 Suffolk County Council - Highway Authority and Rights of Way: have received revised drawings with a proposed new access and as such recommend approval subject to conditions including safety in relation to the use of Sandy Lane and reassurance that any damage to the bridleway is repaired. The design of visibility splays proposed is acceptable provided there is a condition requiring visibility (x distance) of 160m to the west of the access and 120m to the east. The layout is acceptable subject to detail design and section 278 agreements; a stage 1 RSA is required. A dropping point 0 i.e. dropped kerbs opposite Sandy Lane /BR19 is required as it guides users of the PRow away from the new car park access. A TRO may be required to restrict parking on Sizewell Gap Road.
- 4.12 Suffolk Local Access Forum (SLAF): OBJECT to the proposal. SLAF consider they should have been consulted direct as the proposal has implications on users of Bridleway 19.
- 4.12.1 The documents do not make clear whether the proposal is a permissive alternative route which EDF Energy will provide and possibly maintain / remove at their discretion, or whether the actual bridleway is to be diverted onto the alignment to the east.
- 4.12.2 If the bridleway stays in situ then it will be unsafe for walkers, cyclists and horse riders whilst outages take place and having a permissive alternative route doesn't change the fact that two-way traffic would be using the bridleway. There is still the potential for hazard crossing the driveway to re-join the bridleway.
- 4.12.3 During construction of the outage car park, expected to take 9 months, there will be a lot of heavy construction vehicles on site, with increased danger and disturbance to bridleway users. At peak times, there could be up to 700 workers walking to and from the car park over a 24-hour period, who will be crossing the bridleway to gain access to the new floodlit footpath.
- 4.12.4 The junction of Sandy Lane (Bridleway 19) and Sizewell Gap is already a hazard. This will increase considerably if the outage car park is built on Pillbox Field, with hundreds of cars turning in and out of Sandy Lane onto a busy road, adjacent to the new bridleway entrance.
- 4.12.5 SLAF would suggest that alternatives for the car park entrance should be explored as during construction, EDF already plan to use an access point to the east.
- 4.12.6 If the bridleway entrance was moved further west, it would mean that users would be crossing Sizewell Gap through the traffic. All options seem to add extra traffic to be crossed somewhere.
- 4.12.7 SLAF are concerned that statements made in the full Stage 3 Consultation have been ignored.
- 4.13 ESC - Head of Environmental Services and Port Health: No objections to the development with regard to noise or vibration.

- 4.13.1 Construction noise and vibration: the assessment of noise and vibration uses the recognised Act, Noise Policy Statement for England, and British Standard in its assessments. In addition to working to numerical noise values the Environmental Statement incorporates a CEMP and describes the activities which will take place. It estimates the construction duration will be 53 months with a peak period of approximately 12 months. Working hours are proposed to be restricted, as are HGV deliveries, with only essential activities such as concrete pouring taking place out of normal working hours.
- 4.13.2 Essential primary mitigation measures will be needed for piling operations and the use of screw auger piles are recommended. Other noise mitigation measures are included in the CEMP. With respect to vibration, contractors should adhere to the guidance, as set out BS 5228-2, and follow good practice for minimising impacts from construction vibration, although none is anticipated from the site.
- 4.13.3 Operational noise and vibration: it is not anticipated that any operational noise or vibration will impact any residential property. Recommend conditions.
- 4.13.4 Air quality: Further detail on precise calculations of HGV traffic flows is requested – it is not clear if arrivals and departures have been included. Reference to the 2 Village bypass is made, however, the peak year for Sizewell B traffic will be 2022, whereas the 2VBP is unlikely to be operational until 2024, cumulative impacts with EA 1 North and EA2 offshore windfarm developments is not incorporated. We suggest the use of minimum Euro IV standard construction vehicles with appropriate management and enforcement. If the 2 VBP can be provided earlier this would be of benefit to the Stratford St Andrew AQMA. SZB relocated facilities will result in an increase of 125 vehicles (86 – HGV) through the Stratford St Andrew AQMA. Given ESC improvements in this area in improving air quality, this additional traffic has the potential to delay air quality objective compliance. The in-combination effect of SZB, SZC, EA1N and EA2 needs careful consideration.
- 4.13.5 Although the operation phase will be very similar to the existing, the outage car park will be within 100 metres of an area sensitive to air quality changes (human health exposure), it may not be appropriate for this to be scoped out of assessment. Emissions from moving and stationary cars within the car park should be assessed further.
- 4.13.6 The dust and air quality measures within the outline CEMP do not contain the entirety of ‘high risk’ mitigation measures within IAQM’s guidance on the assessment of dust from demolition and construction. Further information should be provided to justify existing dust mitigation measures, and / or additional mitigation provided in accordance with the requirements IAQM (2014) guidance. The building to the north of the outage car park is a residential property so is a sensitive receptor, a dust management plan will need to be put in place to minimise impacts upon this property.
- 4.14 ESC – Head of Economic Development: We seek to support applications where the application clearly supports the economic growth and regeneration of the economy. We recognise the value of an increased and improved Visitor Centre. It is an important feature of this key local stakeholder’s offer in terms of their communication to schools, businesses, and members of the public. We support the planning application.

- 4.15 Suffolk Joint Emergency Planning Unit: As Head of Emergency Planning at the Suffolk JEPU, will be advising the Office for Nuclear Regulation on any implications of this proposed development on existing Sizewell off-site nuclear emergency planning arrangements, issued under Radiation (Emergency Preparedness and Public Information) Regulations, as required by the Office for Nuclear Regulation land use policy. The formulation of this assessment has started and is awaiting further information from ONR. The development may impact off-site nuclear emergency arrangements and therefore it is important that any planning consent is considered in the light of any formal comments provided by the ONR.
- 4.16 East Suffolk Drainage Board: The site is within the Internal Drainage District (IDD) of the East Suffolk Internal Drainage Board and therefore the Board's Byelaws apply. If a surface water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board's byelaws. Whilst not currently proposed, should the applicant's proposals change to include works within 9 metres of the watercourse, consent would be required to relax Byelaw 10.

Non-Statutory Consultees

4.17 Suffolk Coast and Heaths Area of Outstanding Natural Beauty:

General Comments

- 4.17.1 Concerned that the proposal is being brought forward in isolation from the Sizewell C DCO process when it is clearly integral to Sizewell C.
- 4.17.2 There is a lack of certainty over the future of Sizewell C meaning the approval of the application is premature given that it will negatively impact the AONB.
- 4.17.3 The objection refers to NSIP guidance:
'Local authorities may decide that such consent should potentially be granted on the basis that any preliminary works carried out will be removed if the subsequent application to the IPC is turned down or if, within a specified time, no application is made'.

- 4.17.4 Some ecological assessments and bird surveys are several years old. AONB seeks reassurance that surveys are suitable and that the application conserves biodiversity.

Outline development zone

- 4.17.5 AONB Partnership expects to be consulted on future reserve matters proposals for the outline area.

Coronation Wood

- 4.17.6 AONB Partnership rejects statements that Coronation Wood is not valued for its landscape, aesthetic or ecological value.
- 4.17.7 Instead, it plays an important landscape function by screening the lower level buildings forming part of the Sizewell B complex. The smaller lower levels buildings are not visible and the overall impression is of an uncluttered site.
- 4.17.8 The removal of Coronation Wood will prevent screening to the proposed 20m high visitor and training centres.
- 4.17.9 The proposed colour palette will make the buildings more visible at night.
- 4.17.10 The lighting from the car park and laydown area will also be visible at night. Proposed measures will help mitigate some light spillage, but there is still potential that they will be visible at night and during shorter winter months when vegetation cover is reduced.

- 4.17.11 The removal of the wood will also result in the loss of an asset linked to the Coronation of George V and Queen Mary.
- AONB Partnership Position
- 4.17.12 The AONB Partnership does not agree that the effects on receptor groups and the natural beauty of the AONB will not be significant.
- 4.17.13 It is acknowledged that significant consideration has been given to mitigate the effects of the proposed development but notes that it will extend the physical footprint into a currently undeveloped area of the AONB.
- 4.17.14 There will be significant increases in vehicular movements and human activity associated with the developments. This will adversely impact on the tranquillity and users' enjoyment of this part of the designation.
- 4.17.15 The AONB partnership considers the loss of Coronation Wood as significant because it provides an important screening function to Sizewell A and B. It will permanently alter how people view the complex adversely impacting on the experience of those visiting the AONB.
- 4.17.16 The Partnership consider that once completed, it will have a permanent adverse impact due to an increase in the amount and scale of development making up the Sizewell B complex.
- 4.17.17 If developed, a greater number of buildings will be more visible from the west than at present.
- 4.17.18 Despite proposed mitigation measures, there remains potential for an increase in light spillage from the west due to the height of the buildings and laydown and parking area.
- 4.17.19 Development within Pillbox Field should be considered as major development and will have a significant negative impact on the AONB and landscape character.
- 4.17.20 This major development should not usually be considered within a nationally designated site.
- 4.17.21 It will alter the open undeveloped character of Pillbox Field through the introduction of incongruous features and industrialise the land.
- 4.17.22 The new Western Access Road will result in a more engineered and larger entrance to the Sizewell B complex.
- 4.17.23 The increase in development and activity will reduce the tranquillity during construction and operational phases in the vicinity of Pillbox Field.
- 4.17.24 Will reduce how the historic pillbox is viewed and experienced in the later setting.
- 4.17.25 The anticipated increase in human activity, the loss of tranquillity and alterations to the PROW, the proposals will directly impact on the enjoyment of recreational users of Bridleway 19.
- 4.17.26 Proposal is not considered to have paid due regard to the statutory purpose of the AONB which is to conserve and enhance natural beauty as required by Section 85 Countryside and Rights of Way Act 2000.
- 4.17.27 It is not considered to satisfy the objectives of NPPF paragraphs 170 and 172, and Core Strategy Policy SP15.
- 4.17.28 The Proposals do not meet the management objectives L1, L4, LUW1 and LUW4 of the Suffolk Coast & Heaths AONB Management Plan 2018-2023.
- 4.18 Suffolk Preservation Society: OBJECTS to the proposal.

- 4.18.1 The application is premature and should not be considered in isolation but should form part of the DCO application.
- 4.18.2 The importance of the designated landscape is seriously underestimated. The Countryside and Rights of Way Act 2000 clearly sets out the protection afforded to AONBs and the duty to conserve and enhance their natural beauty.
- 4.18.3 Strongly reject the assessment and conclusions within Landscape and Visual Impact Assessment namely that the susceptibility of the natural beauty and special qualities indicators are low and therefore that the AONB is of only medium sensitivity.
- 4.18.4 They do not accept that the permanent effects are very limited as they only impact upon a small part of the AONB.
- 4.18.5 They refute the conclusion presented in table 7.10 which judges the scale of effects to be, at their highest level, only small with regard to landscape quality and negligible with regard to all other indicators including relative wildness, tranquillity and heritage.
- 4.18.6 The SPS strongly rejects the applicant's overall conclusion that the magnitude of effects will be negligible and that the proposed development will have a minimal significance (not significant) and on balance be neutral.

The proposals

- 4.18.7 The proposed works have a total site coverage of 36,741m² (approximately 9 acres) in a designated landscape which is nationally renowned for its tranquillity and remoteness.
- 4.18.8 They are dismayed by the proposed development of Pillbox Field to provide an outage car park. The proposed permanent development of the Laydown Area on the western edge of the site will include structures up to 6m in height with 8m high lighting columns and 100 lux light fittings on the perimeter of the estate facing into the AONB.
- 4.18.9 Structures up to 30m in height within the outline development zone have not been adequately presented to make an assessment of whether, or to what extent, they will appear visually intrusive in this location.
- 4.18.10 The proposed Training Centre is a three storey building that faces onto the AONB yet there is little detail provided and the generalised statements such as "softer appearance" and "windowless" do little to reassure.
- 4.18.11 The 270m long access road will be a metaled surface and will be lit by 4m high lighting columns and will run along the western edge of the site adjoining the highly sensitive Sizewell Marshes.
- 4.18.12 The sensitivity of the areas affected within an AONB can never be fully returned to their original conditions and environmental status and therefore the proposals should not be considered further in isolation from any potential development consent application for the area.

Pillbox Field and Coronation Wood

- 4.18.13 It will introduce further industrialisation, together with large volumes of vehicular and human activity as well as light pollution in an area that is otherwise undeveloped.
- 4.18.14 It will erode the setting of the Second World War pillbox, an undesignated heritage asset, and an important element of the nation's military coastal defences. Its significance is, in part, derived from its isolated location on the coastline. The introduction of a large, lit car park will cause harm to its significance.

- 4.18.15 The loss of Coronation Wood is unacceptable as it provides a useful contribution to landscape and visual mitigation of Sizewell A and B, but also has a communal and historic value as a commemoration of George V and Queen Mary's coronation in 1911.
- 4.18.16 In view of the hugely negative impact that the power plants have wrought upon the landscape in the last half century, the proposed loss of this belt of woodland planted at the beginning of the 20th century is an affront to all those who benefit from this landscape feature.
- 4.18.17 The proposals represent a material encroachment beyond the existing confines of the power plant and show no regard to the sensitive location within a designated landscape or the cultural heritage that it contains.
- 4.18.18 This application appears to be premature for consideration in light of the guidance provided to Local Authorities on Preliminary works for NIPS projects.
- 4.18.19 If the site layout cannot be reduced to allow for these associated developments to be included within the site area and away from the SSSI, then the scale of the development of EDF Sizewell estate should be questioned and reviewed.
- 4.19 Suffolk Wildlife Trust: Consider this application should not be considered separately to the Sizewell C DCO.
- 4.19.1 Ecological survey information: a number of survey reports are considered to be out of date for the purposes of conducting an Ecological Impact Assessment (EclA). The advice note published by CIEEM on the Lifespan of Ecological Reports and Surveys (April 2019) indicated that reports older than 3 years are unlikely to be valid.
- 4.19.2 Designated sites and other habitats: The proposed development has the potential to impact upon Sizewell Marshes SSSI; it will result in the loss of plantation woodland known as Coronation Wood, an area of wet woodland north of Rosary Cottage and an area of grassland within Pillbox Field.
- 4.19.3 Sizewell Marshes SSSI: proposed development could result in a number of adverse impacts on the SSSI including impacts on ground and surface water through the change in land use and operation uses of the proposed areas resulting in disturbance of species associated with the SSSI through construction activities, change in land use (including the loss of existing screening provided by the woodland) and the presence of the footpath; and potential damage or disturbance during construction. There is no evidence that alternative routes away from the SSSI had been considered.
- 4.19.4 The two main areas of proposed development are to be linked via a footpath which runs through an area which is part of Sizewell Marshes SSSI. Although the NVC survey in 2019 identified that the grassland in this area is not a key feature of the SSSI, there are a series of vegetated watercourses running through this area which drain northwards along the Eastern edge of the SSSI and these are listed as one of the specific features of the SSSI. One such watercourse lies to the west of Rosary Cottage, with another to the north-west. It is stated that the SSSI habitat to be lost is 0.045ha but this does not appear to take into consideration the construction impacts on this part of the SSSI. The proposal appears to be for a permeable surface but no information has been provided on whether this material could change the local soil/water chemistry. The need for de-watering in relation to the construction of the outage store basement is predicted to be less than 20m³/day but there is currently no way of monitoring if there were to be any potential impacts of the adjacent SSSI arising through dewatering, as there are no dip-wells located in this part of the SSSI.

- 4.19.5 Coronation Wood: The proposed development involves felling Coronation Wood, a 1.6ha mixed plantation woodland of approximately 100 years old. The documents say that the woodland is of limited ecological value nevertheless it is likely to be of some value to a range of species. The proposed new planting amounts to 1.36ha in various locations and consequently we are concerned that not only is the loss of this habitat not fully addressed, there is also no demonstration of net gain for this habitat.
- 4.19.6 The wood also contributes to the wider ecological network through its value as part of the green corridor along the western side of the A and B stations and the screening it provides between the Sizewell Marshes SSSI and the built development of the power station. Until proposed screening matures the glow of these brightly lit areas will be extremely obvious from the SSSI.
- 4.19.7 Wet woodland north of Rosery Cottage: This narrow belt of wet woodland between two areas of the Sizewell Marshes SSSI. The installation of the footpath in this low-lying marshy area with standing water will require considerable groundworks and the means of undertaking this has not been addressed in the ES.

Protected and/or UK Priority Species:

- 4.19.8 Bats – eleven trees with bat roosting potential in Coronation Wood and a further ten trees in the woodland strip to the south of Coronation Wood have been identified and subject to further survey. We disagree that the required emergence and / or re-entry surveys could be undertaken after the determination of planning, any likely significant effect under the TCPA (EIA) Regulations 2017, should be identified prior to determination. The likely presence of protected species is a material consideration and the full impacts of the proposal must be understood prior to determination. We are also concerned about the impacts upon bat foraging routes, particularly due to the loss of Coronation Wood. We do not have confidence that the impacts upon bats are fully considered. The proposed footpath passes through an area of mature, wet woodland between Rosery Cottage and Coronation Wood which does not appear to have been included in any bat surveys, either in terms of potential roosting features or bat activity.
- 4.19.9 Reptiles – Chapter 6 states that all four common native reptiles are present on the site, they are all of 'low' population size. However, this conclusion is derived from a survey undertaken in 2015, previous surveys of 2012 found there was a 'good' population of common lizard, it is concluded that a good population of common lizard does occur on site, along with larger population sizes of the other three species.
- 4.19.10 Pillbox Field is former arable land which has been allowed to revert to grassland. Such habitats can be quickly colonised by reptiles but in the early stages of reversion are unlikely to support anything but low populations of reptiles due to reduced food availability. As four years have passed since the 2015 survey, the habitat has continued to mature and consequently is now highly likely to support higher numbers of reptiles than recorded in the earlier surveys.
- 4.19.11 There is a need for a comprehensive reptile mitigation strategy and the 2015 report suggests a combination of on-site enhancement, trapping and relocation to a receptor site, followed by destructive searches. The area of suitable reptile habitat to be lost is 13.1ha, yet it is proposed that the mitigation strategy will be through habitat manipulation and a phased vegetation clearance approach. We do not agree that displacement of reptiles can be effectively undertaken within this size of site and the associated incidental mortality would result in a negative impact on the local population.

- 4.19.12 Water vole – the proposed footpath north of the proposed outage car park crosses two drains via new footbridges and may impact on another west of Rosery Cottage. The water vole surveys as specified are considered to be out of date. Although it is stated in 6.1:2.2.76 that the 2019 Phase 1 habitat survey revisited the ditches and found no water vole signs, we believe this survey was undertaken at a sub-optimal time of year and consequently cannot be used to predict water vole presence.
- 4.19.13 Badger – we are aware of a number of badger setts in association with Coronation Wood, which are proposed for closure ahead of any felling. No other details of badger mitigation are provided but this will inevitably result in an increase in badger movements and the eventual construction of new setts elsewhere. The implication of shutting these setts on features of importance associated with the SSSI have not been assessed.
- 4.19.14 Conclusion – in addition to our comments about the timing of the proposed development, based on the information provided as part of the consultation, we are concerned that the ecological survey information available to assess the likely impacts of the proposals is either incomplete, out of date, or undertaken at a sub-optimal time of year and therefore must be updated to allow for a robust EclA to be undertaken.
- 4.20 Royal Society for the Protection of Birds (RSPB): HOLDING OBJECTION.
Lack of complete EIA
- 4.20.1 The RSPB is concerned that the Environmental Statement (ES) and Habitats Regulation Assessment (HRA) screening are not based on a complete set of assessments. The RSPB notes the Environmental Impact Assessment (EIA), and resulting ES and HRA screening, do not contain all the further work required to be considered before a planning decision can be made.
- 4.20.2 Appendix 17.1 recommends that this work, and the further information it will provide, should be undertaken in a future CEMP and is not contained within the ES and HRA screening that supports this planning application. In effect, the planning application is proposing a “wait and see” approach where further work to identify environmental effects will take place after planning permission has been granted.
- 4.20.3 All relevant information should be included within the ES to ensure an informed planning decision which complies with the EIA Regulations, particularly the information required for inclusion within an ES.
- 4.20.4 Their response refers specifically to NPS EN-1 (5.15.3).
- 4.20.5 It is the RSPB’s position that a planning decision cannot be arrived at unless and until the information and assessments set out in Appendix 17.1 are completed and included, with assessment of significance and provision of appropriate mitigation, within the ES to inform the planning decision. The RSPB objects to this planning application until the ES and HRA screening is amended to include an EIA of information from pre-construction ecological surveys, piling risk assessment, groundwater assessment and radiological survey to support an informed planning decision.
- 4.20.6 Lack of up to date species information
- 4.20.7 In Section 6 of the ES, the RSPB notes that updating of previous baseline surveys for mammals, reptiles and ornithology is reliant upon “Site visits conducted in 2018 and 2019 confirmed that there have been no material changes to the Site since the completion of the surveys; therefore, the results of these surveys remain valid and for the purposes of the ES, no additional surveys were required.

- 4.20.8 In respect to ornithology, the ES indicates that “there is no reason that the breeding and wintering bird assemblage would have changed significantly”. We note that the ES is now reliant on a habitat survey, rather than direct species surveys.
- 4.20.9 The RSPB notes that Appendix 17.1, the ES Mitigation Register, contradicts Section 6 (Table 6.7) of the ES (which rejects the need for additional ecological surveys) by stating that “pre-construction ecology surveyswill be undertaken in advance of site clearance works”(Appendix 17.1, Table 17.1).
- 4.20.10 The RSPB highlights our concern that the ecology surveys are dated and do not meet the requirements set out in the CIEEM Advice Note on the Lifespan of Ecological Reports and Surveys.
- 4.20.11 In the case of ornithology, the Breeding Bird Report (2012) survey was undertaken in 2010- nine years before the Ecological Impact Assessment (EclA) (ES Section 6). In addition, marsh harrier, bittern and hen harrier surveys were undertaken in 2008 and 2011/12 (11 and 8 years before the EclA), and we note that the Arcadis Sizewell C marsh harrier surveys (2014/15), do not appear to have been included in the planning application supporting information . The CIEEM advice note indicates that surveys over 3 years old are: “unlikely to still be valid and most, if not all, of the surveys are likely to need to be updated (subject to an assessment by a professional ecologist)”.
- 4.20.12 CIEEM Guidelines for Ecological Impact Assessment (EclA) should be followed to provide up to date ornithological data, less than 4 years old, to allow the accurate identification and description of relevant environmental/ ecological sensitive receptors, together with trends in species population, distribution and rates of potential colonisation by new species as a baseline for the assessment of construction and operational effects.
- 4.20.13 The CIEEM EclA guidance also states that “If there is likely to be a lengthy time between undertaking an impact assessment (for example, to inform the planning application) and project inception, potential changes in the ecological baseline during that time should be identified” (CIEEM Guidelines for Ecological Impact Assessment in the UK and Ireland, 2018, p19).

Disturbance Information

- 4.20.14 The RSPB notes that noise baseline surveys were not undertaken within the Sizewell Marshes SSSI nor the Minsmere-Walberswick Ramsar and SPA and Minsmere-Walberswick Heaths and Marshes SSSI and SAC, (Appendix 11.2, Noise Baseline Survey).
- 4.20.15 It should be noted that the bird community of the surrounding area and statutory sites does not only include waterfowl, but priority species under Section 41 of the Natural Environment and Rural Communities Act 2006 (e.g. lapwing, turtle dove, woodlark, marsh harrier, bittern, hen harrier, etc.) and Schedule 1 species under the Wildlife and Countryside Act 1981 (e.g. black redstart, Cetti’s warbler, firecrest, etc.).
- 4.20.16 The recent work by Shannon et al (2016) demonstrates that the 70 dB threshold determined by Cutts (2009) does not equally apply to all species, with levels of 40 to 60dB causing declines in species diversity, distribution, occupancy and reproductive success. The use of the 70dB threshold may not, therefore, be a delimiting level for determining disturbance.
- 4.20.17 We note the assertion in the ES that the 8 week construction period “would cause minimum disturbance to the breeding and wintering bird assemblage”. Poorly timed works, however, can impact significantly on bird assemblages, survivability and breeding success.
- 4.20.18 Without up to date ornithological survey data, the timing of works should avoid the overwintering (November to March) and breeding (March to August) periods. We note that

the resulting narrow construction window would probably be restrictive for the developer, but may be avoided with suitable robust mitigation.

4.20.19 The conclusions of the Sizewell Marsh Harrier Survey 2008, however, are based upon the assumption that “there will be no land take from the marshes” SSSI (Entec 2009, p12).

4.20.20 The RSPB is concerned with:

- the lack of up to date ornithological survey data concerning the breeding and overwintering bird assemblage;
- a reliance on an inappropriate disturbance threshold for the impacted species and habitat, and;
- insufficient noise/disturbance data (including visual intrusion of equipment and personnel) for the potentially impacted statutory sites (SSSI, SPA, SAC and Ramsar).

4.20.21 These issues make it impossible to demonstrate that the proposed mitigation (barrier fencing, hedgerows, etc.) measures will be effective. This issue may be exacerbated by the loss of buffering habitat (e.g. Coronation Wood), siting of an access road and the incursion of a footpath on to the Sizewell Marshes SSSI (within or adjacent to an area which has previously seen limited intrusion).

4.20.22 Up to date ecological surveys should be undertaken to determine the current situation. Survey information could then be used to inform appropriate mitigation, which may avoid core breeding and overwintering periods, whilst enabling a longer works duration.

4.20.23 A more robust suite of mitigation measures could then be used to manage impacts from the development, e.g. phasing of work, deployment of an Environment Clerk of Works to provide oversight, avoidance zones around active nests, etc.

4.20.24 The RSPB note that species within the bird assemblage of the area are legally protected under the Wildlife and Countryside Act (1981) and are priority species under Section 41 of the Natural Environment and Rural Communities Act (2006) and that the latter act places a duty on the planning authority, in exercising its functions, to have regardto the purpose of conserving biodiversity. The RSPB is, therefore concerned that the lack of data and inappropriate disturbance threshold may inhibit the authority from carrying out this duty.

4.20.25 The RSPB objects to the planning application over this issue until:

1. An overwintering and breeding bird survey is undertaken to bring information about the site and surrounding statutory areas up to date;
2. Appropriate disturbance thresholds are agreed, and;
3. Baseline noise and visual intrusion data is provided for within the SSSI, SPA, SAC and Ramsar sites.

Dewatering, contamination and pollution

4.20.26 We note that the ES confirms our concern that the site has a high water table, up to 1.46 metres above ordnance datum (OD) (ES, Section 13.4.8) and that the underlying Crag Aquifer is likely to be in “hydraulic continuity” with the permeable made ground of the site (ES, 13.4.10) and also underlies the peat deposits to the west of the site (i.e. the Sizewell Marshes SSSI) (ES, Section 13.4.8).

Lack of complete EIA

4.20.27 The RSPB is concerned that the Environmental Statement (ES) and Habitats Regulation Assessment (HRA) screening are not based on a complete set of assessments. The RSPB

notes the Environmental Impact Assessment (EIA), and resulting ES and HRA screening, do not contain all the further work required to be considered before a planning decision can be made.

- 4.20.28 Appendix 17.1 recommends that this work, and the further information it will provide, should be undertaken in a future CEMP and is not contained within the ES and HRA screening that supports this planning application. In effect, the planning application is proposing a “wait and see” approach where further work to identify environmental effects will take place after planning permission has been granted.
- 4.20.29 All relevant information should be included within the ES to ensure an informed planning decision which complies with the EIA Regulations, particularly the information required for inclusion within an ES.
- 4.20.30 Their response refers specifically to NPS EN-1 (5.15.3).
- 4.20.31 It is the RSPB’s position that a planning decision cannot be arrived at unless and until the information and assessments set out in Appendix 17.1 are completed and included, with assessment of significance and provision of appropriate mitigation, within the ES to inform the planning decision. The RSPB objects to this planning application until the ES and HRA screening is amended to include an EIA of information from pre-construction ecological surveys, piling risk assessment, groundwater assessment and radiological survey to support an informed planning decision.

Lack of up to date species information

- 4.20.32 In Section 6 of the ES, the RSPB notes that updating of previous baseline surveys for mammals, reptiles and ornithology is reliant upon “Site visits conducted in 2018 and 2019 confirmed that there have been no material changes to the Site since the completion of the surveys; therefore, the results of these surveys remain valid and for the purposes of the ES, no additional surveys were required.
- 4.20.33 In respect to ornithology, the ES indicates that “there is no reason that the breeding and wintering bird assemblage would have changed significantly”. We note that the ES is now reliant on a habitat survey, rather than direct species surveys.
- 4.20.34 The RSPB notes that Appendix 17.1, the ES Mitigation Register, contradicts Section 6 (Table 6.7) of the ES (which rejects the need for additional ecological surveys) by stating that “pre-construction ecology surveyswill be undertaken in advance of site clearance works”(Appendix 17.1, Table 17.1).
- 4.20.35 The RSPB highlights our concern that the ecology surveys are dated and do not meet the requirements set out in the CIEEM Advice Note on the Lifespan of Ecological Reports and Surveys.
- 4.20.36 In the case of ornithology, the Breeding Bird Report (2012) survey was undertaken in 2010- nine years before the Ecological Impact Assessment (EcIA) (ES Section 6). In addition, marsh harrier, bittern and hen harrier surveys were undertaken in 2008 and 2011/12 (11 and 8 years before the EcIA), and we note that the Arcadis Sizewell C marsh harrier surveys (2014/15), do not appear to have been included in the planning application supporting information . The CIEEM advice note indicates that surveys over 3 years old are: “unlikely to still be valid and most, if not all, of the surveys are likely to need to be updated (subject to an assessment by a professional ecologist)”.
- 4.20.37 CIEEM Guidelines for Ecological Impact Assessment (EcIA) should be followed to provide up to date ornithological data, less than 4 years old, to allow the accurate identification and description of relevant environmental/ ecological sensitive receptors, together with trends

in species population, distribution and rates of potential colonisation by new species as a baseline for the assessment of construction and operational effects.

- 4.20.38 The CIEEM EclA guidance also states that “If there is likely to be a lengthy time between undertaking an impact assessment (for example, to inform the planning application) and project inception, potential changes in the ecological baseline during that time should be identified” (CIEEM Guidelines for Ecological Impact Assessment in the UK and Ireland, 2018, p19).

Disturbance Information

- 4.20.39 The RSPB notes that noise baseline surveys were not undertaken within the Sizewell Marshes SSSI nor the Minsmere-Walberswick Ramsar and SPA and Minsmere-Walberswick Heaths and Marshes SSSI and SAC, (Appendix 11.2, Noise Baseline Survey).
- 4.20.40 It should be noted that the bird community of the surrounding area and statutory sites does not only include waterfowl, but priority species under Section 41 of the Natural Environment and Rural Communities Act 2006 (e.g. lapwing, turtle dove, woodlark, marsh harrier, bittern, hen harrier, etc.) and Schedule 1 species under the Wildlife and Countryside Act 1981 (e.g. black redstart, Cetti’s warbler, firecrest, etc.).
- 4.20.41 The recent work by Shannon et al (2016) demonstrates that the 70 dB threshold determined by Cutts (2009) does not equally apply to all species, with levels of 40 to 60dB causing declines in species diversity, distribution, occupancy and reproductive success. The use of the 70dB threshold may not, therefore, be a delimiting level for determining disturbance.
- 4.20.42 We note the assertion in the ES that the 8 week construction period “would cause minimum disturbance to the breeding and wintering bird assemblage”. Poorly timed works, however, can impact significantly on bird assemblages, survivability and breeding success.
- 4.20.43 Without up to date ornithological survey data, the timing of works should avoid the overwintering (November to March) and breeding (March to August) periods. We note that the resulting narrow construction window would probably be restrictive for the developer, but may be avoided with suitable robust mitigation.
- 4.20.44 The conclusions of the Sizewell Marsh Harrier Survey 2008, however, are based upon the assumption that “there will be no land take from the marshes” SSSI (Entec 2009, p12).
- 4.20.45 The RSPB is concerned with:
- the lack of up to date ornithological survey data concerning the breeding and overwintering bird assemblage;
 - a reliance on an inappropriate disturbance threshold for the impacted species and habitat, and;
 - insufficient noise/disturbance data (including visual intrusion of equipment and personnel) for the potentially impacted statutory sites (SSSI, SPA, SAC and Ramsar).
- 4.20.46 These issues make it impossible to demonstrate that the proposed mitigation (barrier fencing, hedgerows, etc.) measures will be effective. This issue may be exacerbated by the loss of buffering habitat (e.g. Coronation Wood), siting of an access road and the incursion of a footpath on to the Sizewell Marshes SSSI (within or adjacent to an area which has previously seen limited intrusion).
- 4.20.47 Up to date ecological surveys should be undertaken to determine the current situation. Survey information could then be used to inform appropriate mitigation, which may avoid core breeding and overwintering periods, whilst enabling a longer works duration.

- 4.20.48 A more robust suite of mitigation measures could then be used to manage impacts from the development, e.g. phasing of work, deployment of an Environment Clerk of Works to provide oversight, avoidance zones around active nests, etc.
- 4.20.49 The RSPB note that species within the bird assemblage of the area are legally protected under the Wildlife and Countryside Act (1981) and are priority species under Section 41 of the Natural Environment and Rural Communities Act (2006) and that the latter act places a duty on the planning authority, in exercising its functions, to have regardto the purpose of conserving biodiversity. The RSPB is, therefore concerned that the lack of data and inappropriate disturbance threshold may inhibit the authority from carrying out this duty.
- 4.20.50 The RSPB objects to the planning application over this issue until:
- An overwintering and breeding bird survey is undertaken to bring information about the site and surrounding statutory areas up to date;
 - Appropriate disturbance thresholds are agreed, and;
 - Baseline noise and visual intrusion data is provided for within the SSSI, SPA, SAC and Ramsar sites.
- Dewatering, contamination and pollution
- 4.20.51 We note that the ES confirms our concern that the site has a high water table, up to 1.46 metres above ordnance datum (OD) (ES, Section 13.4.8) and that the underlying Crag Aquifer is likely to be in “hydraulic continuity” with the permeable made ground of the site (ES, 13.4.10) and also underlies the peat deposits to the west of the site (i.e. the Sizewell Marshes SSSI) (ES, Section 13.4.8).
- 4.20.52 The Environmental Statement also confirms that groundwater feeds the adjacent ditch system of the Sizewell Marshes SSSI and drains to/ within the Minsmere-Walberswick Ramsar and SPA and Minsmere-Walberswick Heaths and Marshes SSSI and SAC (ES, Section 13.4.21). The RSPB welcomes the identification of the Sizewell Marshes SSSI as sensitive environmental receptors based on hydrology (ES, Section 13.4.23 and 13.4.24).
- 4.20.53 Given the interconnectivity of drainage systems and the extent of the underlying aquifer within the area, the RSPB disagrees with the assertion that distance from the site boundary prevents the SSSI, SPA, SAC and Ramsar sites being considered a sensitive receptor to groundwater impacts (ES, Section 13.4.7).
- 4.20.54 We note that the assessment of effects to groundwater, particularly with respect to the Outage Store, is based upon a series of estimates and assumptions (ES Section 13.6.3 to 13.8.1) with a reliance on mitigation measures (not detailed within the ES) to be developed within the future CEMP.
- 4.20.55 The outline CEMP indicates that a detailed groundwater assessment is required (Section 5.10.2); together with a possible need for, as yet undefined, “additional mitigation measures” in the event of impacts to groundwater (Outline CEMP, Section 5.10.5). The Mitigation Register (Appendix 17.1) indicates the need for additional groundwater associated assessments and surveys (see above).
- 4.20.56 The RSPB further notes that no provision has been made for monitoring to detect and react to changes in the statutory site supporting ditch system water levels and quality in the event of impacts from the construction of the Outage Store or elsewhere on the site.
- 4.20.57 Given the RSPB’s advice at scoping that these investigations (assessments) should be included within the EIA/ EclA, together with appropriate mitigation measures, their omission

at this stage undermines confidence that groundwater contamination and dewatering will not have an impact on the statutory sites.

- 4.20.58 It is our view that planning permission should not be granted until the groundwater, radiological and piling risk assessments (see above) are provided to confirm that there is no significant negative impact upon the Sizewell Marshes SSSI and Minsmere Walberswick Heath and Marshes SSSI, SPA, SAC and Ramsar.

Landtake from the SSSI

- 4.20.59 The RSPB remains concerned about the loss of part of the SSSI, but notes the justification and mitigation contained within the ES. The RSPB would not object on this issue, provided a planning condition is applied to ensure the route of the footpath and footbridge adheres to the site plan in the Proposed Outage Car Park Proposed Site Plan (Drawing No. SZC-RF0000-XX-000-DRW100030) and species, disturbance and disturbance data deficiencies (see above) are rectified to enable a justified and informed planning decision based upon no significant impact to the Sizewell Marshes SSSI, the Minsmere-Walberswick Ramsar and SPA and Minsmere-Walberswick Heath and Marshes SSSI and SAC.

- 4.20.60 In summary, there are significant gaps in information on the baseline environment and environmental impacts to water levels, water quality, biodiversity, disturbance and justification of impact significance within the Environmental Statement and Habitats Regulations Assessment screening.

Conclusions

- 4.20.61 The RSPB has no alternative to object, given the substantial amount of information that has not been made available to ensure robust decisions are being made about impacts from the development and necessary mitigation measures to avoid impact on the nearby protected areas.

- 4.20.62 The RSPB expects the following information to be provided before the application is determined:

- Up to date pre-construction ecology surveys, tree and building inspections in advance of site clearance works;
- A piling risk assessment to manage the risk of introducing new contamination pathways;
- An assessment of the likely volumes of groundwater that will be pumped once detailed design information is available and prior to the temporary works being carried out;
- A radiological survey of the existing Outage Store by the Sizewell B Health Physics team to confirm if any further measures are required prior to the start of demolition works;
- An overwintering and breeding bird survey is undertaken to bring information about the site and surrounding statutory areas up to date;
- Appropriate disturbance thresholds are agreed, and;
- Baseline noise and visual intrusion data is provided for within the SSSI, SPA, SAC and Ramsar sites.

- 4.21 Third Party Representations – 113 Letters/emails of Objection have been received raising the following points:

- a. Outage car park is adjacent and bridleway and part of the Sandlings Walk, it is also onto Sizewell Gap Road which carries heavy traffic, entrances to the wind farms, Greater Gabbard jointing pit field, pub car park, Sizewell Hall, Beach View caravan park and Sizewell hamlet. It is a busy road with no speed limits and is the only entrance and exit for Sizewell B in the event of a nuclear emergency or road traffic accident.

- b. The existing car parks could be made multi-storey or the Sizewell A site used for car parking instead.
- c. EDF Energy should make better use of land in their existing perimeter.
- d. Major expansion into the AONB that should not be dealt with at a local level.
- e. Natural England should be consulted on the process – has this been done?
- f. This will be further new industrial-related expansion into an area that is AONB land, Heritage Coast land, and land that is reverting to Sandlings heathland; it is not justified by need.
- g. This development should not go ahead until Sizewell C is shown to be able to be built.
- h. Bridleway 19 forms part of a connected walking, cycling, and riding route network and used by a large number of local people and tourists. This will be dangerous with outage car park access alongside and the potential for accidents and traffic chaos will arise.
- i. The work on Pillbox Field will be detrimental to birds and bats, noise and lighting impacts, potential impacts on surface water receptors during the operation phase.
- j. Relocating buildings and siting an outage car park here would be detrimental to wildlife and birdlife.
- k. Result in historical and archaeological damage, the Pillbox itself is part of the County's World War II heritage and needs to be reserved as such.
- l. Wood should not be cut down just to provide car parking spaces. Wood could provide sound proofing from noise at the power station.
- m. If outage car parking is built here then it must be unsuitable for anything other than outage use.
- n. Relocation outside of the AONB should happen.
- o. Lighting for the outage car park should not be 6 metres high and up to 50 lights. It should be sensor lighting that does not increase light pollution.
- p. Proposals should only be considered as part of the forthcoming Sizewell C Development Consent Order procedure.
- q. National Policy Statement on site selection for new nuclear reactors is under review.
- r. Cumulative impact of this proposal and other energy-related infrastructure in the areas is expected to be considerable.
- s. Concern regarding additional traffic including 70 HGVs on local roads in particular the use of the B1122.
- t. Recommend a construction environmental management plan, a construction traffic management plan and a construction workforce travel plan be required to minimise environmental effects during demolition and construction if consented.
- u. Cutting down of trees planted 100 years ago by the Ogilvie family to commemorate the coronation of George V, destruction of flora and fauna on the site.
- v. Light, noise, and dust pollution to a green buffer zone.
- w. Landscaping gives the impression of managed neatness which is incompatible with the general nature of the AONB.
- x. Buildings aren't critical to the development of Sizewell B, so the AONB shouldn't be sacrificed.
- y. Due to no proper drainage system being installed or any oil separators, a spillage of oils, diesels etc will drain straight into vulnerable sensitive SSSI marshes.
- z. Badgers are a protected species, and several live in the area. Badgers are territorial so difficult to relocate.
- aa. If Sizewell C does not go ahead, it would be a waste of landscape.

0 Letters/emails of Support have been received.

5 PUBLICITY:

Category	Publication Date	Expiry	Publication
Major Development Potential Public Interest Public Right of Way Archaeology EIA			East Anglian Daily Times

6 SITE NOTICES

Site Notice Type	Reason	Date Posted	Expiry
General Site Notice	Major Development Potential Public Interest Public Right of Way Archaeology EIA		

7 PLANNING POLICY

- 7.1 Section S38(6) of the Planning and Compulsory Purchase Act 2004 states that the planning application is to be determined in accordance with the development plan unless material consideration indicates otherwise.
- 7.2 National Planning Policy Framework (2019). There are other paras. of the NPPF that would apply to this development but these are highlighted as the key paras: Para. 20 – strategic policies must make sufficient provision for employment and other commercial development; Para. 104 refers to minimising the number and length of journeys needed for employment; Para. 170. refers to planning policies and decisions should contribute to and enhance the natural and local environment. Para. 172. great weight should be given to conserving and enhancing landscape and scenic beauty in...Areas of Outstanding Natural Beauty. The scale of development in these areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances. Paras 174 – 177 refer to habitats and biodiversity including promoting the conservation, restoration and enhancement of priority habitats and ecological networks.
- 7.3 East Suffolk Council- Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (adopted July 2013) the following policies are relevant to this application:
- Policy SP1 - Sustainable Development
 - Policy SP1A - Presumption in Favour of Sustainable Development
 - Policy SP7 – Economic Development in the Rural Areas
 - Policy SP8 - Tourism
 - Policy SP10 - A14 and A12
 - Policy SP12 – Climate Change
 - Policy SP13 – Nuclear Energy

Policy SP14 – Biodiversity and Geodiversity
 Policy SP15 – Landscape and Townscape
 Policy SP19 – Settlement Policy
 Policy SP24 – Leiston
 Policy SP29 – Countryside
 Policy SP30 – The Coastal Zone
 Policy DM12 - Expansion and Intensification of Employment Sites
 Policy DM19 – Parking Standards
 Policy DM20 - Travel plans
 Policy DM21 – Design: Aesthetics
 Policy DM22 – Design Function
 Policy DM23 – Residential Amenity
 Policy DM24 – Sustainable Construction
 Policy DM26 – Lighting
 Policy DM27 – Biodiversity and Geodiversity
 Policy DM28 – Flood Risk

- 7.4 The new Local Plan (covering the former Suffolk Coastal area) was submitted to the Planning Inspectorate (PINS) for examination on Friday 29th March 2019, and the hearings are to take place in August 2019. Full details of the submission to PINS can be found through this link: www.eastsuffolk.gov.uk/localplanexamination. At this stage in the plan making process, the policies that received little objection (or no representations) can be given more weight in decision making if required, as outlined under Paragraph 48 of the National Planning Policy Framework (2018). Certain policies are now considered to have some weight in determining applications; these have been referenced where applicable. The relevant policies are:

SCLP3.1: Strategy for Growth in Suffolk Coastal District
 SCLP3.2: Settlement Hierarchy
 SCLP4.3: Expansion and Intensification of Employment Sites
 SCLP4.5: Economic Development in Rural Areas
 SCLP6.3: Tourism Development within the AONB and Heritage Coast
 SCLP7.1: Sustainable Transport
 SCLP7.2: Parking Proposals and Standards
 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
 SCLP11.7: Archaeology
 SCLP12.34: Strategy for the Rural Areas

- 7.5 National Policy Statement for Nuclear Power Generation (EN-6) identifies Sizewell as a potentially suitable site for the deployment of a new nuclear power station. A nuclear power station comprises a National Significant Infrastructure Project (NSIP) under The 2008 Planning Act and therefore requires a Development Consent Order (DCO). EDF Energy's proposal for a new nuclear power station (Sizewell C) is currently within the pre-

application stage of the DCO process. National Policy Statements provide the primary basis for decisions on NSIPs and therefore in addition to EN-6, the Overarching National Policy Statement for Energy (EN-1) is of background relevance. This planning application however as stated in paragraph 7.1 must be determined in accordance with the Development Plan unless material considerations indicate otherwise, the Development Plan has been set out in paragraphs 7.2 to 7.4.

8 PLANNING CONSIDERATIONS

8.1 Principle of development

- 8.1.1 The proposals include elements of development that are essential for the operation of a nuclear power station including: training centre, outage car park, outage laydown area, and areas that although not essential are part of the offering at Sizewell B – the visitor centre for example. The existing facilities to be relocated as part of this application are currently located on land allocated for the new nuclear power station: Sizewell C to the north of the existing B Station. In considering an alternative location for elements of the station requiring relocation, the existing Sizewell A station, currently undergoing decommissioning, was considered. However, the current timescales for large scale demolition and freeing up of land on the A Station site do not align with the timeline for Sizewell C which is driving the requirement to relocate elements of Sizewell B to areas outside the existing power station site.
- 8.1.2 A number of the proposals are to be sited amongst existing facilities within the Sizewell B security fence line and as such have limited impact on the AONB given that they are on existing concreted sites. However, a portion of the proposals are on existing greenfield land outside of the security fence line for Sizewell B and it is these elements that have primarily raised objections from consultees and local residents.
- 8.1.3 A number of consultations and representations have referenced concerns regarding the legality of a Town and Country Planning Act application for the relocated facilities. A large proportion of representations and consultations have suggested that the proposals are integral to the Sizewell C new nuclear proposals and as such should be considered as part of the Development Consent Order application for Sizewell C.
- 8.1.4 Having regard to requirements under the Planning Act 2008, the proposed Sizewell B relocated facilities works do not in themselves constitute a generating station over 50MW and as such do not require development consent by the Secretary of State under the Planning Act 2008. In order to consider whether the proposals can be considered an NSIP or can be determined under the Town and Country Planning Act 1990 (as amended), two questions need to be answered: 1. What constitutes a “generating station”; and 2. Whether the proposed development involves an extension to a generating station, within the meaning of sections 235 of the Planning Act 2008 and 36(9) of the Electricity Act 1989.
- 8.1.5 We are of the view that the generating station comprises those buildings within which electricity is generated. The buildings the subject of this application do not include buildings within which electricity is generated, rather they provide ancillary facilities. Therefore the works proposed do not involve work to the generating station itself. The next question is whether the proposed works comprise an extension to the generating station, notwithstanding that they do not involve any physical works to that station. We consider that as the proposed works relate to the overall operation of the generating station they are not directly related to the generation of electricity and therefore do not fall within the

statutory definition of an “extension” to a generating station. Therefore this Council can lawfully determine the application pursuant to our powers under the Town and Country Planning Act 1990 (as amended). There is case law available to support this position.

- 8.1.6 Notwithstanding the above, it is also common for applications for Development Consent to be preceded by an application to front load certain works, for example at Hinkley Point C in Somerset, a Town and Country Planning Act application was granted by West Somerset Council for major earth moving works on the Hinkley Point C site, a year in advance of the Secretary of State granting consent for Hinkley Point C Development Consent Order (nuclear power station).
- 8.1.7 At Wylfa Newydd in North Anglesey, a separate planning application was granted for site preparation works by the Isle of Anglesey County Council – the work consented included site establishment, soil remediation and erection of fencing, habitat clearance and demolition works, as well as the temporary closure of a road. As part of the consent a funding package of £7.5 million was put in place to undertake environmental reinstatement and management works should the main development (nuclear power station) not proceed. Therefore, front loading the works as proposed in this Town and Country Planning Act application is not unprecedented and is lawful.
- 8.1.8 National Policy Statement EN-1 – Energy and EN-6 - Nuclear Power identify a need for new nuclear power generation in England and Wales, EN-6 identifies Sizewell as a potential site for new nuclear development. Parts of the Sizewell B generating station are on the identified site for Sizewell C. In order to facilitate the efficient development of Sizewell C, it is of national importance for the B Station facilities to be moved to enable the B Station to continue operating and to avoid greater delay to the construction timetable for Sizewell C. EN-1 refers to there being an “urgent need for new electricity generation plant, including new nuclear power” and EN-6 refers to there being an “urgent need for new nuclear power stations”. Once published the draft new NPS will also be a consideration – no timetable for this has yet been released by Government.
- 8.1.9 Soon after the Planning Act 2008, the Government published a letter in July 2009 to all Chief Planning Officers encouraging Councils to be open to receiving applications for preliminary works in connection with nuclear development. The letter said that “local authorities may decide that such consent should potentially be granted on the basis that any preliminary works carried out will be removed if the subsequent application to the IPC is turned down or if, within a specified time, no application is made.”
- 8.1.10 Having regard to the circumstances, it is important that Sizewell B can maintain operation during the Sizewell C construction period, in order to do this there is a requirement for replacement facilities. Reference and consideration to construction within the Suffolk Coast and Heaths AONB will be given separately. However, with regards to principle of development, it is considered that this proposal is acceptable under the Town and Country Planning Act as site preparation works in advance of the Sizewell C construction and to ensure no disruption to the generating capability of Sizewell B nuclear power station. The necessary items under the nuclear licence are being considered in full under this application, the less nuclear licence critical items, including the visitor centre, will have details submitted at a later date. The total construction period is proposed to be 4 – 4.5 years so a detailed application for the visitor centre is expected to be submitted well within the next 3 years.

8.2 Public Consultation

- 8.2.1 The proposals have been the subject of pre-application discussions with the Local Authority for several years prior to the submission, this includes Scoping for the Environmental Impact Assessment and more detailed advice on proposals. In January 2019 a four page leaflet was prepared and distributed to 3,571 homes throughout the Leiston-cum-Sizewell parish by EDF Energy. This notified recipients of where and when relevant information and consultation documents would be available. Representations were received between 4 January 2019 and 1 February 2019 on the relocated facilities proposals. A Statement of Community Involvement has been included with the application, this details the pre-application process, responses received and how the proposals have been informed by these responses.
- 8.2.2 In addition, East Suffolk Council has carried out our own public consultation including direct letter notification, several site notices in close proximity to the site and development proposed, and newspaper advertisement. This has resulted in over 100 letters of representation from interested parties objecting to the proposal. The objections are summarised in 3.22. The detailed concerns identified and listed in 3.22 are covered under separate consideration in the sections below.

8.3 Ecological impacts

General Comments

- 8.3.1 Guidance on survey validity from the Chartered Institute of Ecology and Environmental Management (CIEEM) states that reports of more than 3 years old are “unlikely to still be valid and most, if not all, of the surveys are likely to need to be updated (subject to an assessment by a professional ecologist)” (Advice note on the lifespan of ecological reports and surveys, CIEEM, April 2019). Such an assessment must be based on a number of criteria as set out in the advice note, and a clear statement setting out appropriate justification must be provided. EDF Energy considers that they have provided a comprehensive suite of desk-study and field survey data for the estate, collated over the last 12 years. Surveys in 2018-19 have confirmed that habitat conditions on site have remained similar throughout the period under consideration and species present are unlikely to be changed. There is also ongoing monitoring of habitat conditions undertaken by both Suffolk Wildlife Trust and EDF Energy. Pre-construction surveys are proposed as part of the CEMP, to be secured as a condition to be imposed on any planning permission and updated survey information on bats and badgers required to inform licence applications (to be determined by Natural England prior to any relevant works starting) has been provided.
- 8.3.2 There is a suite of desk study and field survey data provided with the application, much of it is more than 3 years old, including some surveys which relate to mobile species (such as breeding and wintering birds). Whilst the habitat baseline used in the environmental statement is likely to be broadly similar now compared to the time of survey, the baseline for some species may have altered and therefore the assessment provided may under assess the impact of the proposed development. This is an area of professional disagreement between the statutory consultees, our own ecologist and EDF Energy’s ecologists, with regards to the suitability and age of survey material supporting the application. However, in taking a balanced approach and mindful that some surveys are currently being undertaken (bat) and others can be updated pre-commencement (badger etc.), on balance it is considered that it is difficult to object to the proposal on these grounds as the identified impacts are likely to be the same as already identified. To ensure appropriate mitigation a conditions is proposed requiring further survey work to be undertaken where required, in particular in relation to the outline elements of the proposal prior to those works starting.

Designated Sites

- 8.3.3 The proposal originally incorporated a pedestrian access from the outage car park to the main site involving the loss of approximately 450 sq.m of SSSI, which equates to approximately 0.043% of the overall habitat recourse within the SSSI, although the land to be lost is not identified as being characteristic of the points for which the SSSI is designated, it is possible that it could play a role in supporting the SSSI and how it functions but this has not been evidenced. The original proposals did not include any proposals for replacement of this SSSI land. Given the number of objections from statutory and non-statutory consultees in relation to this element of the proposal, and given that we consider a suitable alternative to removal of SSSI is available, EDF Energy has agreed to remove this element from the proposal.
- 8.3.4 However, at this stage a fully worked up alternative has not yet been provided. It is expected that an alternative pedestrian route from the outage car park on Pillbox Field can be achieved avoiding direct loss of SSSI footprint but as a fall back position outage workers could be moved via a shuttle bus system from Pillbox Field to the main site via Sizewell Gap Road and the main power station access drive. This is considered to be a suitable fall back position given outages should only occur every 18 months for approximately 2 months. However, a condition will be applied to any consent issued requiring details of a pedestrian access from Pillbox Field to the site to be submitted to and approved by the Authority. Removing the need to directly lose an area of designated SSSI land reduces the objections from statutory consultees such as Natural England and non-statutory such as Suffolk Wildlife Trust and the RSPB and our own ecologist.
- 8.3.5 The application did look at alternatives in Chapter 4 including two which would not require the loss of any part of the SSSI. Whilst it is acknowledged that Option 2 would involve the loss of a significant area of wet woodland (which is a UK Priority habitat) to achieve an acceptable footpath width, Option 1 would largely follow the route of the existing track past Rosery Cottages, would not require the loss of wet woodland and would therefore appear to be of lesser ecological impact. Therefore there are opportunities for EDF Energy to explore alternative sites to a greater degree and to avoid partial destruction of a designated site. These will be considered at a later date.
- 8.3.6 It is proposed to install a fence and plant a hedgerow along the western boundary of the footpath to mitigate impacts arising from operational use (ES Chapter 6, Section 6.6.89). However, no further information on these features appears to be included and it is therefore not possible to provide detailed comments on this element of the scheme. Wherever the footpath is ultimately sited it is likely to require some form of fencing / hedging to demarcate it, it is important that this does not impede access to Sizewell Marshes SSSI for site conservation management purposes in the future.
- 8.3.7 Such access, including for machinery and livestock, is required for management purposes in order to maintain the condition of the site and the loss of this risks impacting on the overall management of the SSSI. A condition will be appended to support ongoing maintenance access for the SSSI.

Indirect Impacts:

- 8.3.8 The location of the Rosery Cottage garage appears to be bordered on the eastern side by a ditch which is part of the SSSI and such ditches are one of the reasons for the site's designation. There is some detail on the garage provided and it is clearly of a low standard of design and materials. Its location in such close proximity to the ditch poses a significant risk. In particular, damage to the ditch bank and contamination of the ditch during construction and operation activities are of particular concern and further details on this will need to be obtained via condition prior to these works being undertaken. The CEMP includes details on

pollution prevention and control, and this will need to be complied with to prevent demolition of the garage having any indirect effects on the SSSI. Pollution prevention and control measures are part of the embedded mitigation for the proposals to be deployed across the site. A condition is proposed to be imposed on the planning permission requiring compliance with the CEMP and any related management plans prepared in support of the works. Should an alternative pedestrian route from the outage car park be approved that does not impact on Rosery Cottage, the replacement garage may not be required – therefore these conditions are precautionary.

- 8.3.9 Only limited details of the proposed footbridges are included in the application. ES Chapter 6 paragraphs 6.5.8 and 6.6.11 states that the foundations for the bridges are likely to be screw piles; however the Proposed Outage Car Park Proposed Site Plan drawing (ref. SZC-RF0000-XX-000-DRW100030) includes an inset showing the use of foundations including concrete pads. Whilst outside of the designated site boundary, the ditches crossed by the footbridges are contiguous with those within the SSSI. Further details on the bridges will need to be approved by the Local Planning Authority once a footpath route from the outage car park is fixed upon – this will be required via condition, to ensure no significant adverse impact on the watercourses.
- 8.3.10 Drawings provided in the Lighting Strategy (Volume II, Appendix 3.1) identify that light spill on to the boundaries of the Coronation Wood area, outage car park and footpath can be limited. Whilst no vertical plane drawings are provided, EDF Energy confirm that the lighting proposals include 1m asymmetrical bollards along the walkway and ground mounted lighting on the footbridges, which would only be in use during outages as described in the Lighting Strategy. Lights would have automatic switching based on time and daylight availability, in addition to a central control system that would be used to switch off the lights outside of outages. Lighting levels along site boundaries have been modelled as less than 0.5 lux which is equivalent to starlight levels, EDF Energy say there will be no light spill into the Sizewell Marshes SSSI and the effects from lighting on the SSSI have been assessed as not significant in the ES. Further details will be required to be submitted and approved via a planning condition prior to the relevant works taking place.

Habitat Loss (non-designated sites)

- 8.3.11 The proposal involves the felling of Coronation Wood and the loss of part of Pillbox Field. Whilst neither Coronation Wood nor Pillbox Field are sites designated for their ecological value, they do form part of the habitat mosaic within this part of the Sizewell Estate.
- 8.3.12 The application includes new planting on the northern boundary of Pillbox Field to compensate for the loss of Coronation Wood. However, this planting will not mitigate for loss of connectivity along the eastern boundary of the SSSI (identified in ES Chapter 6, paragraph 6.6.14) as the planting is to south/south-east of SSSI.
- 8.3.13 However, EDF Energy considers that the primary mitigation described in Section 6.5 of the ES will mitigate loss of connectivity by increasing connectivity to the existing woodland belt to the east of Pillbox Field, which in turn improves connectivity to the SSSI.
- 8.3.14 The loss of 229 mature/semi-mature trees predominantly within Coronation Wood (of which around 73% are assessed by the Arboricultural Assessment as being category C or less, i.e. trees of low quality – typically comprising plantation trees with limited life expectancy and limited public visual amenity value) is balanced by the planting of approximately over 2500 juvenile woodland trees including a mix of broadleaf and coniferous species which are known to tolerate prevailing soil and coastal conditions, including exposure and salinity. These trees would be managed through selective thinning to secure the long-term health,

structure and longevity of new woodland, noting that replenishment of ageing and species poor woodland such as Coronation Wood is an important component of the EDF Energy estate management strategy.

- 8.3.15 Whilst in the long term the impact of the woodland loss would reduce (as the new planting matures), in the short/medium term there would be at least a “moderate” adverse effect (as recognised in ES Chapter 6, paragraph 6.6.16). Based on a consideration of the species and habitat present, the ES concludes that the loss of Coronation Wood would only result in a “minor” adverse effect which is not significant following mitigation. EDF Energy considers that the value of Coronation Wood is primarily internal to the site being only partially visible from locations offsite.
- 8.3.16 The Woodland Management Plan sets out the approach to managing and conserving areas of retained woodland and additional planting is proposed in Pillbox Field including woodland and woodland edge planting – EDF Energy have increased the level of replacement planting proposed in this location. Landscape and loss of Coronation Wood is covered in more detail in the next section. However, it should be acknowledged that EDF Energy manages around 650 hectares on their whole estate which is a mix of arable farmland, heathland, SSSI and woodland. Therefore the loss accounted for in this application is a small, albeit important, part of the wider estate. Replacement planting will be required via planning condition. We note the concerns raised by local residents and others but the balance is in favour of the scheme on this matter.

Hydrology

- 8.3.17 The proposed development includes several aspects which may result in hydrological changes in the area which may impact on the SSSI. Firstly, construction of the Outage Store building will require dewatering. Whilst the ES (Chapter 6, paragraph 6.6.10) asserts that the volume of dewatering required is likely to be small enough not to result in an impact on the adjacent SSSI, it is not clear whether there are any dipwells present in the SSSI adjacent to the construction area to allow monitoring of this. Without such monitoring infrastructure being present a pre-construction baseline cannot be collected, it will not be possible to monitor groundwater levels during and post construction and it cannot be demonstrated that no adverse impact on the SSSI will arise – the detail of this monitoring regime and agreement of additional dipwells required will be covered by planning condition.
- 8.3.18 It is unclear how surface water from both the outage car park and the buildings and hardstanding will be dealt with. Given the sensitivity of the SSSI to both hydrological change (including water availability) and contamination, further details on this are required in order to determine the likely impacts of this – this will be required via condition
- 8.3.19 EDF Energy state that a number of peat piezometers and crag boreholes have been established within the SSSI and along the site boundary, these will be used to monitor groundwater levels during and following works associated with the proposed development. During operation, surface water would be managed in line with the Drainage Strategy submitted with the application. This has been updated following queries from SCC as lead local flood authority.

Protected and/or UK Priority Species

Bats

- 8.3.20 A number of existing buildings are to be demolished as part of the development proposals, these include buildings 3; 4 and 12 which have been assessed as either ‘Low’ or ‘Moderate’ suitability for roosting bats (Sizewell B Relocated Facilities – Bat and Badger March 2019 Survey Technical Note, dated April 2019). Building 6.3 has also been identified as containing

a common pipistrelle roost and this has been confirmed, by emergence surveys undertaken on these buildings in July and August 2019. A single bat (species unknown) was also seen emerging from building 4 but no bats were seen emerging from buildings 3 or 12. Further emergence / re-entry surveys on each building in September will be undertaken by EDF Energy to fully establish the roost types and numbers of bats present within these buildings and to define the mitigation requirements. The demolition of building 6.3 will lead to the loss of the common pipistrelle roost and will require mitigation.

8.3.21 The presence or otherwise of a protected species, and the extent that they may be affected by the proposed development, is a material consideration (ODPM Circular 06/2005) and must be adequately assessed prior to the determination of this application. The application does not at present include mitigation/compensation measures appropriate to the roosts which would be lost.

8.3.22 However, further bat survey work is currently underway in order to fully define the mitigation requirements and for us to be able to secure appropriate mitigation and licences from Natural England, if required.

Reptiles

8.3.23 The results of the reptile surveys have identified that the site supports 'Low' populations of four species of reptile. The ES concludes that there will be a total loss of 13.1ha of habitat suitable for reptiles, but includes details of proposed mitigation measures to avoid killing and injury of animals through displacement via habitat management. Whilst such a technique is acceptable in some situations, it is not considered by some stakeholders appropriate for clearance of large blocks of habitat such as that present on Pillbox Field.

8.3.24 The development will result in a net loss of suitable reptile habitat and some stakeholders consider that insufficient measures are included to prevent killing and injury of animals during construction. However, EDF Energy is of the opinion that there is a low number of individual reptiles present and, therefore, displacement is considered to be an appropriate technique to avoid incidental harm and injury. In addition, there are habitat improvements proposed for the periphery of Pillbox Field as a mitigation measure. We disagree on this point but it is a minor disagreement and one that can be covered through appropriate detailing in the CEMP to ensure ecological mitigation is of an appropriate standard.

Badger

8.3.25 Information provided in the application identifies a number of subsidiary and outlier badger setts present within and around the proposed development area. Whilst it is acknowledged that the use of the area by badgers (and the number of setts present) may change prior to construction commencing, the ES does not indicate what level of sett closure is considered likely to be required. For example will all setts within the red line boundary require closure or can some be retained? Full clarification on this should be sought prior to the determination of the application. EDF Energy have confirmed that not all badger setts will be closed, the licence is currently being developed with Natural England but the intention is only to close setts that it is necessary to do so. We support this approach.

Breeding Birds

8.3.26 The proposed development will result in the loss of habitat for breeding birds (Coronation Wood; Pillbox Field and surrounding hedgerow), some of which may be UK Priority species. Whilst planting is proposed to partly compensate the loss of Coronation Wood, there will be an overall net loss of habitat for breeding birds as a result of this proposal.

8.3.27 The most recent survey work provided for this group dates from 2015 and therefore there is the potential that the range of species and the number of pairs, present may have changed since that time, however, as referenced earlier we are content that the 2015 bird survey along with the precautionary approach and ability to carry out further surveys if required under the CEMP, that we are content with this approach. EDF Energy considers that given the small amount of habitat to be impacted by their proposal there is unlikely to be any significant change in the breeding bird assemblage. There are methods to support biodiversity net gain that could be employed to mitigate adverse impact and it is suggested that these be required via planning condition.

Habitat Regulations Assessment

- 8.3.28 The HRA identifies that there is a functional linkage for birds between the Sizewell Marshes SSSI and the Minsmere-Walberswick Special Protection Area (SPA) and Ramsar site. Whilst paragraph 5.2.8 recognises foraging marsh harrier as one of the species for which this linkage exists, the HRA screening does not go on to consider in detail likely significant effects (LSE) on this species from the sources identified as potentially impacting (noise, lighting and visual disturbance). However it is later stated in Table 5.3 (page 33-34) under 'Potential disturbance from noise on sensitive species' and 'all bird interest features' (which includes marsh harrier) of the SPA / Ramsar site that 'No effects from construction/demolition phase noise on the SPA due to distance from the proposed development. No effect on birds that could be associated with the SPA population present with the Sizewell Marshes SSSI due to low numbers of birds present, temporary nature of construction / demolition noise, and availability of higher quality habitat elsewhere.' Similar statements are provided for artificial light and visual disturbance. The HRA screening has been updated since original submission to address some of the omissions previously identified, a precautionary approach is taken within the Screening which is supported. The conclusion is that despite the possible occasional presence of birds from the SPA and Ramsar site in the Zone of Influence of airborne noise disturbance, LSE is not predicted. This is due to the low number of birds present, the availability of higher quality habitat elsewhere within the local area and the fact that such impacts will be temporary and reversible.
- 8.3.29 With regard to the screening undertaken, the conclusion of no LSE appears to be partly based on the use of 70dB noise disturbance and 200m visual disturbance zones. However, it is unclear exactly where these zones are predicted to fall. The 70dB buffer zone is set at 20m for the purposes of the HRA screening exercise and has been derived by assuming typical construction plant and equipment as defined in BS 5228-1. The values used by the HRA screening of 20m and >200m (50dB LpA) are considered to be highly precautionary, particularly when it is considered that this generic propagation modelled over open fields.
- 8.3.30 An assessment of operational noise levels is included in the ES, the HRA screening report states that during operation, the proposed development will produce noise that is largely similar to the current Sizewell B operations, with the exception of a small increase in airborne noise from the development at the Coronation Wood area. This assessment is based on fact that there will be some development in an area where there is currently none.
- 8.3.31 The use of these thresholds constitutes an assessment and controlling measures are required to achieve them which would not be part of the standard construction of the development. Appropriate Assessment of impacts arising from these sources should therefore be undertaken.
- 8.3.32 Appropriate Assessment must also assess the statement made in paragraph 5.2.25 that the predicted operational noise of the site will be similar to levels currently experienced. This conclusion does not appear to be supported by any noise survey results or modelling and

given that the proposal includes a car park and footpath on land which is currently only accessed for habitat management purposes does not appear to be justified. The intention is for this Authority as competent authority to adopt the shadow HRA provided by EDF Energy with the application..

Biodiversity Net Gain

8.3.33 The NPPF and Local Plan policy DM27 require that new developments seek to deliver biodiversity net gain as part of their design and implementation. From the information provided in this application it does not appear that this development proposal will deliver such gain. EDF Energy suggest that in managing reinstated and replanted habitats to maximise their ecological potential there will be improvements overall to the ecological network. EDF Energy is currently undertaking a biodiversity net gain calculation for the development proposals, it is expected that this will show a negative impact and therefore we will need to consider either additional mitigation works or the potential for a payment to offset biodiversity net gain. It is suggested that biodiversity net gain could be achieved by:

- Restoring neglected hedgerows;
- Creating new ponds as an attractive feature on the site;
- Planting trees characteristic to the local area to make a positive contribution to the local landscape;
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds;
- Incorporating swift boxes or bat boxes into the design of new buildings; and
- Adding a green roof to new buildings.

In addition improvements could be achieved by:

- Improving links to existing greenspace and/or opportunities to enhance and improve access;
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips);
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links; and
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

8.3.34 A point for EDF Energy to note is the identification of Himalayan Balsam on site, this must be managed accordingly to remove and prevent spread.

8.3.35 In order to address the identified impacts, further detail and survey work is required. This needs to be accompanied by an appropriately detailed mitigation plan – this can be achieved through conditions and an adequately detailed CEMP. The above concerns have been highlighted by Natural England and Suffolk Wildlife Trust as well as our own ecologist. A number of the concerns have also been raised by neighbour representations.

8.3.34 In summary, there are a number of ecological issues that will need to be addressed in planning conditions and via the CEMP. It is considered that concerns raised can be addressed positively by the use of appropriate conditions and these are suggested at the end of this report.

8.4 Landscape / Loss of Coronation Wood

8.4.1 The proposals involve removal of 229 trees, 20 tree groups, and 2 hedgerows. The majority of tree losses are from Coronation Wood. The wood was planted to commemorate the

coronation of King George V in 1911 giving it an age of approximately 108 years. A number of objections received refer to its historical significance and important national heritage connections.

- 8.4.2 However, aerial photography evidence shows that the wood has been halved in size since 1945 and it is evident that it has been somewhat neglected and many of the plantation trees (conifers) have reached the end of their useful sustainable life – it is not considered appropriate to place the blame for this solely on EDF Energy's shoulders as the neglect began prior to their taking ownership of the site. If the wood were to be retained, many of the trees would decline in quality and be susceptible to windblow, and the wood would therefore need replanting, thus beginning to disconnect from its cultural / historical origins.
- 8.4.3 The wood has limited public amenity value with the main visual value only achievable from a relatively short stretch of the Sandy Land bridleway. Its principal amenity value lies with users of the Sizewell complex site. Notwithstanding that, there is a broadleaved component to the wood in its south western corner which may in part pre-date the 1911 planting date. It includes mature oak and beech, the loss of which is likely to have greater adverse visual impact than the wood as a whole.
- 8.4.4 The proposals for the new outage carpark in Pillbox Field require the removal of sections of low level flailed hedgerow with limited impact on public amenity, the need for soil stockpiling to the north of the main site requires the removal of a small area of scrub for machinery access, and the access from Pillbox Field to the site, as currently proposed by EDF Energy with a route aligned through the SSSI, west of the Rosery Cottages track, through an area of wet woodland requires selective tree thinning to achieve the desired route. There is only minor to negligible impact on public amenity arising from these latter proposed tree removals.
- 8.4.5 Coronation Wood is not considered to be in a sustainable condition and much of its make-up is not suited to the local landscape character. However, there are some valuable landscape quality contributing broadleaved trees on its southern and southwestern edges, and the loss of these is detrimental to landscape quality and character.
- 8.4.6 The removal of the wood represents an overall net loss of woodland that probably cannot be compensated for in the wider EDF Energy estate without harming existing valued habitats, although a fully considered opinion on this has not yet been sought. Options for compensation planting have been provided by EDF Energy including increased planting on Pillbox Field to fully compensate for the loss of woodland.

8.5 Landscape and Visual Impact Assessment (LVIA)

- 8.5.1 The submitted LVIA has been reviewed and it can be confirmed that it has been carried out in accordance with the landscape professions best practice guidance and appears to be sound and reliable.
- 8.5.2 In summary the key areas of interest will be the potential impacts on the character of the local landscape with full regard to its high level designation as part of the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB), and on key visual receptors in the locality.
- 8.5.3 In assessing the conclusions of the LVIA it is necessary to understand the embedded mitigation measures that are included within the development proposals. These include the design and finish of proposed new buildings, their orientation, minimal lighting provision, fencing to screen vehicle lights on western access road, new tree and hedge planting in Pillbox Field, screen planting along Bridleway 19, targeted lighting in the Outage Carpark, plus wider estate woodland and other landscape management measures. Additional

mitigation measure will be included within the Outline Construction Environmental Management Plan.

- 8.5.4 In considering the anticipated effects arising from this proposal, it is important to understand the different phases of the proposal from initial demolition and subsequent construction, and the operational phase both in the very early years of any mitigation planting and subsequently once new planting has established (15 years). The construction/demolition phase is anticipated to last around 4 ½ years which is regarded as Medium term in LVIA terms.
- 8.5.5 The range of anticipated effects would vary over this period depending on what activity is in place at any one time, but the most apparent will be the felling of Coronation Wood, other tree felling to the south of the Wood, the raising of new buildings and the movement of plant and machinery including construction cranes.
- 8.5.6 Whilst construction activity will be intermittent and with varying degrees of scale, it is considered to be of Adverse impact on landscape character. Similarly visual effects will also vary over this phase and will again be most apparent with the felling of Coronation Wood and during peak construction/demolition activity.
- 8.5.7 It is inevitably considered to be of adverse impact on visual receptors. The assessment considers that there will be no difference in effects on the designated AONB landscape special qualities between the construction phase and the operational phase, and that during the construction phase these are considered to be adverse.
- 8.5.8 With regards to the operational phase of the proposals, in LVIA terms these are considered to be long term up to 15 years and thereafter as permanent. Whilst the setting of this site falls within the AONB, it cannot be avoided that the existing Sizewell complex and nearby Galloper/Greater Gabbard windfarm substations and their associated infrastructures all exert an influence on local landscape character to the extent that the proposed new development currently under consideration will not have such a significant magnitude of change on landscape character compared to if the existing energy installations weren't already there.
- 8.5.9 With that in mind the effects on landscape character are rated as Medium scale in respect of Pillbox Field and Coronation Wood and their immediate environs, and Small scale in respect of the remaining areas of the proposal. Beyond the red line, the effects would reduce to Negligible.
- 8.5.10 Effects on the prevailing Landscape Character Type (Estate Sandlands SCC Landscape Character Assessment) carry a similar assessment having full regard to the high-medium level of sensitivity of the landscape because of its designated status. Overall the significance of effects is rated as Moderate (and not significant in EIA terms). Again effects decline to negligible fairly quickly with distance from the site. Effects on the adjacent Coastal Levels Landscape Character Type would not exceed Negligible.
- 8.5.11 Visual Effects are considered through a series of representative and illustrative viewpoints, and also through a series of identified visual receptor groups that are considered to be representative of the users of the surrounding area.
- 8.5.12 These groups include people in the general immediate local Sizewell area, users of Sandy Lane, and people on Sizewell beach between Minsmere Sluice and Thorpeness. Specific recreational routes are also considered and these include the coast path between Minsmere and Sizewell, and the Sandlings Walk in the vicinity of the northern mound.

- 8.5.13 Within these various user groups, due account is given of their various sensitivity rankings and these are considered to be reasonable. Overall the assessment concludes that there will no significant adverse effects either during the construction phase or during the operational phase. At worst it is anticipated that there will be moderate adverse for people in the immediate locality during construction.
- 8.5.14 That said it should not be overlooked that the demolition/construction phase is due to last some 4-4.5 years so these effects where they occur, will nonetheless be apparent to the observer. This is the case for people in and around Sizewell hamlet and people on the Sandlings Walk from Sizewell to the junction with the Coast Path (west of Dower House). It is only for this latter group of receptors that the moderate adverse effects persist into the operational phase. None of the effects are considered to be Significant in EIA terms.
- 8.5.15 With regard to the high level designated landscape of the AONB and its natural beauty indicators and special qualities, long term permanent effects, where they occur, do so over a very limited area of the AONB. The greatest rated scale of effect is a Small effect on landscape quality through the removal of Coronation Wood, the conversion of part of Pillbox field to outage carpark, and the partial visibility of the proposed new structures. Other AONB special qualities such as wildness, scenic quality, and tranquillity are already considered to be compromised by the presence of the existing power station site.
- 8.5.16 Natural England have raised concerns with the proposal extending the industrialising footprint of the nuclear facility further across the currently undeveloped parts of the AONB by the introduction of new and visually intrusive built structures. Coronation Wood is an important component of the screening of the lower parts of the Sizewell power station complex.
- 8.5.17 However, taking into consideration the slightly differing views, the AONB Partnership share Natural England's view with regard to further development in the AONB, it is concluded that the proposed development would have a Negligible magnitude of effect on the natural beauty and special qualities of the AONB. Factoring in the medium sensitivity of the AONB in this location, the effects are judged to be of minimal significance and on balance neutral.
- 8.5.18 There will be some who will not agree with these conclusions and they will often tend to focus on one or two specific areas of attention where effects and impacts are more apparent than for other areas, but this assessment takes a step back and looks at the slightly wider picture of the locality as a whole. This conclusion makes the assumption that all new mitigation planting is properly and thoroughly implemented as described and in the light of further approved details.
- 8.5.19 The overall nett loss of woodland was a concern, and EDF Energy has responded to this by increasing the level of replacement planting on Pillbox Field, planning conditions will be required to manage the replacement planting. It is also feasible for EDF Energy to undertake to provide additional tree planting across the wider Sizewell Estate through their management plan should that be considered appropriate.

8.6 Development in the AONB

- 8.6.1 A number of representations and consultation responses highlight objections to further development in the AONB. In particular the AONB Partnership does not agree that effects on receptor groups and the natural beauty of the AONB will not be significant. Although the Partnership acknowledges that the application gives significant consideration to mitigating the effects of the proposed development, it will still extend the physical footprint into a currently undeveloped area of the AONB. Alongside increase in vehicular movements and

human activity this will adversely impact on the tranquillity and users' enjoyment of this part of the designation. However, the outage car park will only be in use every 18 months for up to 2 months, thus reducing the impact outside of the nuclear fence. The facilities are all relocating from an existing site within the AONB that is accessed via Sizewell Gap Road so there will not be any increase in vehicular or people movements outside of the existing Sizewell complex. The movements will simply be moved to a different part of the complex.

- 8.6.2 The Partnership considers that a greater number of buildings will be more visible from the west than at present. The applicant is seeking to ensure appropriate planting and screening in the vicinity to minimise any impact arising from this, our own LVIA assessment detailed above is that any impacts will not be significant. In maximising additional planting in appropriate locations, any dis-benefits of the proposal from particular viewpoints are considered to be reduced.
- 8.6.3 Reference is made to the statutory purpose of the AONB which is to conserve and enhance natural beauty as required by Section 85 Countryside and Rights of Way Act 2000, the AONB consider the proposal does not comply with NPPF para. 170 and 172 and Core Strategy Policy SP15. However, reference must be made to National Policy Statements EN-1 and EN-6 which require future supply of low-carbon electricity for England and Wales, EN-6 identifies Sizewell as a site for new nuclear development, as such the Sizewell B facilities (which are currently on a site in the AONB) must be moved, in order for the B Station to continue functioning within its nuclear licence, a site has been identified within close proximity to the operating station, it continues to be within the AONB. This is unfortunate but essential development. Elements could be sited outside of the AONB such as the Visitor Centre and EDF Energy were asked to consider this. However, given the relationship between the visitor centre and visits to the operating station, EDF Energy was not keen to have a greater separation between the visitor centre and the site. By co-locating with the training centre, the potential impact of the proposal is considered to be minimised. The benefits of co-locating the visitor centre with the station can be appreciated and the minimisation of additional vehicle movements between an alternate location and the site. The existing visitor centre has co-located adjacent to the station since its construction. It is expected that in due course the visitor centre would accommodate visitors to the C station site thus reducing the requirement for an additional separate building for the C station in the future and enabling construction visits to take place close to but avoiding conflict with the main construction site for Sizewell C. On balance the benefits of the visitor centre adjacent the operating station can be understood and supported.
- 8.6.4 However, it is important to acknowledge that the proposal will move existing development from one area of the AONB to another, and the footprint will be increased. As such, there is a residual impact on permanent loss of the AONB that cannot be addressed through mitigation.
- 8.6.5 The footprint of existing development in the AONB to be demolished has been subtracted from the total footprint of development proposed. Based on this figure a calculation will be made for an appropriate sum to compensate for additional footprint of development in the AONB. The model used for this is that which was used for the Dry Fuel Store development at Sizewell B. The payment will be made into the Access and Amenity Fund (AAF) administered by the AONB. EDF Energy has agreed the principle of mitigation in the form of a payment, the level of contribution is currently under discussion. Funding for the Dry Fuel Store was agreed as £120,000 lump sum payment followed by £20,000 a year. Current rough calculations have the increase in development proposed through this planning application equating to approximately 50% of the footprint of the dry fuel store. This will be agreed via a section 106 legal agreement with EDF Energy.

8.7 Noise and vibration

- 8.7.1 Having consulted with the District's Environmental Health team, it has been confirmed that based on the details submitted there are no objections from a noise or vibration position. The assessment of noise and vibration meets the recognised standards used for assessment in England and the ES incorporates a CEMP. Provided requirements in the CEMP are complied with such as restricted working hours, HGV deliveries etc. there are no objections from a noise and vibration perspective. Essential primary mitigation measures will be needed for any work outside normal hours including concrete pouring, piling etc, noise mitigation measures included in the CEMP will be expected to be complied with.

8.8 Air Quality

- 8.8.1 Further detail on precise calculations of HGV traffic flows have been requested and reference to the 2 Village Bypass is questioned as it is unlikely to be available in time to provide mitigation for this development. It is suggested that a condition is appended to any permission issued requiring agreement of environmental management measures for the control of vehicle emissions.
- 8.8.2 Assuming the 2 Village Bypass will not be provided on a timescale to support these proposals, there is a question over whether this development will have the potential to delay air quality objective compliance at Stratford St Andrew. During operation – the outage car park will be within 100 metres of an area sensitive to air quality changes (human health exposure); this may need further assessment and mitigation through the CEMP.
- 8.8.3 The dust and air quality measures within the outline CEMP do not contain the entirety of 'high risk' mitigation measures within IAQM's guidance on the assessment of dust from demolition and construction. A dust management plan will need to be put in place to minimise impacts upon the property to the north of the outage car park (Rosery Cottage).

8.9 Flood Risk Assessment and Drainage

- 8.9.1 The site is within the Internal Drainage District (IDD) of the East Suffolk Internal Drainage Board and therefore the Board's Byelaws apply. If a surface water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board's byelaws. Whilst not currently proposed, should the applicant's proposals change to include works within 9 metres of the watercourse, consent would be required to relax Byelaw 10.
- 8.9.2 The Environment Agency and SCC as lead local flood authority have withdrawn their original objections/concerns with the proposal and are suggesting a number of conditions. Subject to appropriate conditions, FRA and drainage can be considered to comply with adopted planning policy.

8.10 Heritage Impacts

- 8.10.1 Historic England has confirmed that they do not object in principle to the proposal and consider that the applicant has taken a responsible approach to the impact upon the historic environment. As such, the proposal is considered to comply with adopted and emerging planning policy as well as national planning policy. However, prior to demolition of the existing buildings, it is considered that they are of industry with regards to the story of Britain's nuclear industry, as such we recommend a condition requiring photographic recording of the buildings prior to demolition – this is set out in ES Chapter 8.7 and a condition is recommended to ensure it is complied with.

8.11 Archaeology

- 8.11.1 There is high potential for additional archaeological remains to survive within this area. Although it is acknowledged that there are not grounds to refuse planning permission on this basis, any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed. Recommend conditions in order to comply with the NPPF and local planning policy.

8.12 Highways and Public Rights of Way

- 8.12.1 SCC Highways and Rights of Way team raised some concerns primarily with the use of Bridleway 19 from Sizewell Gap Road for shared bridleway users and motor vehicles accessing the outage car park. In order to address this concern, an alternative access is being proposed direct from Sizewell Gap Road providing a distinct separation from bridleway users and addressing the safety concern highlighted.
- 8.12.2 This revised access is being re-consulted upon using a draft plan, the specifics of the access and visibility splays will need to be secured via planning condition. This condition will also be required to require methods for minimising the landscape impact of the amendment and securing the access in the time between outages which could be up to 18 months.
- 8.12.3 Lighting columns are shown on Pillbox Field – we requested that these be replaced by low level lighting and we will use a condition to ensure that happens. Further detail on highway drainage will be required for the proposed configuration to ensure no water from the development will flow onto the public highway.
- 8.12.4 An uncontrolled crossing to safely cross Sizewell Gap Road is welcomed and will be provided via a planning condition, this will be of benefit to users of Bridleway 19 (BR19). The revised access arrangement enables the safety of users of BR19 to be maintained, the bridleway is a popular route for walkers, riders and cyclists, and this safety needs to be maintained. The separate access proposed secures the safety of users of BR19 during outages. The revised access would need to be constructed prior to work commencing on the outage car park to ensure that all construction vehicles can access from Sizewell Gap Road. There may need to be some use of Bridleway 19 for construction vehicles, this will need to be agreed with the LPA and where appropriate banks-people used to ensure safety of non-motorised users.
- 8.12.5 Highways have raised a concern that the outage car park is not big enough, however, it is being provided on a like-for-like basis as Sizewell B has not had problems previously. The main concern is the potential for parking on Sizewell Gap Road which is likely to be unsafe or inconsiderate; there is no provision for cyclists either. However, an appropriate management plan could ensure that workers do not park on Sizewell Gap Road – EDF Energy has proved itself capable of controlling the behaviour of its workers in the past so it is assumed this can continue. It is also assumed that outage workers will be entitled to use existing cycle parking available on the B Station site during outages.
- 8.12.6 Although the new access from Sizewell Gap Road is not ideal, it is preferred to the more dangerous use of BR19, as such, subject to appropriate detailing and landscaping, highways arrangements for the proposals are considered acceptable and in accordance with adopted and emerging planning policy.

8.13 Economic Development

- 8.13.1 The proposal supports the economic growth and regeneration of the economy and as such we welcome the increased and improved Visitor Centre. It is an important feature of this key local stakeholder's offer for the local area and forms a key part of their overall Inspire

Programme aimed at educating primary and secondary school children in the benefits of a STEM (Science, Technology, Engineering and Mathematics) education.

8.14 Cumulative Impacts

- 8.14.1 There are potential cumulative impacts within the project such as upon terrestrial ecology and ornithology during construction. Where appropriate these are being mitigated and managed. However, these impacts may be further increased with the Sizewell C project and Scottish Power Renewables (SPR) proposals for East Anglia One North and East Anglia Two offshore windfarms. This reinforces the importance of creating, enhancing, and maintaining sufficient habitat and biodiversity that is reliant to future pressures.
- 8.14.2 It is also important when considering the transport implications of this proposal during the construction phase and the potential cumulative impacts when combined with Sizewell C construction and SPR construction traffic. The mitigation proposed to be in place before peak construction of Sizewell C will not be available for the bulk of Sizewell B relocated facilities construction should it commence on the timeline proposed in the application. However, the vehicles proposed to be associated with the Sizewell B proposal do not warrant such mitigation in their own right. However, this does not mean that the additional vehicles will not be noticed on the highway network, there is enough of an increase in vehicles for it to be noticeable on the local network. However, with the restrictions proposed and the CEMP, the impacts will be appropriately timed and mitigated. Any extended hours of working will be agreed with the LPA in advance and nearest sensitive receptors notified in advance. Similar processes have been in place during other sensitive major construction schemes such as the cable route for the East Anglia One offshore windfarm. The early delivery of these works in advance of the DCO for Sizewell C will result in less impact on the highway network once Sizewell C starts construction.

9 CONCLUSION

- 9.1 This is a very complex proposal which has raised a number of concerns from local residents, various statutory and non statutory bodies as well as town and parish councils in the vicinity of the development proposals.
- 9.2 In reaching a conclusion on the proposal, the Local Planning Authority is aware that the proposals are intended to be included in the Development Consent Order for Sizewell C new nuclear power station; this does not preclude or prevent this Council from determining the proposal as a planning application under the Town and Country Planning Act regime. In this instance the proposal is for the relocation of existing facilities that are (for the most part) essential for the operation of the Sizewell B nuclear power station. The visitor centre is the only element that is not strictly speaking required for the safe operation of the nuclear power station but it is an important facility in this area and is an opportunity for the station to offer a tourist and education facility back to the town. There is reference to potential for the outage car park to be located off site but this would necessitate additional further journeys to and from the station, one aim of the NPPF is to ensure employment opportunities are accessible, by providing for alternatives to the private car through bicycle parking etc at the B Station and an appropriate Travel Plan, journeys can be minimised. However, it is understood that for the purposes of outage it is critical for EDF Energy to be able to manage their additional staff in an appropriate manner and the nearer they are to the power station the simpler the management becomes.
- 9.3 Accepting these proposals as site preparation works for the wider Sizewell C proposal would not be out of line with pre-emptive planning applications that were submitted in

relation to Hinkley Point C and Wylfa in the past. The difference with this proposal is that it directly relates to an existing operating nuclear station rather than pure earthworks in relation to a new station. This also references the fact that the site within which the facilities are currently located is designated for new nuclear development in the National Policy Statement EN-6, as such there is a need for the Sizewell B station to move its facilities in order to secure its continuity of operation as a nuclear power station. Additionally, given the many emerging concerns regarding the construction of Sizewell C, if that is to go ahead, the early delivery of these needed works may lessen the impact of future adverse impacts by proactively allowing EDF Energy to manage the construction programme. As Local Planning Authority the Council will be the responsible authority for ensuring compliance with any permission consented and the mitigation identified including that in a S106 agreement.

- 9.4 Many have questioned the prematurity of this application and that the works are not necessary until Sizewell C is committed to be constructed. These are legitimate concerns however the backstop position provided for in the planning application is that for the vacated land to be restored to AONB quality landscape should the Sizewell C station not be consented in the future. Therefore, there is limited additional loss of AONB resulting specifically from this planning application – the additional loss resulting will be compensated for by EDF Energy through financial payment. The existing nuclear power station is extended in a different location but within the vicinity of its existing nuclear licenced site. There are mitigation and compensation opportunities associated with the proposals. This would align with the NPPF requirements that where development is consented in a nationally protected landscape that any detrimental effect on the environment and the landscape is moderated. By providing for the vacated parts of the site that will not be re-used (in the event of Sizewell C not progressing) to be re-landscaped, this will be an improvement in the AONB. The NPPF says there should be exceptional circumstances for major development in designated areas, in this instance the NPS designating Sizewell as a new nuclear site, and is requiring Sizewell B to move their facilities off the site as designated. This is therefore considered to be an exceptional circumstance facilitating delivery of a new nuclear power station in line with Government guidance. In addition, a condition is proposed that would reinstate Pillbox Field should Sizewell C not go ahead.
- 9.5 Mitigation is provided for in relation to landscape and ecology, to avoid unnecessary harm to the designated SSSI and AONB, further mitigation in the form of access arrangements, crossing points that will benefit the wider population, and the ongoing economic benefit of this large scale employer in East Suffolk. In addition, the principle of an additional mitigation payment has been agreed with EDF Energy, the details of this including the contribution amount are currently under discussion but it is expected to reflect the approach previously agreed for contributions in relation to the Dry Fuel Store at Sizewell B.
- 9.6 By front-loading the necessary construction works at Sizewell B, the cumulative impacts with SPR proposals and the Sizewell C proposals are minimised, this is not to say that there won't be impacts but they will be less than if this proposal was consented as part of the DCO process for Sizewell C.
- 9.7 The application is part outline and part full, to enable front loading of the critical works – these being clearing Coronation Wood and providing the outage facilities. The detail of the visitor centre and ancillary features including canteen etc. will follow at a later date. This

will be the subject of a reserved matters application for planning permission so will be consulted on at a later date.

- 9.8 There were originally a number of concerns regarding permanent loss of an element of designated site – Sizewell Marshes SSSI; the application has been revised to remove this element in lieu of an alternative, not yet agreed access from Pillbox Field to the main site for outage workers during outage periods. Further work is required on the alternative proposed but there is an adequate fall-back position that can be implemented should a suitable alternative not be agreed through condition.

10 RECOMMENDATION

AUTHORITY TO APPROVE subject to receipt of additional bat survey information including impacts and mitigation measures, the signing of a section 106 legal agreement requiring a payment in relation to residual impacts on the AONB, and the inclusion of appropriate conditions including those detailed below:

1. FULL AND OUTLINE:

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

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

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

2. OUTLINE:

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

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

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

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

3. FULL AND OUTLINE:

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

Site wide drawings:

- Sizewell Land Ownership Boundary (000001)Rev. B;
- Location Plan (100000);
- Proposed Site Layout Plan (100002) Rev. B; and
- Proposed Demolition Plan (100004) Rev. B.

Full component drawings:

- Proposed Outage Store Block Plan (100005);
- Proposed Outage Store Basement Plan (100006);
- Proposed Outage Store Ground Floor Plan (100007);
- Proposed Outage Store First Floor Plan (100008);
- Proposed Outage Store Second Floor Plan (100009);
- Proposed Outage Store Third Floor Plan (100010);
- Proposed Outage Store Roof Plan (100011);
- Proposed Outage Store Section 1 (100012);
- Proposed Outage Store Section 2 (100013);
- Proposed Outage Store North Elevation (100014);
- Proposed Outage Store South Elevation (100015);
- Proposed Outage Store East Elevation (100016);
- Proposed Outage Store West Elevation (100017);
- Proposed Training Centre Block Plan (100018);
- Proposed Training Centre Ground Floor Plan (100019);
- Proposed Training Centre First Floor Plan (100020);
- Proposed Training Centre Second Floor Plan (100021);
- Proposed Training Centre Roof Plan (100022);
- Proposed Training Centre Section 1 & 2 (100023);
- Proposed Training Centre North & South Elevations (100024);
- Proposed Training Centre East & West Elevations (100025);
- Coronation Wood Development Area Proposed Site Plan (100027);
- Coronation Wood Development Area Yardman's Office (100028);
- Proposed Outage Car Park Proposed Site Plan (100030) Rev. B;
- Proposed Replacement Rosery Cottage Garage Plans, Elevations & Sections (100031);
- Proposed Coronation Wood Development Area Landscape Plan (100035);
- Proposed Coronation Wood Development Area Sections (100036);
- Proposed Tree Removal Plan (1 of 2) (100037);
- Proposed Tree Removal Plan (2 of 2) (100038);
- Proposed Indicative Landscape Restoration Plan (100039);
- Pillbox Field Proposed Outage Car Park Landscape Plan (100040) Rev. B;
- Pillbox Field Proposed Outage Car Park Sections (100041) Rev. B; and
- Landscape Key Plan (100042)

Outline component drawings:

- Proposed Visitor Centre Parameter Siting Plan (100032);
- Proposed Visitor Centre Parameter Height Plan (100033); and
- Outline Development Zone Parameter Siting Plan (100034).

Supporting documents:

- Arboricultural Impact Assessment;
- Arboricultural Method Statement;
- Environmental Statement;
- Habitats Regulation Assessment Screening;
- Transport Statement; and
- Woodland Management Plan

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

4. FULL AND OUTLINE:

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

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

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

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

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

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

6. FULL AND OUTLINE:

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

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

7. FULL AND OUTLINE:

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

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

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

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

8. FULL AND OUTLINE:

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

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

9. FULL AND OUTLINE:

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

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

10. FULL AND OUTLINE:

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

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

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

11. FULL AND OUTLINE:

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

The scheme shall:

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

Levels specified in the approved scheme, shall not be exceeded, unless otherwise approved in writing by the Local Planning Authority or in an emergency. In any instance where the noise levels approved are exceeded because of an emergency then the Local Planning Authority shall be provided with a written statement as soon as possible following the relevant exceedance and such statement shall detail the nature of the emergency and the reason why the noise levels could not be observed.

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

12. FULL AND OUTLINE:

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

i) Planting;

ii) Management of existing and new planted areas;

iii) Restoration of areas affected by construction works;

iv) Details of the height, type, size and species of the shrubs and trees to be planted;

v) Details of the measures to be taken to create new flora and fauna habitats and of the management of such new habitats;

vi) Phasing of works included in the scheme; and

vii) Details of protective fencing.

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

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

13. FULL AND OUTLINE:

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

(i) carried out an investigation to assess the degree of ground contamination of the site and identify any resulting need for remedial measures; and

(ii) submitted a written report of the investigation's findings to the Local Planning Authority.

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

14. FULL AND OUTLINE:

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

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

15. FULL AND OUTLINE:

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

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

16. FULL AND OUTLINE:

In the event that Sizewell C Nuclear Power Station is not permitted by the Secretary of State, a scheme of restoration in accordance with details first submitted to and agreed in writing by the Local Planning Authority will occur at Pillbox Field and any other areas previously vacated by Sizewell B buildings and not to be re-used.

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

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

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

17. FULL and OUTLINE:

Before the construction of any elements of the hereby approved built development are commenced, a detailed Construction and Environmental Management Plan (CEMP), based on the outline CEMP, shall be submitted to and approved in writing by the Local Planning Authority.

Construction of the built elements of the proposal (full and outline) shall not be carried out other than in accordance with the approved plan.

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

- a) parking and turning for vehicles of site personnel, operatives and visitors;
- b) loading and unloading of plant and materials;
- c) piling techniques;
- d) storage of plant and materials;
- e) provision and use of wheel washing facilities;
- f) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works;
- g) site working and delivery times;
- h) a communications plan to inform local residents of the program of works;
- i) provision of boundary hoarding and lighting;
- j) details of proposed means of dust suppression;
- k) details of measures to prevent mud from vehicles leaving the site during construction;
- l) haul routes for construction traffic on the highway network;
- m) monitoring and review mechanisms;
- n) details of delivery times to the site during the construction phase (to avoid peak deliveries passing through Stratford St Andrew and Farnham at peak periods);
- o) ecological mitigation measures in relation to noise, vibration, and visual disturbance;
- p) the presence on site of an ecological clerk of works when particularly sensitive areas within the site are being developed (an agreed list of areas can be agreed with the Local Planning Authority for avoidance of doubt);
- q) ecological mitigation measures in relation to impacts from light disturbance;
- r) a detailed plan for ongoing access between the eastern and western compartments of Unit 4 of the SSSI which has the potential to be bisected by this development (pre, during and post-construction);
- s) additional survey work as required in consultation with the Local Planning Authority;
- t) a revised methodology for relocation of reptiles within the development area;
- u) dust management measures / positioning of any standby generators in relation to occupants of Rosery Cottage;
- v) provision of biodiversity net gain measures at appropriate time scales during the construction works;
- w) vehicle emissions and non-road mobile machinery (NRMM) emissions to be minimised by incorporating best practice control and management measures; and
- x) Restriction of site access for members of the public.

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

18. FULL AND OUTLINE:

No part of the construction works shall commence until emergency plans relating to the construction have been submitted to and agreed in writing by the Local Planning Authority.

Radiation emergency plans cover the EDF Energy Sizewell B Operators emergency plan and SCC Off Site Emergency Plan issued under Radiation (Emergency Preparedness and Public Information) Regulations. Wider civil contingency arrangements cover Suffolk Resilience Forum emergency plans for identified risks e.g. flooding, that might affect the construction site and any associated infrastructure.

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

19. FULL AND OUTLINE:

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

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

20. FULL AND OUTLINE:

No development shall commence (other than the Permitted Preparatory Works as defined in Informative 1) until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:

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

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

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Policies SP1 and SP15 of Suffolk Coastal District Council Core Strategy Development Plan Document and the NPPF.

21. FULL AND OUTLINE:

None of the buildings hereby approved shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition [28] and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Policies SP1 and SP15 of Suffolk Coastal District Council Core Strategy Development Plan Document and NPPF.

22. FULL AND OUTLINE:

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

Reason: To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>

23. FULL AND OUTLINE:

No development shall commence (other than Permitted Preparatory Works as defined in Informative 1) until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

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

- i. Temporary drainage systems
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater.

24. FULL AND OUTLINE:

Notwithstanding the submitted and approved drawings, the consent hereby granted does not allow for any removal, works within or development within the designated Sizewell Marshes SSSI - the pedestrian footpath linking the outage car park with the main site is not permitted under this planning consent. Details are to be submitted of an alternative pedestrian access (including detailed bridge design if required) from the outage car park on Pillbox Field to the main site and agreed by the Local Planning Authority prior to first use of the hereby approved outage car park facility. If an agreed alternative route cannot be achieved, users of the outage car park will access the main site via Sizewell Gap Road and

the primary Sizewell B vehicular access. Use of an agreed alternative pedestrian route will not commence until it is complete to a design agreed by the Local Planning Authority.

Reason: To avoid unacceptable and unnecessary loss of the designated and protected SSSI and to achieve an alternative pedestrian route to the site avoiding public highway (if possible).

25. FULL:

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

Reason: In the interests of highway safety to prevent hazards caused by flowing water or ice on the highway.

26. FULL AND OUTLINE:

Prior to dewatering commencing in relation to development on the site, monitoring points to be used during the dewatering process are to be agreed in writing with the Local Planning Authority, the results of the monitoring is to be shared with the Local Planning Authority at intervals to be agreed in advance of works commencing on dewatering and if proposed mitigation measures prove ineffective, potential additional mitigation measures may need to be agreed with the Local Planning Authority and implemented in an appropriately agreed timescale to enable works to continue.

Reason: To ensure that there are no adverse effects on designated sites occurring through dewatering of the site as proposed.

27. FULL AND OUTLINE:

Mitigation measures associated with additional bat survey work on the site are to be carried out prior to development commencing on site (this includes Permitted Preparatory Works as defined in Informative 1), the details of this is to be agreed in writing with the Local Planning Authority and carried out at an appropriate timescale to be agreed with the Local Planning Authority.

Reason: To ensure any adverse impacts on protected bat surveys in the vicinity of the development proposed is appropriately mitigated and managed.

28. FULL:

Before the access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 120 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension) or tangential to the nearside edge of the metalled carriageway, whichever is the more onerous. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6

metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

29. FULL:

No other part of the outage car park shall be constructed until the access/new junction with Sizewell Gap is submitted and approved with 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.

30. FULL:

Notwithstanding the requirements of Condition 29, a means for securing the vehicular access to the outage car park when not in use is to be submitted to and approved in writing by the Local Planning Authority, the agreed security measures are to be in place and available use prior to the vehicular access being made available for use.

Reason: To ensure Pillbox Field can be protected from unauthorised vehicular access.

31. FULL:

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

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

32. FULL:

Prior to first use of the vehicular access onto Sizewell Gap Road, a new unmanned crossing point is to be provided on Sizewell Gap in a location and to a design to be agreed with the Local Planning Authority in conjunction with Suffolk County Council Local Highway Authority.

Reason: To improve safety for pedestrians in the vicinity given the new vehicular access to Sizewell Gap Road.

33. FULL:

Full details of the precise location of the garage proposed at Rosery Cottages is required along with details of mitigating measures to ensure no adverse impact or effects arising from the construction on adjacent ditches, this is to be submitted prior to development commencing on site (except for the Permitted Preparatory Works defined in Informative 1), and constructed in accordance with the agreed details.

Reason: To ensure the garage has no unacceptable effects or impacts on the sensitive ditch network in close proximity to the construction area.

Informatives:

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

"Permitted Preparatory Works" means:

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

2. BS 3998: 2010

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

Protected Species:

The applicant should note that under the terms of the Wildlife and Countryside Act 1981, it is an offence to disturb nesting birds, bats their roosts and other protected species. You should note that work hereby granted consent does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that nesting birds, bats and other species will be disturbed. Likewise, badgers are protected under the Badgers Act 1992 and if disturbance is likely, a licence may be undertaken from the Ministry of Agriculture and Food before any work is undertaken.

3. The proposal is located adjacent to Sizewell Drain, an ordinary watercourse which falls under the jurisdiction of the East Suffolk Drainage Board. Footbridges installed as part of this application may require consent from the IDB if works are required to be undertaken on or near the watercourse.

BACKGROUND INFORMATION:

See application ref:
at www.eastsuffolk.gov.uk/public-access

STRATEGIC PLANNING COMMITTEE – 9th September 2019

ES/0095

APPLICATION NO DC/19/1988/OUT

LOCATION Land To The North Of The A14 And To The West Of The A12, Foxhall

EXPIRY DATE 18th September 2019 (Application withdrawn 22nd August 2019)

APPLICATION TYPE Outline Planning Application

APPLICANT Gladman & Orwell Settlement Trustees

PARISH Foxhall Parish and Bucklesham Parish

PROPOSAL Outline Application (with all matters reserved except for means of access for the erection of up to 2,700 dwellings, (including 33% affordable housing); apartments with care (C2 use class); vehicular access from a new roundabout off the A12, improvements to Felixstowe Road (including pedestrian/cycle footways); accesses and two roundabouts on Bucklesham Road; Layout to incorporate neighbourhood centres and market square (use classes A1, A2, A3, A4, A5, D1 and D2), two primary schools; Green Infrastructure including a village green, sports pitches and courts, club house, changing facilities, a community park (and car park), trim trail, neighbourhood equipped areas of play, locally equipped areas of play, habitat enhancement, landscaping and public realm works, community orchard, allotments, footpaths and cycling routes. Removal of existing on site reservoirs.

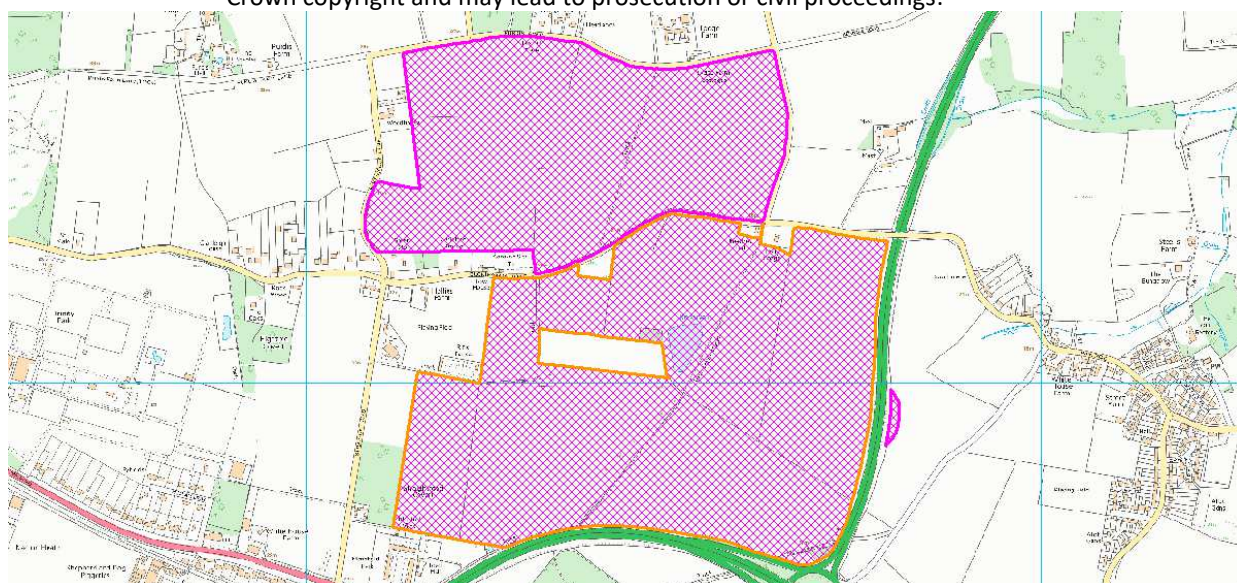
CASE OFFICER Ben Woolnough – Major Sites and Infrastructure Manager
01394 444593

ben.woolnough@eastssuffolk.gov.uk

Jane Rodens - Area Planning and Enforcement Officer

MAP

DO NOT SCALE SLA100019684 Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.



1. EXECUTIVE SUMMARY

This report does not make a recommendation as it is a summary of the outcome of the application submitted on 15th May and withdrawn on 22nd August 2019. Based on the scale of this proposal it would not have been a delegated decision to approve or refuse and therefore it is considered appropriate to update the Strategic Planning Committee on the outcome of its consideration following its withdrawal. This summarised report therefore sets out some facts, opinions and conclusions reached ahead of what would have been a recommendation of refusal.

2. BASIC SITE DESCRIPTION

- 2.1. The site covers 142.1 hectares of agricultural land to the north of the A14 and to the east of the A12, where they meet at junction 58 of the A14 (the Seven Hills Roundabout). The majority of the site is within the parish of Foxhall, the south east corner of the site is in Bucklesham parish. Bucklesham Road runs east-west through the centre of the site and the northern part of the site is framed by Purdis Road and Hall Road. The site is located in the countryside and is 1.2km (in a straight line) from the closest edge of the Physical Limits Boundary for Purdis Farm (a Major Centre element of the Eastern Ipswich Plan Area). The site is also approximately 300 metres (by road) from its closest point to the Physical Limits Boundary of Bucklesham village, which is a Local Service Centre to the east.

3. BASIC DESCRIPTION OF THE PROPOSAL

- 3.1. The application sought outline planning permission with all matters reserved except access and the applicants named the proposed development 'Orwell Green Garden Village'. In that respect the application sought detailed approval of all vehicular access points and pedestrian and cycle connections into and out of the site. Matters of appearance, landscaping, layout and scale were reserved matters and would be dealt with under future reserved matters applications (if it gained consent) which would be subject to full consultation with statutory and non-statutory consultees and the local community. The proposal would provide:

- Land for up to 2,700 new homes (to include affordable housing).
- A mixed-use Neighbourhood Centre to include retail, employment (offices), health care, community hall and leisure facilities.
- Extra Care provision (70 apartments).
- Land for two new Primary Schools including Pre- School provision
- Pub/ Restaurant.
- Community Park
- Sports Provision with Changing Facilities
- Village Green with Cricket Pitch and Community Orchard
- Allotments
- Children's Play Areas
- Attenuation Basins
- Green Links

3.2. Three access routes were proposed into the site which were:

- A new roundabout from the A12, north of the junction with the A14 and before the Bucklesham Road flyover.
- Two new roundabouts on Bucklesham Road that lead into the north and south of the site.

3.3. The development proposal had been subject to a prior Environmental Impact Assessment (EIA) Scoping process, recognising that this application would need to be accompanied by an Environmental Statement addressing a wide range of environmental considerations. The application was accompanied by an Environmental Statement (ES) and the necessary additional consultation requirements of the EIA legislation have been followed on that basis.

4. CONSULTATIONS

4.1. The application involved a consultation period from the 5th June 2019 to the 26th June 2019 for Consultees including Parish Councils. For the neighbouring properties the consultation period was from the 5th June 2019 to the 26th June 2019, this was then extended to an additional consultation from the 4th July 2019 to the 25th July 2019 as there were some properties that did not receive the original consultation letter. 11 site notices were placed around the site, which were posted on the 5th June 2019. A notice was placed in the East Anglian Daily Times on the 13th June 19 and ran until the 11th July 2019.

4.2. SUMMARY OF CONSULTATION RESPONSES RECEIVED:

- **Highways England** – Holding Objection
- **Sport England** – Supports the application in Principle, conditions recommended
- **Natural England** – Initial response highlights that they may need to object.
- **Environment Agency** – Raise some concerns
- **SCC Development Contributions Manager** - Requests infrastructure requirements, specifically education needs and requests the inclusion of a site for a secondary
- **Suffolk County Council** – Highway Authority – Holding Objection
- **Suffolk County Archaeological Unit** – Request Archaeological investigation
- **Suffolk County Council - Rights Of Way** – No response received
- **Suffolk County Council - Minerals and Waste** – Holding Objection
- **Suffolk County Council, Flood and Water Management (Lead Local Flood Authority)** – Holding Objection
- **Anglian Water** – Recommend conditions
- **Secretary of State for Communities and Local Government** – Has not requested additional information.
- **Historic England** - No comments received
- **Mid-Suffolk and Babergh District Councils** – Object
- **Ipswich Borough Council** - Object
- **Suffolk Constabulary - Traffic Management Officer** – Raises concerns
- **East Suffolk Environmental Protection** – Raise concerns over lacking information

- **Suffolk Constabulary - Designing Out Crime Officer** – provides guidance
- **Essex and Suffolk Water PLC** - comments
- **Suffolk Fire and Rescue Service** – request fire hydrants
- **Suffolk Wildlife Trust** – comments
- **Woodbridge Society** - Object
- **Suffolk Constabulary - Business Liaison Officer** - unable to respond within time
- **Network Rail** – No comment

4.3. **PARISH COUNCIL, TOWN COUNCIL RESPONSES**

This site is primarily within Foxhall Parish covered by Brightwell, Foxhall and Purdis Farm Group Parish Council. A small part of the site sits within Bucklesham Parish. Both of those Parish Councils have objected to the application. Objections were also received from the following Parish and Town Councils: Kesgrave, Martlesham, Nacton, Levington, Waldringfield, Rushmere St Andrew

4.4. **THIRD PARTY REPRESENTATIONS**

112 letters, emails and on-line comments raising objections have been received from residents in the local area. Some contributors have responded with more than one letter/email. Two letters of support have also been received.

5. **PLANNING POLICY**

- 5.1. The relevant policies of the East Suffolk Council - Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document (Adopted July 2013) are:

SP1 - Sustainable Development
 SP1a - Presumption in Favour of Sustainable Development
 SP2 - Housing Numbers and Distribution
 SP3 - New Homes
 SP9 - Retail Centres
 SP10 - A14 & A12
 SP11 - Accessibility
 SP12 - Climate Change
 SP14 - Biodiversity and Geodiversity
 SP15 - Landscape and Townscape
 SP16 - Sport and Play
 SP17 - Green Space
 SP18 - Infrastructure
 SP19 - Settlement Policy
 SP20 – Eastern Ipswich Plan Area
 SP29 - The Countryside

DM1 - Affordable Housing on Exception Sites
 DM3 - Housing in the Countryside
 DM4 - Housing in Clusters in the Countryside
 DM5 - Conversions and Houses in Multiple Occupation
 DM10 - Protection of Employment Sites

- DM13 - Conversion and Re-use of Redundant Buildings in the Countryside
- DM14 - Farm Diversification
- DM19 - Parking Standards
- DM20 - Travel Plans
- DM21 - Design: Aesthetics
- DM22 – Design: Function
- DM23 - Residential Amenity
- DM24 - Sustainable Construction
- DM26 - Lighting
- DM27 - Biodiversity and Geodiversity
- DM28 - Flood Risk
- DM32 - Sport and Play

- 5.2. The relevant Policies of the East Suffolk Council - Suffolk Coastal District Local Plan – Site Allocations and Site Specific Policies Development Plan Document (adopted January 2017) are: SSP2 – Physical Limits Boundaries
- 5.3. The site partially extends into Bucklesham Parish. Bucklesham and the area east of the A12 are within the area covered by the Felixstowe Peninsula Area Action Plan (adopted January 2017).
- 5.4. The new Local Plan (covering the former Suffolk Coastal area) was submitted to the Planning Inspectorate for examination on Friday 29th March 2019, and the examination hearings are currently taking place between 20th August 2019 and 20th September 2019. The relevant emerging policies are:

- SCLP 2.1 - Growth in the Ipswich Strategic Planning Area
- SCLP 2.2 - Strategic Infrastructure Priorities
- SCLP 2.3 - Cross-boundary mitigation of effects on Protected Habitats
- SCLP 3.1 - Strategy for Growth in Suffolk Coastal District
- SCLP 3.2 - Settlement Hierarchy
- SCLP 3.3 - Settlement Boundaries
- SCLP 3.5 - Infrastructure Provision
- SCLP 4.8 - New Retail and Commercial Leisure Development
- SCLP 4.12 - District and Local Centres and Local Shops
- SCLP 5.3 - Housing Development in the Countryside
- SCLP 5.4 - Housing in Clusters in the Countryside
- SCLP 5.5 - Conversions of Buildings in the Countryside for Housing
- SCLP 5.8 - Housing Mix
- SCLP 5.9 - Self Build and Custom Build Housing
- SCLP 5.10 - Affordable Housing on Residential Developments
- SCLP 5.11 - Affordable Housing on Exception Sites
- SCLP 7.1 - Sustainable Transport
- SCLP 7.2 - Parking Proposals and Standards
- SCLP 8.1 - Community Facilities and Assets
- SCLP 8.2 - Open Space
- SCLP 8.3 - Allotments
- SCLP 8.4 - Digital Infrastructure
- SCLP 9.1 - Low Carbon & Renewable Energy
- SCLP 9.2. - Sustainable Construction

SCLP 9.5 - Flood Risk
 SCLP 9.6 - Sustainable Drainage Systems
 SCLP 9.7 - Holistic Water Management
 SCLP 10.1 - Biodiversity and Geodiversity
 SCLP 10.2 - Visitor Management of European Sites
 SCLP 10.3 - Environmental Quality
 SCLP 10.4 - Landscape Character
 SCLP 10.5 - Settlement Coalescence
 SCLP 11.1 - Design Quality
 SCLP 11.2 - Residential Amenity
 SCLP 11.6 - Non-Designated Heritage Assets
 SCLP 11.7 – Archaeology
 SCLP12.18 - Strategy for Communities surrounding Ipswich

- 5.5. The site allocation is not within an approved Neighbourhood Area or a made Neighbourhood Plan Area.

6. CONSIDERATION

- 6.1. A full assessment of the application was due to be concluded within a report presenting a recommendation of refusal to this 9th September Strategic Planning Committee. As the application was withdrawn shortly ahead of the completion of the report, a comprehensive assessment is not now presented. This summary report instead provides a brief record of key areas where shortfalls in the application, impacts of the development and policy conflicts had been recognised prior to its withdrawal.
- 6.2. A considerable number of shortfalls in the submission related to the quality and extent of supporting information, particularly that contained within chapters and appendices of the Environmental Statement. The application is EIA development and the submission considers cumulative effects with current committed development in the District and within Ipswich Borough. Allocations in the emerging Local Plan, have not been factored into the necessary Environmental Impact Assessment of this proposal. Considering the advanced stage of the emerging Local Plan, that is now considered necessary. The Council did not formally request that the Environmental Statement be revised to address this (as that would trigger a resubmission and reconsultation process), however this was been made clear in consultation responses and dialogue over the course of the application.
- 6.3. The shortfalls of this submission highlight the importance and value of well structured and detailed pre-application engagement with the Local Planning Authority, Statutory Consultees and the local community. The applicants chose not to undertake any formal pre-application engagement with the Local Planning Authority and a range of important consultees. The engagement with the local community was limited to a small number of meetings and events in November 2018.

Principle of Development and relationship with the Development Plan

- 6.4. This application was been submitted in parallel with the applicants' promotion of the site for inclusion in the emerging Suffolk Coastal Local Plan. The site is not included as an allocation in the emerging Local Plan which is subject to examination in public between 20th August

and 20th September 2019. The site has been promoted as an alternative site in addition to the allocations being planned for across the District. On that basis the proposal would be an additional 2,700 homes on top of the 10,476 homes included within the emerging plan.

- 6.5. Under current Core Strategy policy the site is within the Policy SP20 Eastern Ipswich Plan Area (EIPA). This site is entirely within the countryside section of EIPA covered by Policy SP29 (The Countryside) which restricts development in the countryside. This is further amplified by Policy SSP2 of the Site Allocations and Area Specific Policies Document (2017) which states that proposals for new residential development outside physical limits boundaries will be strictly controlled.
- 6.6. Within the emerging Local Plan, Policy SCLP12.18 (Strategy for Communities surrounding Ipswich) will replace the strategic approach to what was previously known as the EIPA contained in Core Strategy Policy SP20. This is accompanied by a site specific policy for Brightwell Lakes, recognising that site as the key strategic area for growth within this area based on its current planning permission. Policies SCLP3.3 (Settlement Boundaries) and SCLP5.3 (Housing Development in the Countryside) retain a similar approach to restricting development in the countryside and directing it to planned sites and urban areas.
- 6.7. The emerging Local Plan seeks to direct new allocations for strategic housing growth to Felixstowe and Saxmundham and multiple other allocations across towns and villages in order to accommodate plan led growth of 10,476 homes over the lifetime of the plan - 2018-2036. The inspector for the Local Plan examination has been clear that alternative sites not included in the plan (such as this) are not due to be debated in detail and sites that have been included in the Local Plan will instead be the focus of the examination. It is the soundness of the Council's plan put forward which is being examined, not the merits of an alternative plan.
- 6.8. If this application was capable of being approved now, the approval of 2,700 homes, as the largest housing site in District and a considerable focus of growth in a sensitive policy area, would undermine the current plan making process. It would result in considerable additional housing numbers for the District over the plan period and it would lead to challenges for the examination of the Local Plan, which has not taken this site (if consented) into account. The proposal is so large that, with consent, it would need to be an important consideration for the examining inspector. This would be a case of 'prematurity', a position recognised by the NPPF as justifying refusal at this point in time.
- 6.9. The applicants have suggested that the site is deliverable and capable of swiftly delivering homes. They have also suggested that the site is not necessarily being promoted for inclusion in the current emerging Local Plan and that it may instead form part of a future Local Plan review. The timing of such a future review and its direction of growth cannot be predicted. This suggestion put forward by the applicants, associated with the current examination, had no bearing on decision for the application and further reinforces that this site should instead continue to be considered through a plan-led approach and not as a premature planning application. It should be noted that both neighbouring Local Planning Authorities (Ipswich Borough Council and Babergh and Mid Suffolk District Councils) have objected to this application raising strong concerns about the strategic influence approval of this proposal may have across boundaries including the importance of shared significant infrastructure.

Transport and Movement

- 6.10. Notably, as part of the Environmental Statement, the Transport Assessment was flawed in its scope and some methodology and on that basis holding objections were received from Highways England and Suffolk County Council Highway Authority. Based on the lacking assessment and in the absence of suitable evidence to demonstrate otherwise, impacts of the development on the highway network would be severe. Even with adequate assessment there were considerable concerns over the relationship of the site with rural roads running through and north of the site and the implications for the A14 and A12.
- 6.11. From a highways and sustainability perspective, the most notable shortfall of the proposal is its highly unacceptable disregard for sustainable connections to and from the site for pedestrians and cyclists. The Transport Assessment suggests some minor improvements to Felixstowe Road but the existing routes into Ipswich and surrounding urban areas are wholly inadequate to safely and sustainably connect 2,700 homes to the facilities, services and employment that residents would require. It is not acceptable to discount off-site pedestrian and cyclist infrastructure/improvements based on internal on-site services and facilities within a long-term phased development site. The submitted proposal would have resulted in a major new community of residents, physically isolated from surrounding destinations by way of pedestrian and cyclist connectivity. This would not represent sustainable development and would result in a community largely reliant on private motor cars and a yet to be determined single new bus route.

Education

- 6.12. Associated with the above sustainable connection issue is the reliance of the proposal on off-site secondary schools. All existing local secondary schools are beyond a reasonable walking distance and none are served by a good quality, pedestrian focussed route. Some secondary schools are within potential cycling distance but cycling infrastructure is poor and the application does not demonstrate safe and suitable cycling improvements for the area. This contributes to an increased need for on-site secondary education provision. The County council have requested that the masterplan incorporates sufficient land to provide a secondary school. This is due to the limited local capacity and reliance of the site on school buses to transport its secondary school pupils to local secondary schools as an alternative. This lacking element of the masterplan contributes to a wider shortfall in the necessary masterplanning process and significant lack of engagement.

Masterplanning and Design

- 6.13. Feedback has been received from the Council's Design and Conservation Officers, setting out concerns regarding the approach taken within the masterplan. The masterplanning of this proposed 'garden village' largely fails to satisfy the garden community principles, which it claims to depend on. Specifically the emphasis of Garden Communities being locally led. Good planning and urban design relies upon collaborative design including the early involvement of communities and consultees. That is not evident in the submitted scheme and therefore flaws across many considerations relate to a lack of clarity on what may be achieved on the site and how successful that may be in achieving good design, a cohesive community and suitably designed-in mitigation.

Ecology and Biodiversity

6.14. A fundamental starting point for any major site masterplan within East Suffolk must be the integration of green infrastructure. In particular the provision of Suitable Alternative Natural Greenspace (SANG) is necessary in order to attempt to mitigate likely significant effects on the European Natura 2000 sites in the area – in this case the Deben and Orwell Estuaries. The current masterplan and supporting information do not provide sufficient reassurance that the proposal would mitigate the effects of this development by providing the quantity and quality of green infrastructure for the whole development and throughout all phases. This is an essential planning policy requirement as well as a necessary provision in order to pass an Appropriate Assessment, as required by the Conservation of Habitats and Species Regulations 2017. Furthermore, the Council's ecologist has found shortfalls in in protected species surveys across the site.

Environmental Effects

6.15. Consideration has been given to the environmental effects of this development by the Environmental Protection team, these include the noise impacts on future residents of the site, contaminated land considerations and the effect of the development on air quality. In respect of noise, this site is highly affected by the A12 and A14 which add considerable noise effects to the quality of life which would be enjoyed by large parts of the site without mitigation. This would need to be mitigated through a perimeter bund and attenuation fence on the southern and eastern boundaries and high standards of glazing with non opening windows to properties in those areas. As a result of the sub-standard approach taken to masterplanning the effect of these forms of mitigation on the design of the development and quality of life of residents has not yet been fully appraised, though it does cause concern. In respect of Contaminated Land considerations, officers have highlighted that supporting investigations fall short of expectations to allow a conclusion on risk to be reached. The effect of the development on air quality (through traffic effects) cannot be appraised until the Transport Assessment has been agreed by the County Highway Authority as it is influenced by that work.

Minerals Planning

6.16. The County Waste and Mineral Planning Authority has responded to the application with an objection relating to the extent of ground investigation which has taken place on the site and the site's situation as minerals safeguarding area. The site does have potential to be a major sand and gravel resource and in order to safeguard any potential resource and not sterilise potentially available land, the applicants need to prove that the resource is not available or viable to utilise. That has not been adequately done and therefore consideration cannot be concluded on whether any potential development should first involve sand and gravel extraction on the site to best utilise this resource for both use within the development and as a wider resource. To not first prove this leads to a risk of sterilising a resources which would instead lead to non-development sites instead being used for extraction beyond the period of the current and emerging Suffolk Minerals and Waste Local Plan.

Flooding and Drainage

- 6.17. A detailed response has been received from the Lead Local Flooding Authority objecting to the proposal due to a lack of detail and supporting information to demonstrate how surface water will be managed in a sustainable manner. Again the response highlights a lack of joined up thinking in forming a masterplan and the lack of any pre-application engagement with the Lead Local Flooding Authority is a misguided approach in designing such a major housing site. The submission also sets out how the site will be covered for services and utilities. This has highlighted that the site is dependent upon a substantial length of new sewer connection which appears to involve over 1 mile of new sewer across third party land. The deliverability of such a connection has been queried with the applicants.

Landscape and Heritage

- 6.18. The 142.1 hectare site is not located within a Special Landscape Area or the Area of Outstanding Natural Beauty, however it is very much an area of rural agricultural landscape and not evidently urban in appearance or in its boundaries to the west. A development of this scale will inevitably have major adverse impact and effects on landscape character in terms of the loss of farmland which has been a key characteristic of the locality for many decades. It will also have significant visual impact on some nearby residential properties, and for users of the PROW that crosses the site. Against these recognised harms will come new tree and shrub planting that should increase the nett overall tree cover on site, and which in combination with domestic gardens and other areas of green open space are likely to increase onsite biodiversity. Unusually for a site of such scale the heritage and archaeological effects of the proposed development are low and capable of mitigation.

7. CONCLUSION

- 7.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise. The proposed development was very clearly contrary to the current and emerging development plans. There were no material considerations to indicate that a decision should be other than in accordance with the development plan.
- 7.2. Based on its policy position and wider shortfalls of the submission, it was not functionally or lawfully appropriate for officers to provide support for this development. Even if it was possible then it is very clear that the examination of the Local Plan would be prejudiced through a ‘prematurity position’ established by the proposal.
- 7.3. The Council is in a strong position to resist unplanned development, its policies can be relied upon to support plan-led growth and it is clear that an opportunity to pursue unplanned sites set against a lack of a five year housing land supply is not the case in East Suffolk.
- 7.4. Following the withdrawal of this application, the applicants have a 1 year period from the date of submission to make a new submission (of the same description and site area) without having to pay another planning application fee. If they choose to take advantage of

that opportunity they have been strongly encouraged to undertake public and consultee engagement and involve the Local Planning Authority in a pre-application process.

- 7.5. This summary report should be read as an update on the outcomes of the withdrawn application. It is not an exhaustive report of considerations and effects and does not prejudice conclusions which may be reached after consideration of any future submission.

8. RECOMMENDATION

- 8.1. That the contents of the report, updating the Strategic Planning Committee on this major application, be noted and endorsed.

BACKGROUND INFORMATION: See application ref: DC/19/1988/OUT
at www.eastsuffolk.gov.uk/public-access



STRATEGIC PLANNING COMMITTEE

Monday, 9 September 2019

EAST SUFFOLK COUNCIL RESPONSE TO EDF ENERGY'S SIZEWELL C NEW NUCLEAR POWER STATION STAGE 4 PUBLIC CONSULTATION

EXECUTIVE SUMMARY

1. EDF Energy is holding a fourth public consultation into their proposals for a new nuclear power station, Sizewell C, in the parish of Leiston-cum-Sizewell. This is an additional round of consultation that was announced in July 2019. It runs for 10 weeks from 18 July to 27 September 2019.
2. Previous rounds of public consultation have resulted in joint responses being sent to EDF Energy on behalf of East Suffolk Council (formerly Suffolk Coastal District Council) and Suffolk County Council following jointly prepared Cabinet reports. The intention is for the full response to be presented to East Suffolk Council's Cabinet at a special meeting on Monday 23 September, it is again intended that the same report will be presented to Suffolk County Council's Cabinet on Tuesday 24 September.
3. This report provides background to the consultation, detail of the consultation, and the Councils previous stance at Stages 1 – 3 (where relevant) in order to seek advice from the Strategic Planning Committee on how the Deputy Leader and Cabinet Member for Economic Development, Cllr Craig Rivett, should advise Cabinet on the Councils response to the Stage 4 public consultation.
4. The recommendation is that Strategic Planning Committee supports Cllr Craig Rivett as the Cabinet Member responsible for the report responding to the Stage 4 public consultation, in presenting a draft response to Cabinet highlighting areas of remaining concern with the Sizewell C project but recognising that the Council supports the principle of new nuclear development provided it is constructed and operated in a manner that benefits the residents of East Suffolk more than it adversely affects them.

Is the report Open or Exempt?	Open
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Wards Affected:	Aldeburgh & Leiston, Kelsale & Yoxford, Saxmundham, Wickham Market, Wrentham, Wangford & Westleton, Melton, Woodbridge, Carlford & Fynn Valley, Orwell & Villages, Martlesham & Purdis Farm
Cabinet Member:	<p>Cllr Craig Rivett</p> <p>Deputy Leader & Cabinet Member with responsibility for Economic Development</p>
Supporting Officer:	<p>Lisa Chandler</p> <p>Energy Projects Manager</p> <p>01394 444538</p> <p>Lisa.chandler@eastsuffolk.gov.uk</p>

1 INTRODUCTION

- 1.1 EDF Energy is proposing to build a new nuclear power station at Sizewell. A Stage 3 public consultation was carried out earlier this year in March. A joint response from Suffolk Coastal District Council and Suffolk County Council was sent following a Cabinet meeting at SCDC on the 11 March 2019, a response was also sent on behalf of Waveney District Council to EDF Energy. Both these responses are available on our website.
- 1.2 EDF Energy announced a fourth stage of public consultation between 18 July – 27 September 2019, this is described as being an extension to the Stage 3 consultation and is targeted on specific elements of their proposals. At this stage in the 10 week consultation process, all the technical officers involved on behalf of East Suffolk Council and the Energy Team are still working closely with Suffolk County Council on formulating a joint response to the Stage 4 public consultation.
- 1.3 This Committee will be verbally updated on the 9 September on the most recent draft response; the full draft response will be presented to East Suffolk Council's Cabinet at a special meeting on the 23 September. The Deputy Leader and Cabinet Member for Economic Development, Cllr Craig Rivett, welcomes the advice of Strategic Planning Committee in taking this response forward to a Cabinet decision.

2 EDF ENERGY'S STAGE 4 PUBLIC CONSULTATION

- 2.1 The Stage 4 public consultation by EDF Energy is likely to be the final round of public consultation prior to EDF Energy submitting their application to the Secretary of State for Business, Energy and Industrial Strategy, for Development Consent Order (DCO) under the Planning Act 2008. EDF Energy have indicated that the DCO submission will be made in Spring 2020. East Suffolk Council as host Authority is a statutory consultee in the DCO process.
- 2.2 In the early stages of this consultation process, we jointly held an event with Suffolk County Council and invited our Towns and Parish Councils likely to be affected by the proposals to attend and give us their feedback on EDF Energy's Stage 4 proposals. The event was well attended and a summary of comments received is available on our website.
- 2.3 The Stage 4 public consultation makes clear that this consultation is an addition to and not a replacement for the Stage 3 public consultation and that all comments received at Stage 3 remain valid and will not be superseded by comments received in relation to Stage 4 (unless specified).
- 2.4 The key areas for consideration in Stage 4 by EDF Energy are:
 - a) an alternative freight management option referred to as the integrated strategy (combines features of both the rail-led and road-led strategies consulted at Stage 3);
 - b) an alternative approach for traffic management with regard to additional traffic movements through Wickham Market in connection with the southern park and ride facility;
 - c) a new option for the rail-head at land east of Eastland's Industrial Estate;
 - d) whether the Sizewell link road should be a permanent development or whether sections of the road should be removed at the end of the construction period;
 - e) proposals for flood mitigation areas which require significant additional land;
 - f) proposals for ecological mitigation areas which require significant additional land;and

- g) other less significant red line changes to site area across the projects main development site and associated development sites.

2.5 We are currently working with SCC on formulating our joint response in the above areas and a verbal update on these discussions will be given at the meeting.

2.6 However, there are a number of concerns that we raised jointly at Stage 3 which EDF Energy has not taken the opportunity to address in the Stage 4 consultation, this includes:

- h) the dropping of a marine-led construction strategy – we still have not received the justification from EDF Energy dropping the marine-led strategy at Stage 3;
- i) introduction of four pylons on the operational site– EDF Energy have suggested two alternative options but both include keeping at least 4 pylons, we had sought an alternative to new pylons at Stage 3;
- j) introduction of additional permanent development to the north of the main operational site within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty;
- k) mitigation proposals for Wickham Market –stage 4 does not revise previously proposed options for Wickham Market but refers to working with the Parish Council to provide further options;
- l) mitigation proposals for an increased workforce now proposed at 7900 + 600 – this was sensitivity tested at Stage 3 but is now being proposed as a maximum but no additional mitigation measures are incorporated at Stage 4;
- m) further ecological surveys and mitigation – this is an ongoing process and further work is being undertaken by EDF Energy in this area;
- n) platform footprint and position – nothing referring to this in Stage 4;
- o) coastal processes – nothing additional in this area – at Stage 3 we sought recognition of the ongoing monitoring regime that will be required and has been requested;
- p) design of the nuclear power station – independent review, no comment on this in Stage 4;
- q) SSSI crossing – no satisfactory response in Stage 4 to concerns raised at Stage 3;
- r) beach landing facility – we had questions at Stage 3 that have not been answered;
- s) Northern Mound – again we had questions at Stage 3 that have not been answered;
- t) spoil management proposals – as above, we raised concerns at Stage 3 and these have not been addressed in Stage 4;
- u) evidence for siting of campus where proposed – the Councils had asked for further evidence as to why the campus cannot be sited in Ipswich or Lowestoft;
- v) proposals for land east of Eastlands Industrial Estate (LEEIE) – we are pleased to see that revisions to the layout have been included at Stage 4 but we still have questions with regards to overnight train movements, noise, unloading / loading of trains, park and ride on the site (who for?), HGV parking – is this just for vehicles transferring aggregate from the rail head to the main site? None of these questions answered.
- w) surface, ground and potable water impacts – further detail and reassurance in this area is required and is not included at Stage 4;
- x) suitability of proposed traffic mitigation measures – there are some details in Stage 4 but these are limited;

- y) requirement for road and junction improvements – this remains an area for discussion with EDF Energy around works that may be required;
- z) phasing of associated transport infrastructure – at Stage 3 we requested details of the phasing plan for associated development and this has not yet been made available;
- aa) Car park spaces justification – at Stage 3 we wanted a calculation to ensure the appropriate number of car park spaces are proposed at park and rides, the campus and the main site, this has not been received; and
- bb) rail-led strategy – we had suggested additional road mitigation that was required to support this at Stage 3, no further information has been provided at Stage 4.

2.7 Therefore in addition to responding to the issues raised at Stage 4, we will need to refer to the matters not covered that remain outstanding. In all areas we expect EDF Energy to continue working with us in order to address as many of our outstanding concerns pre-DCO submission as is possible. It is expected that we will not have time between now and submission to address all of the outstanding issues but it is hoped we can agree (or disagree) common ground in a good proportion of issues prior to EDF Energy submitting their DCO in Quarter 1 2020.

3 HOW DOES THIS RELATE TO THE EAST SUFFOLK BUSINESS PLAN?

3.1 The Vision for East Suffolk includes maintaining and sustainably improving the quality of life for everyone growing up, living in, working in and visiting East Suffolk. The new nuclear power station site at Sizewell C is designated by National Government and proposals to take it forward are being promoted by EDF Energy who operates the existing nuclear power station, Sizewell B, on the East Suffolk coast at Sizewell. Alongside the now decommissioned Sizewell A, East Suffolk, has a long history of hosting nuclear power stations and we recognise the opportunities hosting a nuclear power station brings to the area including economic prosperity and growth – with permanent and temporary jobs, a highly skilled work force, investment and spend in the local supply chain, and environmental benefits – nuclear is a recognised low carbon producer of electricity. However, we acknowledge that there are also areas of environmental harm that need to be carefully considered and assessed. By working with EDF Energy on boosting skills and education in East Suffolk the proposal can help with enabling communities to make the most of the opportunities available during construction and operation of the nuclear power station. The Councils ability to respond in full to EDF Energy's proposals is partly because of an agreed Planning Performance Agreement by which EDF Energy contribute financially to the Council, enabling us to make sure we have the appropriate staff across the Authority able to interact with EDF Energy in relation to the Sizewell C proposal. This includes staff across almost all of the areas covered by critical success factors identified in the Business Plan. A specific action in the Business Plan is to: Advocate on behalf of communities & local stakeholders to maximise the local economic, community and environmental benefits & opportunities from the Sizewell C development.

4 FINANCIAL AND GOVERNANCE IMPLICATIONS

- 4.1 As stated above, EDF Energy fund East Suffolk Council for just over 6 full time equivalent posts across various service areas, to enable us to fully engage with EDF Energy on the specific technical details of their project in order to identify and mitigate potential adverse impacts arising from their development proposals. We also work collaboratively with the County Council and other statutory consultees in order to ensure we are speaking with one voice where possible in order to emphasise our position in certain areas. The monies paid to this Authority by EDF Energy are reinvested in the service areas and used to backfill posts where necessary. By doing this, we avoid the use of consultants and maintain the knowledge and expertise in-house.

5 OTHER KEY ISSUES

- 5.1 This report has not carried out its own Equality Impact Assessment, as a consultee in the process, we are not responsible for ensuring it has been carried out suitably, and EDF Energy will be responsible for carrying out their own EqlA on their consultation process.

6 CONSULTATION

- 6.1 East Suffolk Council has carried out our own consultation with town and parish councils although we are not obligated to do so. This event was held jointly with Suffolk County Council and our Town and Parish Councils were invited to send a representative, this event was held in order for us to understand the concerns of our local residents in relation to the Stage 4 proposals. We have also carried out internal consultation with technical officers in areas including: economic development, housing, coastal management, landscape, ecology, environmental health, and communities in order to combine with technical responses from SCC officers including highways, archaeology, education and skills, and social care, in order to produce a robust response to the Stage 4 consultation which highlights areas where we await further detail.
- 6.2 EDF Energy continue to engage with officers on the emerging proposal seeking to address the outstanding issues/concerns that have been raised ahead of their DCO submission. Cllr Rivett, as the lead Cabinet Member, and senior officers, also have regular meetings with senior representatives of EDF Energy such that it is anticipated that many of the issues highlighted will have been “worked through” and that agreement can be hopefully reached to enable East Suffolk Council to be confident that the benefits to our area are such as to outweigh the negative impacts delivered as a nominated nuclear new build site that is identified in the national policy statements for energy (EN1 and EN6).

7 OTHER OPTIONS CONSIDERED

- 7.1 It is not for East Suffolk Council to consider alternative options to that provided by EDF Energy in their proposals.

8 REASON FOR RECOMMENDATION

- 8.1 It is important for East Suffolk Council to continue our process of pre-application discussions with EDF Energy and a key part of this is publicly responding to their proposals when the opportunity arises which includes this Stage 4 public consultation.
- 8.2 As such Strategic Planning Committee is asked to endorse the Deputy Leader and Cabinet Member for Economic Development in continuing to draft a response to EDF Energy’s Stage 4 public consultation that seeks to fully and appropriately represent the needs of East Suffolk as a Council, for its residents, businesses and visitors and in aspiring to reach the goals of our Business Plan.

RECOMMENDATION

That the Strategic Planning Committee endorses and supports the Deputy Leader and Cabinet Member for Economic Development in working with Suffolk County Council to achieve a joint response to EDF Energy's Stage 4 public consultation to be presented to East Suffolk Council Cabinet on the 23 September 2019.

APPENDICES – None

BACKGROUND PAPERS

Please note that copies of background papers have not been published on the Council's website www.eastsuffolk.gov.uk but copies of the background papers listed below are available for public inspection free of charge by contacting the relevant Council Department.

Date	Type	Available From
18.07.2019	Sizewell C Stage 4 Public Consultation Documents	https://www.edfenergy.com/energy/nuclear-new-build-projects/sizewell-c/proposals/stage-4
11.03.2019	Sizewell C Stage 3 Joint Council response and Cabinet report and Waveney District Council response	https://www.eastsuffolk.gov.uk/planning/sizewell-nuclear-power-station/stage-three-consultation/
26.07.2019	Summary of Town and Parish Council event	http://www.eastsuffolk.gov.uk/planning/sizewell-nuclear-power-station/community-engagement/stage-4-ufford-park-melton-26-july-2019/