



**Riverside, 4 Canning Road, Lowestoft, Suffolk,  
NR33 0EQ**

# **Planning Committee North**

## **Members:**

Councillor Paul Ashdown (Chairman)  
Councillor Jenny Ceresa (Vice-Chairman)  
Councillor Norman Brooks  
Councillor Tony Cooper  
Councillor Linda Coulam  
Councillor Andree Gee  
Councillor Malcolm Pitchers  
Councillor Sarah Plummer  
Councillor Craig Rivett

Members are invited to a **Meeting of the Planning Committee North**  
to be held in the Conference Room, Riverside, Lowestoft  
on **Tuesday, 13 December 2022 at 2.00pm**

This meeting will be broadcast to the public via the East Suffolk YouTube  
Channel at <https://youtu.be/EJwmSEZ0s5A>

An Agenda is set out below.

## **Part One – Open to the Public**

**Pages**

---

<b>1</b>	<b>Apologies for Absence and Substitutions</b>
----------	--

<b>2</b>	<b>Declarations of Interest</b>	
	Members and Officers are invited to make any declarations of interests, and the nature of that interest, that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.	
<b>3</b>	<b>Declarations of Lobbying and Responses to Lobbying</b>	
	To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.	
<b>4</b>	<b>Minutes</b>	<b>1 - 9</b>
	To confirm as a correct record the Minutes of the Meeting held on 8 November 2022	
<b>5</b>	<b>East Suffolk Enforcement Action - Case Update ES/1379</b>	<b>10 - 25</b>
	Report of the Head of Planning and Coastal Management	
<b>6</b>	<b>DC/22/1189/FUL - Wayland Cottage, The Street, Walberswick, IP18 6UG ES/1380</b>	<b>26 - 41</b>
	Report of the Head of Planning and Coastal Management	
<b>7</b>	<b>DC/21/2369/FUL - 73 Beccles Road, Bungay, NR35 1HT ES/1381</b>	<b>42 - 54</b>
	Report of the Head of Planning and Coastal Management	
<b>8</b>	<b>DC/22/3272/FUL - Land to the Rear of 55 The Street, Carlton Colville ES/1382</b>	<b>55 - 67</b>
	Report of the Head of Planning and Coastal Management	

## Part Two – Exempt/Confidential

There are no Exempt or Confidential items for this Agenda.

**Close**



Stephen Baker, Chief Executive

## Speaking at Planning Committee Meetings

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

To register to speak at a Planning Committee, please visit

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

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

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

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

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

## Filming, Videoing, Photography and Audio Recording at Council Meetings

The Council, members of the public and press may record / film / photograph or broadcast this meeting when the public and press are not lawfully excluded.

The Council cannot guarantee public seating areas will not be filmed or recorded. By entering the Conference Room and sitting in the public seating area, those present will be deemed to have consented to the possible use of filmed images and sound recordings. If you do not wish to be recorded, please speak to a member of the Democratic Services team at the earliest opportunity.

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



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

**Unconfirmed**



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, on **Tuesday, 8 November 2022** at **2.00pm**

**Members of the Committee present:**

Councillor Paul Ashdown, Councillor Jenny Ceresa, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Andree Gee, Councillor Malcolm Pitchers, Councillor Sarah Plummer

**Other Members present:**

Councillor Peter Byatt, Councillor Tony Goldson, Councillor Mary Rudd

**Officers present:** Ben Bix (Democratic Services Officer), Joe Blackmore (Principal Planner), Ben Woolnough (Planning Manager - Development Management, Major Sites & Infrastructure), Rachel Lambert (Principal Planner (Major Sites)), Matthew Gee (Planner), Mia Glass (Assistant Enforcement Officer), Nicola Wotton (Deputy Democratic Services Manager)

---

**1 Apologies for Absence and Substitutions**

Apologies for absence were received from Councillors Brooks and Rivett. Councillor Rudd was in attendance as substitute for Councillor Brooks; and Councillor Goldson attended as substitute for Councillor Rivett.

**2 Declarations of Interest**

Councillor Goldson declared a Non-Registerable Interest in agenda item 6 as a Ward Member for Halesworth and Blything. Councillor Pitchers declared a Non-Registerable Interest in agenda item 7 as a Ward Member for Kirkley and Pakefield.

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

Councillors Ashdown, Ceresa, Cooper, Coulam, Goldson, Pitchers and Plummer declared that they had been lobbied by email and/or letter on Agenda Item 6 - DC/21/4501/FUL - Dairy Farm, Saxons Way, Halesworth, and had not responded.

**4 Minutes**

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

## **RESOLVED**

That the Minutes of the Meeting held on 11 October 2022 be confirmed as a correct record and signed by the Chairman.

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

The Committee received report **ES/1334** of the Head of Planning and Coastal Management, which was a summary of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 24 October 2022. At that time there were 14 such cases. The Chairman commended Officers on the improved format of the report.

The Assistant Enforcement Officer drew the Committee's attention to one new notice that had been served since the publication of the report relating to land known as the Pastures, The Street, North Cove, Beccles for a material change of use, with a four month compliance period. There being no further updates, the Chairman passed on an expression of thanks from Lound Parish Council for the work of the Enforcement Team relating to Paddock 2, The Street, Lound, which was now awaiting the decision of the Planning Inspectorate.

The Chairman observed, and Officers undertook to investigate whether it would be possible for future reports to be circulated to each Ward Member where an outstanding enforcement case was extant in their Ward. There being no further questions, it was

## **RESOLVED**

That the outstanding enforcement matters up to 24 October 2022 be noted.

*Upon the conclusion of this item, the Chairman adjourned the meeting to allow all Members to consider the Update Sheet that had been published and circulated on 7 November 2022. The meeting adjourned at 2.09pm and reconvened at 2.15pm.*

### **6 DC/21/4501/FUL - Dairy Farm, Saxons Way, Halesworth**

The Committee considered report **ES/1336** which related to planning application DC/21/4501/FUL. The hybrid planning application sought full planning permission for retirement living accommodation, car parking, access, landscaping and ancillary development; and outline planning consent with all matters reserved for a community use building and ancillary development. The retirement accommodation proposed would be of 53 dwellings, comprised of 43 apartments and 10 bungalows, classed as a typical residential C3 use, with a degree of care and support to be provided to residents, along with communal facilities. Occupancy would be restricted to persons aged 60 and over. The application had been referred to the Committee by the Head of Planning and Coastal Management due to the scale and significance of the development and the recommendation for authority to approve.

The Committee received a presentation from the Principal Planner (Major Sites), who was the case officer for the application. The Committee considered the site context as

allocated under policy WLP4.5 of the Waveney Local Plan 2019. At the time of allocation, the site was considered to be suitable for 40 conventional housing dwellings, however the retirement community nature of the proposal would enable a more efficient use of the site. The Committee were shown contemporary photographs and computer generated images of the site, a policies map, the residential site plan, proposed elevations, floor and roof plans and the proposed dwelling types.

The Principal Planner (Major Sites) illustrated and surmised the material planning considerations and key issues which were:

- The Principle of development
- Highways: accessibility and technical standards
- Housing density and Housing mix
- Affordable housing/ viability
- Landscaping and arboriculture
- Design and heritage
- Residential amenity
- Lifetime design
- Environmental protection: noise, air quality, and land contamination
- Flood risk and sustainable urban drainage
- Infrastructure requirements
- Connectivity: cycling and walking
- Open space provision
- Ecology
- Archaeology, and
- Sustainable construction

The recommendation to approve the application as set out in the report and update sheet was outlined to the Committee and would be subject to the following:

- Removal of holding objections from the lead local flood authority and highway authority,
- Agreement of all required planning conditions
- The completion of a section 106 legal agreement (including the transfer of land for community use, details of a commuted sum calculation (currently £230,000) in lieu of affordable housing, and a mitigation contribution to the Suffolk Coast Recreation Disturbance Avoidance and Mitigation Strategy.

The Planning Manager emphasised the complexity of the application and that whilst there remained technical objections regarding highways and flood risk, discussions between Officers on those matters were at an advanced stage and Members could be assured that their considerations would be based on the most recently available information.

At the invitation of the Chairman Members asked questions of Officers. Councillors Cooper and Goldson sought clarification of noise mitigation measures, particularly relating to the adjacent extant public house. Officers explained that a 3 metre wall would provide an acoustic barrier and the development would be managed and maintained by the applicant or a management company appointed by them. Environmental Health were content with the proposed mitigations, and the Committee

noted that a condition would require the acoustic barrier to be built prior to occupation of the site.

Councillor Rudd asked about how many parking spaces would be on the site, and if there was a shortfall, queried where residents or their visitors would park. Officers explained that whilst there was a shortfall, the development was for age-restricted general market housing and consequently those residents would have lower demand for parking. An illustration was shown of the location of the parking spaces for the bungalows, which each had its own driveway. Visitors would be able to park in public car parks in town and this was a consistent approach to similar recent developments elsewhere in the District. The Planning Manager clarified that the development proposed 53 dwellings with a total of 46 resident and visitor parking spaces on the site. As the site was in the town centre, it was well served with facilities that could be accessed on foot, along with public car parking nearby.

Councillor Ceresa was assured by Officers that it was timely that the outline site for community use be brought forward as part of the hybrid application as a step forward from the allocation already in place. Community Infrastructure Levy opportunities could then be explored and the site would be more ready to be developed. The site was of sufficient size to be developed and the applicant had been asked to increase the impermeable area from 1000 to 1400 square metres.

Councillor Ceresa queried that there appeared to be a policy contradiction whereby Local Plan policies WLP 4.1 and 4.5 foresaw development for younger people, which the application did not align with, and there were other sites where the development could be situated instead. The Planning Manager countered that the alternative sites were further away from the town centre and emphasised that other recent approvals would bring 500 family homes to the town, of which 160 would be affordable. Turning to the proposal, the site had proven unfeasible previously for a conventional residential development, consequentially a C3 development was a viable alternative, and there would be an additional community benefit gain from the outline site.

Regarding access, Councillor Goldson queried whether a traffic survey had been undertaken on Saxons Way, as the road was already congested, had three bus stops and was used by the emergency services. He contended that the proposed development would increase traffic around the area, and the proposed additional bus-stop would cause further congestion. The Planning Manager responded that Suffolk Highways was the consultee on road access matters, and whilst Officers were working with them to resolve their technical objections, they had not proposed that a traffic survey be undertaken. Moreover, the Local Plan identified Saxons Way as the appropriate and safe road access to the site.

Councillor Goldson sought two clarifications about Swan Lane, firstly whether a cycle path could be provided alongside; and secondly whether the raised footpath would be upgraded. Officers explained that the minimum width of 3 metres for a cycle path could not be achieved; and that discussions were advanced with Halesworth Town Council regarding public realm improvements identified as a priority in the Halesworth Neighbourhood Plan.

In response to further questions from Members:

- Officers were content with the sizes of the garden and amenity spaces that were proposed, and clarified that as there was no intention to create a gated community, there would be a condition concerning the connectivity of the site.
- In acknowledgement of the consultation response received from Suffolk County Archaeological Unit, there would be substantial archaeological Conditions regarding but not limited to a written scheme of investigation, and a post investigation assessment.
- The Planning Manager was in discussion with healthcare providers regarding Community Infrastructure Levy and Section 106 funding for a doctors surgery to meet additional healthcare demands. However, it was cautioned that there was a shortage of doctors nationally, and that providers may be better satisfied by an alternative to public funding.
- There would be 10 bungalows in total, 4x1 bed and 6x2 bed. All of the development would satisfy Building Regulation M4(2) for accessible and adaptable dwellings.
- The Maltings development in Halesworth showed that there was a precedent for three-storey buildings in the vernacular.

At the invitation of the Chairman, the applicant's agent Rachel Clare addressed the Committee. Ms Clare explained that the proposed development aligned with the Local Plan and would provide downsizing opportunities in the town, which would consequentially enable vacated family dwellings to come to the market. The developer and Officers were diligently working together to satisfy the holding objections.

Ms Clare was invited by the Chairman to respond to questions from Members. In response to Councillor Cooper, Ms Clare advised that where parking spaces with charging points for electric vehicles were provided, the parking space would not be restricted only to electric vehicles. Councillors Coulam and Goldson sought clarification of the sustainability of the dwellings. Ms Clare explained that the sustainability of the dwellings would be aligned to a building principle of 'fabric first' and would be constructed in accordance with the Energy Statement provided, and Building Regulations. Councillor Ceresa was informed that the developer planned to commence on site during the first quarter of 2023, and that the phased construction timescale would be 12-24 months; and that the gross internal floor space of the apartments would range from 50 to 90 square metres. Councillor Goldson was assured that the developer would comply with the archaeological Conditions.

The Chairman acknowledged that the dwellings would satisfy M4(2) accessibility regulations, but queried whether any individual adjustments would be made by the developer to meet any specific needs of residents. Ms Clare responded that all dwellings would satisfy M4(2) regulations, however the individual needs of each resident could not be known in advance of construction.

There being no further questions to the applicant's agent, the Chairman called upon Members to debate the proposal. As Ward Member, Councillor Goldson opened the debate and acknowledged that the site had in the past proven difficult for developers to bring forward a feasible scheme. Vehicular access to the site was likely to be problematic, and the additional bus stop would arguably cause congestion, however the new pedestrian crossing was welcome. It was concerning that the proposal would

not provide sufficient parking and prospective purchasers may not want to give up their vehicles. Councillors Rudd and Plummer echoed the concerns around parking, however Councillor Pitchers countered that prospective purchasers would be aware of the parking provision and only those that were content would purchase a property. Councillor Coulam acknowledged that the proposal for a pre-school was welcome.

Councillors Ceresa, Cooper and Gee were concerned that the application appeared to be premature and sought assurance from the Planning Manager that the application as presented was sufficient. At the invitation of the Chairman, the Planning Manager explained that Officers were content with the application and that the information was sufficient for the Committee to make a robust decision. Members concerns about parking were acknowledged but had been fully considered in the report. Members were made aware that the applicant had previously submitted, but had withdrawn, an appeal for non-determination. The outstanding matters were technical in nature, Officers were confident that they would be resolved, and were not substantial enough to be a reason for a delay in determination.

Councillor Plummer commended the applicant's larger facility in Beccles which demonstrated the potential quality of the proposal, and concurred that the proposal presented an opportunity and choice for existing homeowners to downsize.

Councillor Cooper proposed that the application be approved, Councillor Pitchers seconded the proposal, the Chairman moved to the vote and it was by a majority

## **RESOLVED**

That the application be **APPROVED** subject to conditions .

Conditions:

A full suite of conditions and informatives are to be agreed upon receipt of all consultation responses. In summary, these will cover (but are not limited to) the following:

- Time limit for commencement of development – three years
- Reserved matters requirements and time limit for submission- two years
- Phasing plan
- List of approved drawings
- Age limit for residential use (60+ years)
- Details of materials and finishes
- Compliance with ecological mitigation measures
- Restriction on vegetation clearance
- Method statement for translocation of reptiles
- Lighting design strategy
- Ecological enhancement strategy
- Review of ecological receptors on site if development does not commence within three years (or suspended for more than 12 months)
- Archaeology – written scheme of investigation
- Archaeology – post investigation assessment

- Land contamination – full suite of standard conditions
- Cycle storage details and provision
- Bin storage details and provision
- Fire hydrants provision
- Details noise barrier and timing of instalment
- Landscaping scheme (inc. implementation and boundary treatments)
- Landscape management plan
- Detailed planting plans
- Arboricultural method statement
- Sustainable construction/energy saving measures
- M4(2) compliance
- Construction management plan (inc. restriction on hours)
- Electric vehicle charging points
- Highway conditions (tbc) – in relation to access, improvements to Swan Lane, provision of off-site pedestrian crossing upgrades at Swan Lane/Saxons Way, and all other technical requirements
- Drainage conditions (tbc) – drainage strategy and all other technical requirements

## **7 DC/22/3021/ROC - Lower Promenade, Pakefield, Lowestoft**

The Committee considered report **ES/1335** which related to planning application DC/22/3021/ROC. The application sought permission for the removal of conditions 6 and 8 of planning permission DC/16/0590/VOC, which had granted consent for the erection of Beach Huts. The conditions related to the variation of size of previously approved huts and details of measures to be taken to remove any build-up of rubbish between and to the rear of the huts. The application had to be considered by the Committee as East Suffolk Council was both the applicant and landowner.

The Committee received a presentation from the Planner, who was the case officer for the application. The Planner explained that the conditions required the submission of additional information prior to the first installation of the beach huts. The development had already been carried out and those conditions could not be retrospectively discharged using the discharge of conditions application process. A location and block plan, an aerial photograph and contemporary photographs of the site were shown to the Committee.

Condition 6 concerned measures to be taken to remove any build up of rubbish between and to the rear of the huts; and details of proposals for the removal of any build up of sand, around the huts, particularly during the winter months. Officers considered that the details within the Management Plan submitted with the application in July 2022 were acceptable, and that it would ensure that the huts would be managed in an appropriate way by the Council.

Condition 8 required the submission of a plan to a scale of not less than 1:500 showing the size and position of each beach hut. Officers were satisfied that the application received in July 2022 included two Block Plans showing the size and position of each beach hut along the Lower Promenade, the spacing between each hut and their size was considered acceptable and the overall layout would not detract from the character and appearance of the area, nor the amenity of the users of the

Promenade. Officers therefore considered that the detail submitted within those drawings was acceptable.

Officers considered that condition 8 of approval DC/16/0590/VOC could therefore be removed and the drawings incorporated into condition 2 which detailed the approved plans and drawings. It was not considered appropriate to fully remove condition 6, but the wording of the condition would be amended to ensure that the huts were managed in accordance with the submitted and approved Management Plan. The Planner advised that the material planning consideration was whether the information submitted was sufficient to remove the need for conditions 6 and 8.

At the invitation of the Chairman Members asked questions of Officers. Councillor Ceresa sought clarification of the total number of huts that had been approved, and the Planner confirmed that 61 was the number approved. Councillor Pitchers had observed the build up of sand, and the dumping of waste in the area, and was concerned that rough sleepers were using the site. The Planner advised that the Management Plan was limited to the matters approved. In response to Councillor Ashdown, Officers confirmed that maintenance and upkeep of the site was the responsibility of East Suffolk Council and the Planning Manager undertook to escalate Members concerns separately to the Beach Front Manager.

There being no debate, the Chairman proposed that the application be approved, Councillor Ceresa seconded the proposal, the Chairman moved to the vote and it was unanimously

## **RESOLVED**

That the application be **APPROVED** subject to conditions.

Conditions:

2. The development hereby permitted shall not be brought into use until it has been completed in all respects strictly in accordance with drawing numbers 01/LT/PK/BH revision 0, 01/LT/BH/2 revision 0, 01/LT/BH/3-1 revision 0 and 01/LT/BH/3 revision 0 received 10 February 2016, 01/LT/PK/BH02 0 and 01/LT/PK/BH02 0, received 29/07/2022, and management plans, received 29/07/2022 for which permission is hereby granted or which are subsequently submitted to and approved in writing by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

*Reason: To secure a properly planned development.*

3. Prior to the first beach hut hereby permitted being brought into use the measures included in the Crime and Anti-social Behaviour Plan approved under application DC/16/0808/DRC shall be implemented in full.

*Reason: to help prevent crime and anti-social behaviour in the area*

4. Prior to the first beach hut hereby approved being brought into use, the provision and management for facilities of toilets and fresh water approved under

application DC/16/0808/DRC shall be implemented in full.

*Reason: in the interests of the amenity of the area and users of the beach.*

5. Prior to the first beach hut hereby approved being brought into use, the cycle parking provision approved under application DC/16/0808/DRC shall be implemented in full.

*Reason: to promote sustainable modes of transport*

6. The huts shall be managed in accordance with the submitted and approved Management Plan.

*Reason: to ensure that litter does not accumulate around the beach huts, in the interests of visual amenity and fire safety.*

7. Not more than 61 beach huts shall be installed on the site.

*Reason: to clarify the nature of the permission.*

The meeting concluded at 4.40pm

.....  
Chairman



## Planning Committee North

**Title of Report:**

East Suffolk Enforcement Action– Case Update

**Meeting Date**

13<sup>th</sup> December 2022

**Report Author and Tel No**

Mia Glass

01502 523081

Is the report Open or Exempt?

Open

## REPORT

The attached is a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has either been sanctioned under delegated powers or through the Committee up until 28<sup>th</sup> November 2022. At present there are 17 such cases.

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

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

The cases are organised into categories based upon current status:

A. Cases on which a formal enforcement notice has been served, and the compliance period is still ongoing. *6 current cases*

B. Cases on which a formal enforcement notice has been served and is now the subject of an appeal. *5 current cases*

- C. Cases on which a formal enforcement notice has been served, upheld on appeal, and is now within a compliance period. *No current cases*
- D. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and is currently the subject of court action. *1 current cases*
- E. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and now in the period for compliance following court action. *2 current cases*
- F. Cases on which a formal enforcement notice has been served, upheld on appeal, and the period for compliance following court action has now expired, so further legal proceedings are being considered and/or are underway. *1 current case*
- G. Cases on which a formal enforcement action has been placed on hold or where it is not currently expedient to pursue. *2 current cases*

## RECOMMENDATION

That the outstanding enforcement matters up to 28<sup>th</sup> November 2022 be noted.

### A. Cases on which a formal enforcement notice has been served, and the compliance period is still ongoing.

#### A.1

<b>LPA Enforcement Case Reference</b>	ENF/2016/0292
<b>Location / Address</b>	Houseboat Friendship, New Quay Lane, Melton
<b>North or South Area</b>	South
<b>Date of Report of Breach</b>	16.08.2016
<b><u>Nature of Breach:</u></b> Change of use of land	
<b><u>Summary timeline of actions on case</u></b> <b>11/08/2016</b> – Authorisation granted to serve Enforcement Notice with an 8 year compliance period. <b>20/10/2016</b> - Enforcement Notice served. Notice effective on 24/11/ 2016 – 8 year compliance period (expires 24/11/2024).	
<b><u>Current Status/Position</u></b> In compliance period.	
<b>Date by which Compliance expected (or prosecution date)</b>	24/11/2024

## A.2

<b>LPA Enforcement Case Reference</b>	ENF/21/0027/USE
<b>Location / Address</b>	18 The Esplanade, Lowestoft
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	25.01.2021
<b><u>Nature of Breach:</u></b> Mobile homes for residential use	
<b><u>Summary timeline of actions on case</u></b> <b>16/06/2022</b> – Enforcement Notice served. <b>18/07/2022</b> – Enforcement Notice came into effect. 4 months for compliance, of <b>09/07/2022</b> - 1 caravan has been removed and 1 remains in place. Agreed to extend compliance from 18/11/2022 to 18/02/2023 for the 2 <sup>nd</sup> caravan to be removed.	
<b><u>Current Status/Position</u></b> In compliance period.	
<b>Date by which Compliance expected (or prosecution date)</b>	18/02/2023

## A.3

<b>LPA Enforcement Case Reference</b>	ENF/21/0074/SIGN
<b>Location / Address</b>	297 High Street, Walton
<b>North or South Area</b>	South
<b>Date of Report of Breach</b>	23.02.2021
<b><u>Nature of Breach:</u></b> Partial change of use of shop to residential accommodation	
<b><u>Summary timeline of actions on case</u></b> <b>25/08/2022</b> – Enforcement Notice served. Comes into effect on the 26/09/2022. 3 months for compliance	
<b><u>Current Status/Position</u></b> In compliance period.	
<b>Date by which Compliance expected (or prosecution date)</b>	26/12/2022

## A.4

<b>LPA Enforcement Case Reference</b>	ENF/21/0121/USE
<b>Location / Address</b>	The Pastures, The Street, North Cove
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	17.03.2021

<b><u>Nature of Breach:</u></b> Material change of use of Land to a storage use, including the stationing of static and touring caravans for residential use and the storage of vehicles, lorry backs, and other items.	
<b><u>Summary timeline of actions on case</u></b> 03/11/2022 – Enforcement Notice served. Comes into effect on the 05/12/2022. 4 months for compliance	
<b><u>Current Status/Position</u></b> In compliance period.	
<b>Date by which Compliance expected (or prosecution date)</b>	05/04/2023

#### A.5

<b>LPA Enforcement Case Reference</b>	ENF/21/0201/DEV
<b>Location / Address</b>	39 Foxglove End, Leiston
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	26.04.2021
<b><u>Nature of Breach:</u></b> Artificial hedge, support structure and fencing which is over 2m in height	
<b><u>Summary timeline of actions on case</u></b> 28/11/2022 – Enforcement Notice served. Comes into effect on the 06/01/2023. 2 months for compliance	
<b><u>Current Status/Position</u></b> In compliance period.	
<b>Date by which Compliance expected (or prosecution date)</b>	06/03/2023

#### A.6

<b>LPA Enforcement Case Reference</b>	ENF/22/0158/DEV
<b>Location / Address</b>	11 Wharton Street, Bungay
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	20.05.2022
<b><u>Nature of Breach:</u></b> Without Listed Building Consent the unauthorised installation of an exterior glazed door located in front of the front door.	
<b><u>Summary timeline of actions on case</u></b> 28/11/2022 – Listed Building Enforcement Notice served. Comes into effect on the 06/01/2023. 3 months for compliance	
<b><u>Current Status/Position</u></b> In compliance period.	

<b>Date by which Compliance expected (or prosecution date)</b>	06/04/2023
--	------------

**B. Cases on which a formal enforcement notice has been served and is now the subject of an appeal**

**B.1**

<b>LPA Enforcement Case Reference</b>	ENF/2018/0543/DEV
<b>Location / Address</b>	Land at North Denes Caravan Park, The Ravine, Lowestoft
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	21.12.2018
<b><u>Nature of Breach:</u></b> Without planning permission operational development involving the laying of caravan bases, the construction of a roadway, the installation of a pumping station with settlement tank and the laying out of pipe works in the course of which waste material have been excavated from the site and deposited on the surface.	
<b><u>Summary timeline of actions on case</u></b> <b>02/05/2019</b> - Temporary Stop Notice Served and ceased 30/05/2019 <b>24/05/2019</b> - Enforcement Notice served, came into effect on 28/06/2019 <b>25/05/2019</b> - Stop Notice Served comes into effect 28/05/2019. <b>08/06/2020</b> – Appeal process started. Appeal to be dealt with as a Hearing. Deadline for Statements 03/08/2020 <b>02/02/2021</b> – Appeal Hearing date. Hearing adjourned until 09/03/2021. Hearing adjourned again until 21/04/2021 as was not completed on 09/03/2021. <b>18/05/2021</b> - Appeal dismissed and partial costs to the Council <b>18/08/2021</b> - Compliance with Notice required <b>31/10/2021</b> - Extension of time granted for compliance until 31/10/21. <b>15/11/2021</b> - Further extension of time granted for compliance until 15/11/2021. <b>18/11/2021</b> - Site visited, no works undertaken, case to be referred to legal department for further action to be considered. <b>20/12/2021</b> - Certificate of Lawful Use (Proposed) application submitted (reference DC/21/5671/CLP) <b>12/04/2022</b> - Certificate of Lawful Use (proposed) refused. <b>25/05/2022</b> - Appeal in relation to Certificate of Lawful Use (proposed) refusal started. Hearing process. PINS Reference APP/X3540/X/22/3299754 <b>08/07/2022</b> – Appeal statement submitted <b>29/07/2022</b> – Final date for comments on statements	
<b><u>Current Status/Position</u></b> Appeal submitted in relation to Certificate of Lawful Use (proposed) refusal. Awaiting appeal decision	
<b>Date by which Compliance expected (or prosecution date)</b>	Dependent upon date and outcome of Appeal Decision

## B.2

<b>LPA Enforcement Case Reference</b>	ENF/2019/0307/COND
<b>Location / Address</b>	The Southwold Flower Company, Land at Wangford Rd/Reydon Lane, Reydon
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	16.07.2019
<b>Nature of Breach:</b> Breach of conditions, 2, 4 and 8 of Planning Permission DC/18/0335/FUL	
<b>Summary timeline of actions on case</b> <b>21/10/2021</b> – Enforcement Notice served. Date effective 25/11/2021. 3/5 months for compliance, requiring the building to be converted to be in full compliance with the permission within 5 months. To cease all retail sales from the site and to submit a scheme of landscaping within 3 months. <b>07/12/2021</b> - Appeal started. Written Representations Process. PINS Reference APP/X3540/C/21/3287645 <b>21/01/2022</b> - Statements submitted to Planning Inspectorate by 21/01/2022. <b>01/02/2022</b> – final comments date for comments on Appeal	
<b>Current Status/Position</b> Awaiting Planning Inspectorate Decision	
<b>Date by which Compliance expected (or prosecution date)</b>	Dependent upon date and outcome of Appeal Decision

## B.3

<b>LPA Enforcement Case Reference</b>	ENF/20/0131/LISTL
<b>Location / Address</b>	6 Upper Olland Street, Bungay
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	15.04.2020
<b>Nature of Breach:</b> Unauthorised works to a Listed Building (Installation of roller shutter and advertisements)	
<b>Summary timeline of actions on case</b> <b>17/03/2022</b> - Listed Building Enforcement Notice served and takes effect on 18/04/2022. 3 months for compliance. <b>19/04/2022</b> - Appeal start date. Written Representations Procedure PINS Reference APP/X3540/F/22/3297116 <b>07/06/2022</b> – Statement submitted <b>28/06/2022</b> – final comments due.	
<b>Current Status/Position</b> Awaiting Planning Inspectorate Appeal Decision	
<b>Date by which Compliance expected (or prosecution date)</b>	Dependant upon date and outcome of Appeal Decision

## B.4

<b>LPA Enforcement Case Reference</b>	ENF/21/0003/DEV
<b>Location / Address</b>	26 Highland Drive, Worlingham
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	30.12.2020
<b><u>Nature of Breach:</u></b> High fence adjacent to highway.	
<b><u>Summary timeline of actions on case</u></b> <b>07/04/2022</b> - Enforcement notice served and takes effect on 09/05/2022. 2 months for compliance. <b>25/05/2022</b> - Appeal start date. Written Representations Procedure. PINS Reference APP/X3540/C/22/3297741 <b>23/06/2022</b> – Statements submitted <b>21/07/2022</b> – target date for comments on statement of case.	
<b><u>Current Status/Position</u></b> Awaiting Planning Inspectorate Decision	
<b>Date by which Compliance expected (or prosecution date)</b>	Dependent upon date and outcome of Appeal Decision

## B.5

<b>LPA Enforcement Case Reference</b>	ENF/21/0411/COND
<b>Location / Address</b>	Paddock 2, The Street, Lound
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	17.09.2021
<b><u>Nature of Breach:</u></b> Change of use of land for residential use and stationing of mobile home	
<b><u>Summary timeline of actions on case</u></b> <b>16/06/2022</b> – Enforcement Notice served. Took effect on 18/07/2022. 4 months for compliance <b>26/08/2022</b> – Appeal Start Date. Written Representations Procedure PINS Reference APP/X3540/C/22/3303066 <b>07/10/2022</b> – Appeal statement submitted. <b>28/10/2022</b> – any final comments on appeal due.	
<b><u>Current Status/Position</u></b> Awaiting Planning Inspectorate Decision	
<b>Date by which Compliance expected (or prosecution date)</b>	Dependent upon date and outcome of Appeal Decision

**C. Cases on which a formal enforcement notice has been served, upheld on appeal, and is now within a compliance period**

There are currently no cases at this stage.

**D. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and is currently the subject of court action.**

**D.1**

<b>LPA Enforcement Case Reference</b>	ENF/21/0051/USE
<b>Location / Address</b>	Land West Of Guildhall Lane, Wrentham
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	10.02.2021
<b><u>Nature of Breach:</u></b> Change of use and unauthorised operational development (mixed use including storage of materials, vehicles and caravans and residential use /erection of structures and laying of hardstanding)	
<b><u>Summary timeline of actions on case</u></b> <b>10/03/2022</b> - Enforcement Notices served and takes effect on 11/04/2022. 4 months for compliance. <b>25/08/2022</b> - Site visit to check for compliance with Notices. File has been passed to the Legal Dept for further action.	
<b><u>Current Status/Position</u></b> Site visit completed; file has been passed to the Legal Dept for further action.	
<b>Date by which Compliance expected (or prosecution date)</b>	legal process dependant.

**E. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and now in the period for compliance following court action**

**E.1**

<b>LPA Enforcement Case Reference</b>	ENF/2017/0170/USE
<b>Location / Address</b>	Land Adj to Oak Spring, The Street, Darsham
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	11.05.2017
<b><u>Nature of Breach:</u></b> Installation on land of residential mobile home, erection of a structure, stationing of containers and portacabins	
<b><u>Summary timeline of actions on case</u></b> <b>16/11/2017</b> – Authorisation given to serve Enforcement Notice. <b>22/02/2018</b> – Enforcement Notice issued. Notice came into effect on 30/03/2018 and had a 4 month compliance period. An Appeal was then submitted. <b>17/10/2019</b> – Appeal Decision issued by PINS. Enforcement Notice relating to the Use of the land quashed and to be re-issued as soon as possible, Notice relating to the operational development was upheld with an amendment. <b>13/11/2019</b> – Enforcement Notice served in relation to the residential use of the site. Compliance by 13/04/2020. Appeal then received in relation to the Enforcement Notice for the residential use <b>16/06/2020</b> – Submission of Appeal Statement <b>11/08/2020</b> - Appeal dismissed with some amendments. <b>11/12/2020</b> - Compliance with notice required. Site visit subsequently undertaken. Enforcement Notices had not been complied with so case then pass to Legal Department for further action. <b>25/03/2021</b> – Further site visit undertaken. Notices not complied with, file passed to Legal services for further action. <b>2022</b> - Application for an Injunction has been made to the High Court. <b>06/10/2022</b> - Hearing in the High Court granted and injunction with 5 months for compliance and costs of £8000 awarded.	
<b><u>Current Status/Position</u></b> In compliance period of High Court Injunction	
<b>Date by which Compliance expected (or prosecution date)</b>	06/03/2023

**E.2**

<b>LPA Enforcement Case Reference</b>	ENF/21/0441/SEC215
<b>Location / Address</b>	28 Brick Kiln Avenue, Beccles
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	29.09.2021

<b><u>Nature of Breach:</u></b> Untidy site	
<b><u>Summary timeline of actions on case</u></b> <b>07/02/2022</b> - S215 (Land adversely affecting amenity of Neighbourhood) Notice served - compliance due by 11/06/2022 <b>17/06/2022</b> - Site visit undertaken to check compliance. Site remains untidy. Internal discussion to be held regarding further action. File passed to Legal Department for further action. <b>21/11/2022</b> –Attended court, defendant plead guilty, fined £120 and ordered to pay £640 costs and £48 victim surcharge. A Total of £808. Has until 24 <sup>th</sup> February 2023 to comply with notice.	
<b><u>Current Status/Position</u></b>	
In compliance period	
<b>Date by which Compliance expected (or prosecution date)</b>	24 <sup>th</sup> February 2023

**F. Cases on which a formal enforcement notice has been served, upheld on appeal, and the period for compliance following court action has now expired, so further legal proceedings are being considered and/or are underway.**

**F.1**

<b>LPA Enforcement Case Reference</b>	EN08/0264 & ENF/2013/0191
<b>Location / Address</b>	Pine Lodge Caravan Park, Hazels Lane, Hinton
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	20.10.2008
<b><u>Nature of Breach:</u></b> Erection of a building and new vehicular access; Change of use of the land to a touring caravan site (Exemption Certificate revoked) and use of land for the site of a mobile home for gypsy/traveller use. Various unauthorised utility buildings for use on caravan site.	
<p> <b>15/10/2010</b> – Enforcement Notice served  <b>08/02/2010</b> - Appeal received  <b>10/11/2010</b> - Appeal dismissed  <b>25/06/2013</b> - Three Planning applications received  <b>06/11/2013</b> – The three applications refused at Planning Committee.  <b>13/12/2013</b> - Appeal Lodged  <b>21/03/2014</b> – Enforcement Notices served and became effective on 24/04/2014  <b>04/07/2014</b> - Appeal Start date - Appeal to be dealt with by Hearing  <b>31/01/2015</b> – New planning appeal received for refusal of Application DC/13/3708  <b>03/02/2015</b> – Appeal Decision – Two notices quashed for the avoidance of doubt, two notices upheld. Compliance time on notice relating to mobile home has been extended from 12 months to 18 months.  <b>10/11/2015</b> – Informal hearing held  <b>01/03/2016</b> – Planning Appeal dismissed  <b>04/08/2016</b> – Site re-visited three of four Notices have not been complied with.  <b>21/04/2017</b> - Trial date. Two charges relating to the mobile home, steps and hardstanding, the owner pleaded guilty to these to charges and was fined £1000 for failing to comply with the Enforcement Notice plus £600 in costs. The Council has requested that the mobile home along with steps, hardstanding and access be removed by 16/06/2017.  <b>19/06/2017</b> – Site re-visited, no compliance with the Enforcement Notice.  <b>14/11/2017</b> – Full Injunction granted for the removal of the mobile home and steps.  <b>21/11/2017</b> – Mobile home and steps removed from site. Review site regarding day block and access after decision notice released for enforcement notice served in connection with unauthorised occupancy /use of barn.  <b>27/06/2018</b> – Compliance visit conducted to check on whether the 2010.  <b>06/07/2018</b> – Legal advice sought.  <b>10/09/2018</b> – Site revisited to check for compliance with Notices.  <b>11/09/2018</b> – Case referred back to Legal Department for further action to be considered. </p>	

<p><b>11/10/2018</b> – Court hearing at the High Court in relation to the steps remain on the 2014 Enforcement Notice/ Injunction granted. Two months for compliance (11/12/2018).</p> <p><b>01/11/2018</b> – Court Hearing at the High Court in relation to the 2010 Enforcement Notice. Injunctive remedy sought. Verbal update to be given. Injunction granted. Three months given for compliance with Enforcement Notices served in 2010.</p> <p><b>13/12/2018</b> – Site visit undertaken in regards to Injunction served for 2014 Notice. No compliance. Passed back to Legal for further action.</p> <p><b>04/02/2019</b> – Site visit undertaken to check on compliance with Injunction served on 01/11/2018</p> <p><b>26/02/2019</b> – case passed to Legal for further action to be considered. Update to be given at Planning Committee</p> <p><b>27/03/2019</b> - High Court hearing, the case was adjourned until the 03/04/2019</p> <p><b>03/04/2019</b> - Officers attended the High Court, a warrant was issued due to non-attendance and failure to provide medical evidence explaining the non-attendance as was required in the Order of 27/03/2019.</p> <p><b>11/04/2019</b> – Officers returned to the High Court, the case was adjourned until 7 May 2019.</p> <p><b>07/05/2019</b> – Officers returned to the High Court. A three month suspended sentence for 12 months was given and the owner was required to comply with the Notices by 03/09/2019.</p> <p><b>05/09/2019</b> – Site visit undertaken; file passed to Legal Department for further action. Court date arranged for 28/11/2019.</p> <p><b>28/11/2019</b> - Officers returned to the High Court. A new three month suspended sentence for 12 months was given and the owner was required to comply in full with the Injunctions and the Order of the Judge by 31/01/2020</p>	
<p><b><u>Current Status/Position</u></b></p> <p>Site visited. Case currently with the Council's Legal Team for assessment. Charging orders have been placed on the land to recover costs.</p>	
<p><b>Date by which Compliance expected (or prosecution date)</b></p>	<p>Dependent upon potential Legal Process</p>

**G. Cases on which a formal enforcement action has been placed on hold or where it is not currently expedient to pursue**

G.1

<b>LPA Enforcement Case Reference</b>	EN/09/0305
<b>Location / Address</b>	Park Farm, Chapel Road, Bucklesham
<b>North or South Area</b>	South
<b>Date of Report of Breach</b>	09.10.2009
<b><u>Nature of Breach:</u></b> Storage of caravans	
<b><u>Summary timeline of actions on case</u></b> <b>13/09/2013</b> - Enforcement Notice served. <b>11/03/2014</b> – Appeal determined – EN upheld Compliance period extended to 4 months <b>11/07/2014</b> – Final compliance date <b>05/09/2014</b> – Planning application for change of use received (Reference DC/14/2901/FUL) <b>21/07/2015</b> – Application reported to Planning Committee for determination. Application was subsequently withdrawn. <b>14/09/2015</b> – site visited, caravans still in situ, letter sent to owner requesting their removal by 30/10/2015 <b>11/02/2016</b> – Site visited, caravans still in situ. Legal advice sought as to further action. <b>09/08/2016</b> – Site re-visited, some caravans re-moved but 20 still in situ. Advice to be sought. Further enforcement action to be put on hold and site to be monitored  <u>Review in January 2019</u> <b>29/01/2019</b> – Legal advice sought; letter sent to site owner. <b>18/02/2019</b> – contact received from site owner. <b>04/04/2019</b> – Further enforcement action to be placed on hold and monitored.  <u>Review in April 2021.</u> <b>13/04/2021</b> – Letter sent to owner to establish current situation. Given until the end of June to either comply or supply the Council with any other information. Case being reviewed. <b>22/05/2021</b> – contact received from site owner. Case reviewed. Due to the receipt of confidential information formal action has been placed on hold. <b>06/07/2021</b> – Further enforcement action to be placed on hold and monitored, not expedient at present to pursue. Review in two years.	
<b><u>Current Status/Position</u></b> On Hold. Further enforcement action to be placed on hold and monitored, not expedient at present to pursue. Review in two years.	
<b>Date by which Compliance expected (or prosecution date)</b>	July 2023

## G.2

<b>LPA Enforcement Case Reference</b>	ENF/2015/0279/DEV
<b>Location / Address</b>	Land at Dam Lane Kessingland
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	22/09/2015
<b><u>Nature of Breach:</u></b> Erection of outbuildings and wooden jetties, fencing and gates over 1 metre adjacent to highway and engineering operations amounting to the formation of a lake and soil bunds.	
<b><u>Summary timeline of actions on case</u></b> <b>22/09/2015</b> - Initial complaint logged by parish. <b>08/12/2016</b> - Case was reopened following further information <b>01/03/2017</b> - Retrospective app received. Following delays in information requested, on 20/06/2018, Cate Buck, Senior Planning and Enforcement Officer, took over the case, she communicated and met with the owner on several occasions. <b>05/09/2018</b> - Notice served by recorded delivery. <b>18/06/2019</b> - Appeal started. PINS Reference APP/T3535/C/18/3211982 <b>24/07/2019</b> – Appeal Statement Submitted <b>05/02/2020</b> - Appeal dismissed. Compliance with both Notices by 05/08/2020 <b>03/03/2021</b> - Court hearing in relation to structures and fencing/gates Case adjourned until 05/07/2021 for trial. Further visit due after 30/04/21 to check for compliance with steps relating to lake removal. <b>30/04/2021</b> - Further legal advice being sought in relation to the buildings and fencing. Extension of time given until 30/04/21 for removal of the lake and reverting the land back to agricultural use due to Licence being required for removal of protected species. <b>04/05/2021</b> - Further visit conducted to check for compliance on Notice relating to the lake. No compliance. Case being reviewed. <b>05/07/2021</b> – Court hearing, owner was found guilty of two charges and had already pleaded guilty to one offence. Fined £550 and £700 costs <b>12/07/2021</b> – Letter sent to owner giving until the 10 <sup>th</sup> August 2021 for the structures to be removed <b>13/08/2021</b> - Site visited and all structures had removed from the site, but lake remains	
<b><u>Current Status/Position</u></b> On Hold. Ongoing consideration is taking place in respect of the compliance with the enforcement notice for removal of the lake. This is due to the possible presence of protected species and formation of protected habitat. Consideration is also required in respect of the hydrological implications of removal of the lake. At present, with the removal of structures and no harmful use taking place, the lake removal is not an immediately urgent action.	
<b>Date by which Compliance expected (or prosecution date)</b>	31/12/2023

## **Committee Report**

**Planning Committee North - 13 December 2022**

**Application no** DC/22/1189/FUL

**Location**

Wayland Cottage  
The Street  
Walberswick  
Southwold  
Suffolk  
IP18 6UG

**Expiry date** 22 May 2022

**Application type** Full Application

**Applicant** Ms Caroline & Philappa Wright & Easterbrook

**Parish** Walberswick

**Proposal** Construction of new sustainable dwelling and modified access

**Case Officer** Steve Milligan  
07867 158060  
[steve.milligan@eastsuffolk.gov.uk](mailto:steve.milligan@eastsuffolk.gov.uk)

## **1. Summary**

- 1.1 This is a full planning application for the construction of a new sustainable dwelling and modified access within the side garden of the property Wayland Cottage, The Street, Walberswick.
- 1.2 The site comprises land on the western side of Wayland Cottage, a mid to late eighteenth century vernacular detached cottage, that has been remodelled and extended during the early twentieth century. It lies within Walberswick Conservation Area and is identified in the Conservation Appraisal as making a positive contribution to the Conservation Area. It is directly opposite a Grade II listed building Old Corner House.
- 1.3 The site lies within the settlement boundary of Walberswick where new housing development is normally permitted, as set out in policies SCLP3.3: Settlement Boundaries and SCLP5.2: Housing Development in Small villages, subject to it meeting other Local Plan policies.
- 1.4 The setting to Old Corner House consists primarily of its garden and associated outbuildings. The application site does not contribute in any specific or meaningful way to the significance of Old Corner House.
- 1.5 The impact of the proposed new dwelling will be modest and its effects neutral. It is judged that the application will preserve the setting of the Grade II listed Old Corner House and preserve the character and appearance of the Walberswick Conservation Area - both designated heritage assets - free from harm, in conformance with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 1.6 The form of the building and its design/fenestration will limit impact upon the amenity of neighbours and there is no conflict with policy SCLP11.2.
- 1.7 Subject to receipt of a RAMS payment the proposal is considered in compliance with the Local Plan and NPPF and is hereby recommended for approval.

### Reason for consideration by Planning Committee

- 1.8 The application is referred to Planning Committee following consideration by the Scheme of Delegation Referral Panel. It was referred to the Panel because the recommendation to Approve is contrary to the recommendation of Walberswick Parish Council. The Panel referred the application to committee because of the sensitivity of the development/site given the context of Walberswick Conservation Area and setting of a listed building.

## **2. Site Description**

- 2.1 The site comprises an area of garden to the side of Wayland Cottage, between the cottage and Marsh View. The land comprises an existing annexe, single garage and shed and garden to the rear; with the buildings proposed for removal. The garden to the rear of the buildings is grass and shrubs/conifers.

- 2.2 Wayland Cottage is a mid to late eighteenth century vernacular detached cottage, that has been remodelled and extended during the early twentieth century. It lies within Walberswick Conservation area and is identified in the Conservation Appraisal as making a positive contribution to the Conservation Area. It is directly opposite a Grade II listed building Old Corner House. On the western side of the dwelling is an annexe and a single garage alongside, set back just beyond the rear wall of the dwelling.
- 2.3 The Walberswick Conservation Area Appraisal describes Wayland Cottage as *"Imaginatively composed with a varied palette of vernacular materials and details. Prominently positioned opposite Leveretts Lane."*
- 2.4 To the west of the site is more modern housing of a largely single storey scale with any first floor rooms accommodated within the roof space. The immediate neighbour is Marsh View.
- 2.5 The application site accommodates the access and car parking area of Wayland Cottage.

### 3. Proposal

- 3.1 It is proposed to remove the garage building and annexe accommodation and erect a three bedroom passive house sustainable dwelling. A shared parking arrangement, comprising four spaces, is proposed to the front to serve both the existing and proposed dwelling. The existing access is to be widened.
- 3.2 The building design includes two gable features fronting the road with setback pitched roofs between and parallel to the highway. The walls are to be clad in timber vertical boarding with zinc proposed for the roof, which together with the fenestration design gives a modern contemporary appearance.
- 3.3 The shrubs and conifer at the rear of the site are proposed for removal with a 1m tall circular PV array proposed.

### 4. Third Party Representations

- 4.1 None received.

### 5. Consultees

#### 5.1 Parish/Town Council

Consultee	Date consulted	Date reply received
Walberswick Parish Council	8 April 2022	20 May 2022
Summary of comments: The Parish Council consider that the proposed development will adversely affect the character of Walberswick Conservation Area and the setting of the grade II listed Old Corner House. This will be		

contrary to local and national policy considerations.

The full details of the objection are available on the ESC website via Public Access:

<https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R9CE07QJXH00>

## 5.2 Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	8 April 2022	28 April 2022
Summary of comments: Conditions recommended regarding access/visibility; parking and ev charging.		

## 5.3 Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	19 April 2022	3 May 2022
Summary of comments: Internal planning consultee - comments incorporated into report.		

Consultee	Date consulted	Date reply received
Ward Councillor (David Beavan)	N/A	8 June 2022
Summary of comments: <i>I think that the Walberswick Parish Council and the PAG group make a very valid point about the Conservation area. We must preserve the village from changing to a holiday park with large houses and car parking. It is an issue that needs to be addressed by the full planning committee, otherwise we will loose the village by default and delegation.</i>		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	15 June 2022	4 July 2022
Summary of comments: A Preliminary Ecological Appraisal (PEA) including a Preliminary Roost Assessment (PRA) undertaken by a suitably qualified ecologist is required to assess the impact of the proposed development on biodiversity. From the information available on their construction, it appears that the buildings impacted by the proposal may have bat roosting opportunities, and may also be suitable for other protected species (such as nesting birds).  Officer Note: see final comments dated 20 September 2022.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	8 April 2022	22 April 2022
<p>Summary of comments:</p> <p>This site lies in an area of high archaeological potential recorded on the County Historic Environment Record, close to the likely former location of Walberswick and finds of multiple ages. As a result, there is high potential for the discovery of 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. Conditions are recommended.</p>		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	8 April 2022	12 April 2022
<p>Summary of comments:</p> <p>Condition recommended regarding discovery of unexpected contamination</p>		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	8 April 2022	10 May 2022
<p>Summary of comments:</p> <p>I do not consider that the proposal will give rise to any undue adverse landscape or visual impacts.</p>		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	8 April 2022	6 May 2022
<p>Summary of comments:</p> <p>A Preliminary Ecological Appraisal (PEA) including a Preliminary Roost Assessment (PRA) undertaken by a suitably qualified ecologist is required to assess the impact of the proposed development on biodiversity. From the information available on their construction, it appears that the buildings impacted by the proposal may have bat roosting opportunities, and may also be suitable for other protected species (such as nesting birds).</p> <p>Officer Note: see final comments dated 20 September 2022.</p>		

#### 5.4 Re-consultation consultees

Consultee	Date consulted	Date reply received
East Suffolk Ecology	1 September 2022	20 September 2022
<p>Summary of comments:</p>		

Although no roosts were identified during the bat surveys, signs of bat activity was identified within the Preliminary Roost Assessment. Therefore, the demolition of the buildings should be undertaken in an ecologically sensitive manner by hand stripping the roof and weather boarding from the existing buildings

## 6. Publicity

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

<b>Category</b>	<b>Published</b>	<b>Expiry</b>	<b>Publication</b>
Conservation Area	28 April 2022	20 May 2022	East Anglian Daily Times
<b>Category</b>	<b>Published</b>	<b>Expiry</b>	<b>Publication</b>
Conservation Area	14 April 2022	10 May 2022	East Anglian Daily Times

## Site notices

General Site Notice	Reason for site notice: Conservation Area; Affects Setting of Listed Building Date posted: 20 April 2022 Expiry date: 12 May 2022
---------------------	---

## 7. Planning policy

SCLP3.3 - Settlement Boundaries (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.2 - Housing Development in Small Villages (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.7 - Infill and Garden Development (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP7.2 - Parking Proposals and Standards (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

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

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

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

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

SCLP11.3 - Historic Environment (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.4 - Listed Buildings (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.5 - Conservation Areas (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.6 - Non-Designated Heritage Assets (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

Historic Environment Supplementary Planning Document (East Suffolk Council, Adopted June 2021)

Walberswick - Conservation area appraisal (East Suffolk Council - Suffolk Coastal District Local Plan - Supplementary Planning Document)

National Planning Policy Framework 2021 (NPPF)

## **8. Planning Considerations**

- 8.1 All applications are required to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.2 Given the site's location within the Conservation Area, Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is relevant which states that it is the duty of the Council that with respect to any buildings or other land in a conservation area, special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area. Section 66 of the Act requires that, in considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 8.3 The site lies within the settlement boundary of Walberswick where new housing development is normally permitted, as set out in policies SCLP3.3: Settlement Boundaries and SCLP5.2: Housing Development in Small villages, subject to it meeting other Local Plan policies.
- 8.4 Policy SCLP5.7 indicates that proposals for residential development within existing gardens will only be supported where:
1. The scale, design and materials would not result in harm to the street scene or character of the area;
  2. The proposal is well related in scale and design to adjacent properties, including the design of curtilage areas, parking and access, and incorporates landscaping where

- appropriate to mitigate any potential impacts or to enhance the appearance of the site;
3. There would not be significant harm to residential amenity of occupants of either the existing or proposed dwellings;
  4. Existing and proposed dwellings have sufficient curtilage space; and
  5. The proposals are otherwise in accordance with the housing policies of the Local Plan.
- 8.5 Policies SCLP11.3; SCLP11.4; SCLP11.5 and SCLP11.6 seek to conserve and enhance the historic environment and ensure developments do not adversely impact on the character and setting of listed buildings and non-designated heritage assets and will preserve and enhance the character and appearance of Conservation Areas, in line with the guidance in the NPPF.
- 8.6 Local Plan policy SCLP11.1 seeks to ensure high standards of design and that developments response to local context and be of a scale and design that respects their surroundings. Policy SCLP11.2 seeks to ensure new development will not adversely impact on neighbours amenity and that there are good standards of amenity for future occupants of buildings.
- 8.7 The proposed dwelling is proposed to be of a passive house standard and contemporary in design.
- 8.8 The site is located between Wayland Cottage and Marsh View and is considered as an infill development, supported in principle by Policies the SCLP5.2 and SCLP5.7. The location within the Conservation Area and within the setting of a Grade II listed building affect whether the proposal can be considered a sustainable development and the main issues to consider when determining the planning application are the design of development/heritage impact; residential amenity; highways and ecology which are discussed below.

#### Design/Heritage Impact

- 8.9 Wayland Cottage is an 'unlisted building that makes a positive contribution' to the character and appearance of the Conservation Area. The garage building proposed for removal is not identified as part of the positive unlisted interest of Wayland Cottage and it is clear that the proposal is not for the loss of a positive unlisted building in the Conservation Area.
- 8.10 With respect to Old Corner House, this is the only listed building within the vicinity of the application site. A map regression shows that by 1973 the previously open land to the south of The Street and to the west of Wayland Cottage was already infilled which confirms that, for the lifetime of the Conservation Area, this infilled characteristic has been the extant character of this part of the Conservation Area. The submission (DAHS) also makes the point that old maps show that the plot for Wayland Cottage was originally the same width as the dwelling (more or less) and that the side plot that houses the garage (the application site) was a later addition.
- 8.11 Old Corner House is a Grade II listed building of 16th century origin and with an 18th century red brick façade and gables. It is an imposing building within the streetscene by virtue of its scale and attractive design, although it exhibits few characteristics of a more formal Georgian style of architecture.

- 8.12 Historic mapping shows that it would have faced an open area of land to the south of The Street which did not become developed and built up until the mid-later 20th century. Wayland Cottage has been within its proximity since the 18th century and is a settled and established part of its setting.
- 8.13 The setting to Old Corner House consists primarily of its garden and associated outbuildings. As setting includes the surroundings in which a heritage asset is experienced, The Street forms a key part of it, providing views on approach to Old Corner House. The application site, which is already built over, provides part of the built-up village that provides the developed surroundings to the listed building as a house located within a village. It is not considered that the application site contributes in any specific or meaningful way to the significance of Old Corner House, therefore, and appears never to have formed part of it.
- 8.14 The application proposals include for the removal of the existing garage and ancillary accommodation and to replace them with a new 3-bedroom dwelling. It is noted from the Design, Access and Heritage Statement (DAHS) that the designer has been anxious to be respectful of both the listed building and Wayland Cottage in providing a design, the scale and character of which does not compete with either building, thus preserving their local pre-eminence in the local streetscene. This is achieved by rendering the new dwelling of subservient scale and set back within the streetscene well behind the building line set by Wayland Cottage. The design itself is very quiet and employs a muted materials and colour palette. It is site responsive in its use of the gabled design form which reflects its wider village context, and its stylistic approach fits in with the general miscellany that is character of Walberswick, in which there is no dominant style, period or materials use.
- 8.15 The proposed plot sub-division, itself, reflects an historical position when the plot to Wayland Cottage was the width of the house itself, only; and is not of concern thereby. The new plot pattern is similar in effect in terms of width and building placement to those around it, and the offset to Wayland Cottage will helpfully retain a gap between them, which is important in terms of the unlisted building's streetscene presence not being crowded out.
- 8.16 The impact of the proposed new dwelling will be modest and its effects neutral. This is because the house will add to a streetscene of houses and is, therefore, characteristic of it and the setting to the listed building. The recessive qualities of the design will ensure that the visual importance and pre-eminent value of Old Corner House and Wayland Cottage remain unaltered and is why it is judged the effects of this application to be neutral.
- 8.17 The quality of the actual house design is good and merits support.
- 8.18 The site was the subject of a pre-application advice request which acknowledged the proposed design to be of a high quality in itself but raised concern that the development would appear cramped and will have a poor relationship with the existing cottage. The access and parking arrangements were considered not to preserve and enhance the character of the Conservation Area.
- 8.19 The proposed dwelling has been adjusted from that considered at pre-application stage in terms of its design, with a reduction in width and depth, position on site and more steeply pitched roof. The design and extent of the parking area has also been reduced/redesigned. The proposed changes are considered to have addressed the concerns expressed at that

stage and the current design is good quality that merits support and has received support from the Principal Design and Conservation Officer of the Council.

- 8.20 The current design retains space for softening landscaping to boundaries and along the frontage. In terms of the AONB, the site is within the built context of the village, and even to the south and the open countryside, there is the wrap around garden (tennis court) of a neighbouring property with additional intervening boundary planting.
- 8.21 The application makes reference to enhanced planting to the street frontage area to partly mitigate the proposed conifer removal. Details will be sought by condition should consent be granted.
- 8.22 The PV array at the rear of the site will be 1m in height and will be effectively screened from public views by Wayland Cottage, the proposed building, and landscaping.

#### Residential Amenity

- 8.23 The dwelling has been designed with space to both side boundaries, providing good levels of separation to Wayland Cottage and Marsh View. Side facing fenestration above ground floor level is high level and will not result in adverse impact upon the privacy of either neighbour.
- 8.24 Marsh View has a lean-to side extension close to the site boundary with east facing windows, but the plans consented in 2011 (C/11/0219) indicate the windows serve an ensuite or are secondary windows to a bedroom and kitchen and impact upon eastern light and any outlook will not be significant and there is no conflict with SCLP11.2.
- 8.25 No comments have been received from this neighbour in respect of the application.

#### Highways

- 8.26 The access is proposed to be improved. The current access close to Wayland Cottage does not allow for turning on site and vision is poor. There are three parking spaces plus the garage. The new access will be to highways standards as a shared access (3m wide) and allow adequate vision in each direction. Given the road has a 20mph limit, splays are 2m by 25m. The four parking spaces allow two for each dwelling but further parking can take place in tandem if needed and there is adequate turning so cars can enter and exit in a forward gear.
- 8.27 The Highway Authority have considered the access and parking arrangement and recommend conditions to control access, visibility, and parking.

#### Ecology

- 8.28 The application was supported by a Preliminary Ecological Appraisal (DCS Ecology, June 2022, REV 1), Preliminary Roost Assessment (DCS Ecology, June 2022, REV 1), and Bat Activity assessment (DWA Ecology, August 2022, Rev B). Although no bat roosts were identified in the buildings proposed for demolition signs of bat activity was identified within the Preliminary Roost Assessment (DCS Ecology, June 2022, REV 1). Therefore, the demolition of the buildings should be undertaken in an ecologically sensitive manner by

hand stripping the roof and weather boarding from the existing buildings. This can be secured by condition in the event of the approval of planning permission.

- 8.29 The dwelling lies within the 13km zone of influence of a European habitats site under Article 4.1 of the Directive (79/409/EEC). It is within 13km of the Minsmere-Walberswick SPA/SAC/Ramsar; Benacre to Easton Bavents SPA and the Sandlings SPA and therefore a financial contribution to the scheme (or equivalent mitigation identified via a Habitats Regulations Assessment (HRA)) is required in order to mitigate in-combination recreational disturbance impacts on habitats sites (European designated sites) arising from new residential development. This must be secured prior to the applications being determined.

#### Other Matters

- 8.30 The proposed dwelling has three bedrooms with a study at ground floor. That is a size and scale of dwelling common for a C3 dwellinghouse use, and there is no planning justification to restrict this dwelling to only being used as a principal residence, as there is no Neighbourhood Plan containing such a policy covering Walberswick. The provision of a ground floor study is a normal part of a modern floor plan, particularly post-pandemic where new dwellings are frequently designed in such a manner to provide a homeworking space.

### **9. Conclusion**

- 9.1 The scheme has been designed to be respectful of both the listed building and Wayland Cottage in providing a design, the scale and character of which does not compete with either building, thus preserving their local pre-eminence in the local streetscene. This is achieved by rendering the new dwelling of subservient scale and set back within the streetscene well behind the building line set by Wayland Cottage. The design itself is very quiet and employs a muted materials and colour palette. It is site responsive in its use of the gabled design form which reflects its wider village context, and its stylistic approach fits in with the general miscellany that is character of Walberswick, in which there is no dominant style, period or materials use.
- 9.2 The new plot pattern is similar in effect in terms of width and building placement to those around it, and the offset to Wayland Cottage will helpfully retain a gap between them, which is important in terms of the unlisted building's streetscene presence not being crowded out.
- 9.3 The impact of the proposed new dwelling will be modest and its effects neutral. It is judged that the application will preserve the setting of the Grade II listed Old Corner House and preserve the character and appearance of the Walberswick Conservation Area - both designated heritage assets - free from harm, in conformance with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 9.4 The form of the building and its design/fenestration will limit impact upon the amenity of neighbours and there is no significant impact upon amenity contrary to policy SCLP11.2.
- 9.5 The scheme is also acceptable in highways safety terms with no objections raised.

- 9.6 Subject to receipt of a RAMS payment the proposal is considered in compliance with the Local Plan and NPPF and is hereby recommended for approval.

## **10. Recommendation**

- 10.1 Authority to Approve subject to receipt of RAMS payment.

### **Conditions:**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans/reports:

Drg Nos 561 - 11 Rev L; 12 Rev H; 14 Rev H and 15 received 28.03.2022

Drg No 561 - 13 Rev J received 20.10.2022

Design, Access and Heritage Statement received 28.03.2022

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

3. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (DCS Ecology, June 2022, REV 1), Preliminary Roost Assessment (DCS Ecology, June 2022, REV 1), and Bat Activity assessment (DWA Ecology, August 2022, Rev B) as submitted with the planning application and agreed in principle with the local planning authority prior to determination. In addition to the mitigation measures identified in the submitted reports, roof coverings and weather boarding on the existing buildings must be carefully removed by hand. In the event that any protected species are encountered works must cease and further advice must be sought from a suitably qualified ecologist.

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

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

Reason: To ensure that nesting birds are protected.

5. Before the access is first used visibility splays shall be provided as shown on Drawing No. SK001D with an X dimension of 2 metres and a Y dimension of 25 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 to visibility shall be

erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

6. The use shall not commence until the area(s) within the site shown on Drawing No. 12 for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on-site parking of vehicles is provided and maintained to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

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

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM)) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.

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

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

8. No development shall commence until 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 have been 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.

9. 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

10. No work shall commence on the elements of the proposed development listed below, until details/detailed drawings of those matters have been submitted to the Local Planning Authority and the details approved in writing. The work shall only take place in accordance with the approved details. (These matters may be submitted for discharge individually, or for specific phases of site development and work may proceed on the relevant item/phase once approval has been given):
- i) materials and finishes;
  - ii) hard surfacing;
  - iii) means of enclosure;
  - iv) eaves and ridge height relative to road level and eaves and ridge of Wayland Cottage and Marsh View.

Reason: In the interests of amenity and the character of Walberswick Conservation Area.

11. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.
- The scheme of investigation shall include an assessment of significance and research questions; and:
- a. The programme and methodology of site investigation and recording
  - b. The programme for post investigation assessment
  - c. Provision to be made for analysis of the site investigation and recording
  - d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  - e. Provision to be made for archive deposition of the analysis and records of the site investigation
  - f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
  - g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

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

12. 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 11 and the provision made for analysis, publication and dissemination of results and archive deposition.

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

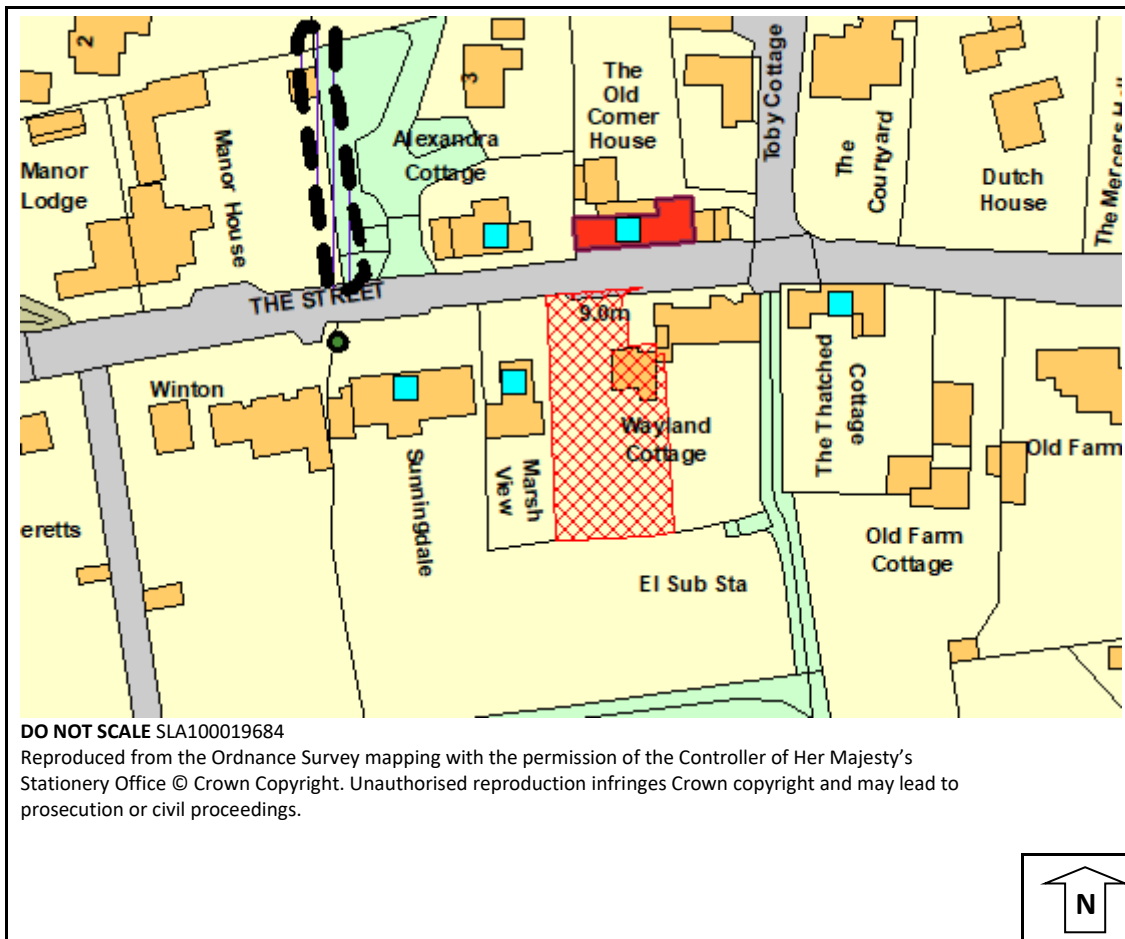
- 13 No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- 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, given the restricted nature of the site, close proximity of neighbours and narrow road serving the site with parking restrictions.





## **Background Papers**

See application reference DC/22/1189/FUL on [Public Access](#)

## Map



## Key

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

## **Committee Report**

**Planning Committee North** - 13 December 2022

**Application no** DC/21/2369/FUL

**Location**

73 Beccles Road  
Bungay  
Suffolk  
NR35 1HT

**Application type** Full Application

**Applicant** Wendy and John Machon

**Parish** Bungay

**Proposal** Construction of new dwelling and associated works

**Case Officer** Joe Blackmore  
07887 454208  
[Joe.Blackmore@east Suffolk.gov.uk](mailto:Joe.Blackmore@east Suffolk.gov.uk)

### **1. Summary**

- 1.1 This application seeks planning permission for a new dwelling and associated works on land at 73 Beccles Road, Bungay. The application was considered by the Planning Committee in March 2022, with a decision deferred to enable officers to discuss an amended design with the applicant's agent. The proposal was amended by revised plans submitted in August 2022, and a full re-consultation has been undertaken on that amended scheme. The Town Council now recommend approval of the application, albeit with some comments on the detail for consideration. In response to the re-consultation, there have been no objections from any consultees. However, two third party representations of objection to the revised application have been received.
- 1.2 As set out in the considerations section of this report, the amended proposal accords with the Development Plan as an acceptable form of infill development and is recommended for approval.
- 1.3 The report and meeting minutes of the March 2022 Planning Committee (North) are available at the link:

## 2. Consultees

### 2.1 Response to Re-Consultation (24 August 2022 to 15 September 2022) on Amended Application.

Consultee	Date consulted	Date reply received
Bungay Town Council	24 August 2022	14 September 2022
<p>Summary of comments:</p> <p><i>"The Council discussed that the black cladding is not in keeping with other dwellings in the area and asked whether this could be considered by the planning officer. They also asked whether the building could match the red brick neighbours. They also raised questions about environmental aspects of the building and requested that the planning department ensure that attention is paid to proper insulation. They also were pleased to note that the glazing is to a high standard.</i></p> <p><i>Bungay Town Council unanimously agreed to recommend approval of the application."</i></p> <p>And...</p> <p><i>"The Committee discussed the application after noting the further information supplied by the applicant and East Suffolk Council. Bungay Town Council suggested that the planning department consider the following issues:</i></p> <ul style="list-style-type: none"> <li><i>• That the redbrick and mortar is more in keeping with surrounding buildings and is an improvement on the previous design.</i></li> <li><i>• That it is specified that the driveway/landscaping have a permeable surface to reduce the risk of flooding.</i></li> <li><i>• Concerns about the height of the roof and whether this will be to domineering for the site.</i></li> <li><i>• There was a debate about the size of the building for the site</i></li> <li><i>• The Committee noted the further information of the previous cottages on the site.</i></li> <li><i>• That the development is within the countryside as per East Suffolk designation in the local plan.</i></li> <li><i>• That there is no separate environmental assessment to assess disturbance to bats/birds.</i></li> <li><i>• Is the property designed for life?</i></li> <li><i>• The Committee noted the environmental sustainability that had been included in the designs and offered suggestions on water capture, planting, and solar improvements.</i></li> </ul> <p><i>Bungay Town Council recommended approval of the application."</i></p>		

Consultee	Date consulted	Date reply received
SCC Highways Department	24 August 2022	30 August 2022
<p>Summary of comments:</p> <p>No objections; conditions recommended.</p>		

Consultee	Date consulted	Date reply received
-----------	----------------	---------------------

East Suffolk Landscape Team	24 August 2022	06 September 2022
<p>Summary of comments:</p> <p><i>Previous comments from 12/07/21 apply - This site is tucked away from the road side and there are many trees and hedges screening the site from roadside and neighbours. Along the boundary and driveway to No. 69 is an existing Beech hedge with a couple of semi mature trees in the garden of No. 73 1 x Horse Chestnut, 1 x Sycamore 1 x small Oak and 1x young Beech, a young Copper Beech and young poor quality Larch.</i></p> <p><i>The young Beech, Copper Beech and Larch will need to be removed to allow this proposed development. The young Beech is very close to power lines, and the Copper Beech / Larch are located within the site close to proposed bungalow. These 3 trees have limited 'amenity value' and their loss would not be noticed within existing street scene. Whilst it is a shame to lose trees, in this instance there are many trees / hedges on site and within the adjacent properties. Drawing No. 2159.2a also show 7 new trees, with 4 being in the frontage of the site to replace these 3.</i></p> <p><i>No objection on tree grounds.</i></p>		

Consultee	Date consulted	Date reply received
Broads Authority	24 August 2022	31 August 2022
<p>Summary of comments:</p> <p><i>I write further to the above proposal. I can confirm that the Broads Authority does not have any comments to make regarding this consultation.</i></p>		

## 2.2 Response to Consultation on Previous Scheme (as considered at March 2022 Planning Committee North)

Consultee	Date consulted	Date reply received
Bungay Town Council	24 May 2021	11 June 2021
<p>Summary of comments:</p> <p><i>At the Bungay Town Council Planning, Environment &amp; Highways Committee Meeting held on 10th June 2021 -</i></p> <p><i>It was proposed by AD, seconded by GH, and RESOLVED that these plans are recommended for REFUSAL with the following comments :</i></p> <ul style="list-style-type: none"> <li><i>o A healthy Beech tree is being cut down whereas this could be accommodated within the plans if the property was re-positioned on the site.</i></li> <li><i>o If the tree is cut down it should be replaced by a tree of equal quality.</i></li> <li><i>o There is no provision for an Electric Car Charging Point.</i></li> <li><i>o 5 houses already share this access point onto the highway and there is no pavement on this side of the road.</i></li> <li><i>o No details on the application as to how 'Green' the building is.</i></li> </ul>		

- o The proposed building is out of character with the street scene and out of keeping with other properties.*
- o The proposed building is on the edge of the Flood Plain, which is not mentioned in the application, and this further development will exasperate the situation.*
- o The application says that the building is on Developed Land & a Brownfield site , which is not the case,*
- o Overdevelopment of the site.*

Consultee	Date consulted	Date reply received
-----------	----------------	---------------------

Consultee	Date consulted	Date reply received
Bungay Town Council	18 November 2021	9 December 2021

**Summary of comments:**

*Bungay Town Council's previous comments stand*

*The proposed design is even less in-keeping with the surrounding than the previous submission and no considering have been made of the Town Council's comments*

*No evidence of flood amelioration in the design. The development is within 200 m of flood zone 2 of the EA's flood map and directly 359 m from the R Waveney.*

*Bungay Town Council would not support this application.*

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	18 November 2021	

**Summary of comments:**

We have no objection to this development subject to compliance with our requirements, consent is given to the development on the condition that a water connection for the new dwelling is made onto our Company network for revenue purposes.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	18 November 2021	

**Summary of comments:**

*The applicant has submitted a Land Contamination Questionnaire together with an internet environmental search, neither of which provide any reasons to suspect that contamination is present or needs to be considered any further. As such, based on the information submitted, it would appear that there needs to be no further assessment of contamination at this stage.*

*However, I would advise the LPA to apply a planning condition requiring the reporting of any potential contamination encountered during construction*

Consultee	Date consulted	Date reply received
-----------	----------------	---------------------

SCC Highways Department	18 November 2021	23 November 2021
Summary of comments: No objections; conditions recommended.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	18 November 2021	30 November 2021

Summary of comments:

*This site is tucked away from the road side and there are many trees and hedges screening the site from roadside and neighbours. Along the boundary and driveway to No. 69 is an existing Beech hedge with a couple of semi mature trees in the garden of No. 73 1 x Horse Chestnut, 1 x Sycamore 1 x small Oak and 1x young Beech, a young Copper Beech and young poor quality Larch. The young Beech, Copper Beech and Larch will need to be removed to allow this proposed development. The young Beech is very close to power lines, and the Copper Beech / Larch are located within the site close to proposed bungalow. These 3 trees have limited 'amenity value' and their loss would not be noticed within existing street scene. Whilst it is a shame to lose trees, in this instance there are many trees / hedges on site and within the adjacent properties. Drawing No. 2159.2a also show 7 new trees, with 4 being in the frontage of the site to replace these 3.*

### 3. Site notices

General Site Notice

Reason for site notice: New Dwelling

Date posted: 7 June 2021

Expiry date: 28 June 2021

### 4. Planning Policy and Policy Background

National Planning Policy Framework 2021 (NPPF)

WLP7.1 - Rural Settlement Hierarchy and Housing Growth (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

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

WLP8.7 - Small Scale Residential Development in the Countryside (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

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

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

## **5. Site Description**

- 5.1 73 Beccles Road is located to the north side of the road and comprises a large plot with extensive gardens to the rear (north) and side (southwest). The host dwelling is a modest bungalow of red brick dating from the early to mid-twentieth century. The site is accessed via a private drive off Beccles Road, and this drive serves a small group of dwellings on a curvilinear building line.
- 5.2 To the north of 73 Beccles Road is the boundary with the Broads Authority area. To the south of the site is an area of grassland used as a caravan site. To the east and west of the site are residential dwellings of a mixed character. The area has a pleasant, verdant character due to the well-established hedgerows and many mature trees – this vegetation provides a significant amount of screening whereby many of the properties accessed off the private drive are not visible from Beccles Road, at least during the summer months.
- 5.3 The Bungay settlement boundary (as drawn on the Local Plan policies maps) defines two separate - but closely related - areas. The site falls within that gap between the defined settlement boundaries and represents one of seven dwellings that are clustered together in that location. Whilst there is that clear break between the drawn settlement boundaries when read on a map, the experience of the site in its context is that it forms part of the residential area of the town, and it is really the undeveloped gap to the south of Beccles Road that has a more rural character and provides the clear legible gap between the defined settlement boundaries.
- 5.4 The site is sustainably located with a footway to the south side of Beccles Road allowing access on foot to both areas of Bungay to the east and west. Kents Lane to the south side of Beccles Road runs in a south easterly direction connecting with the B1062.

## **6. Proposed Development**

- 6.1 The proposal would utilise the existing driveway for the bungalow at No.73. The proposed dwelling would be positioned to the southwest of the existing bungalow, with a staggered footprint and majority of the accommodation all at ground floor level. The attached double garage would provide two secure/covered parking spaces, in addition to the external parking/turning area serving both the proposed and existing dwelling.
- 6.2 Compared to the scheme considered in March, the proposal is now a chalet bungalow with a hipped roof and small box dormers. The maximum height of the proposed dwelling is not dissimilar from the height of the previous design; however, due to the steep hipped roof form and lower eaves, there is less mass at first floor level, and that results in a larger footprint with more of the accommodation at ground floor level. Proposed materials are now to be red brick, black cladding, and clay (grey) pantiles compared to previous use of

white render, larch boarding and standing seam steel roof. The overall design approach is generally simpler and of a more traditional form.

## **7. Third Party Representations**

### Third Party Representations on Amended Scheme (in response to re-consultation undertaken August 2022)

#### 7.1 Two letters of objection that raise the following key concerns:

- Lack of ecological survey
- Lack of independent tree assessment
- Boundary markings on plan are incorrect
- Lack of information on surface water drainage
- Increase in traffic to and from the site
- The splay from the vehicle access is incorrect
- Noise and disturbance from the construction process
- New dwelling will be overbearing on No.69 and will overlook and overshadow this neighbouring property
- Windows will overlook No.69 and the existing caravan site
- The site is located in the countryside
- The proposal will be visible from Beccles Road and cause harm to the appearance of the area
- Trees and hedging to the south will not screen the development in winter months
- The proposed area to present wheelie bins is not available and use of it will block the driveway
- Plans show the applicant's own the shared driveway, which is incorrect
- New tree planting is unnecessary when there are trees on site
- Air source heat pump is too close to No.69
- The hedge on Beccles Road adjacent the Caravan site is not 900mm tall, it is 1100mm to 1700mm tall
- The site access/egress is unsafe
- Accounting for climate change the site will be at risk of flooding

### Third Party Representations on Scheme Considered by the Planning Committee in March 2022

#### 7.2 One letter of objection that raised the following key concerns:

- The revised plans are not in keeping with the surrounding area (two double fronted bungalows dating from around 1930). The original plan was more sympathetic.
- This building design would be more suited to an individual plot and not nestled between two traditional brick and tile bungalows
- There is now three windows overlooking our property (front and back garden)
- The proposed building is very close to our boundary
- Our property is lower than the existing dwelling at 73 Beccles road and this new dwelling on the site has a higher roofline than both 69 and 73
- Our caravan park to the south of our property is used all year round and not used 'occasionally' as stated

- It would be more suitable for a bungalow (not chalet) to be planned for this site

## **8. Planning Considerations**

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires decision taking to be in accordance with the Development Plan unless material considerations indicate otherwise. The key policies are listed in section four of this report.
- 8.2 For planning purposes, the site is in the countryside because it is outside the defined settlement boundaries for Bungay as detailed on the Local Plan policies maps. However, in general terms the site is very closely related to the Town and is sustainably located. The gap between the drawn settlement boundaries is more about the undeveloped open area to the south of Beccles Road, which forms an important gap between the two main built-up areas of the Town. Development of the proposed site would cause no coalescence between the two distinct areas of the town.
- 8.3 Policy WLP8.7 - Small Scale Residential Development in the Countryside sets out that small scale residential development in the Countryside of up to three dwellings will be permitted where:
- The site constitutes a clearly identifiable gap within a built-up area of a settlement within the Countryside;
  - There are existing residential properties on two sides of the site; and
  - The development does not extend further into the undeveloped Countryside than the existing extent of the built-up area surrounding the site.
- 8.4 The site falls within a cluster of seven dwellings that are in the 'countryside'; it represents a clearly identifiable gap within that group with residential properties on two sides; and this limited infill opportunity would not extend further into the undeveloped countryside than the existing extent of the built-up surrounding area. Accordingly, and although the site being a 'countryside' location is not all that obvious on-the-ground, it would meet the policy requirements of WLP8.7. The principle of development is therefore in accordance with the Local Plan.
- 8.5 The scheme has been amended following the deferral of a decision in March 2022. As noted, before, there is a change in levels with the dwelling at 69 Beccles Road on lower ground than the application site. There is also a prevailing character in the immediate context of quite low building heights, and the architect's response to that originally was a chalet style dwelling with mono-pitched roofs and a contemporary aesthetic. Members raised concerns with that design approach, reflecting on the traditional brick built bungalows to the east and west of the site, and considered that the form and appearance of the proposed dwelling was out of character with the context. The architect has re-designed the dwelling to be predominantly brick built, but with the gabled element and small box dormers being clad in black boarding. The roof would be covered in grey clay pantiles. The form is a simple hipped roof chalet bungalow with an attached double garage. This design is responsive to the immediate context and will fit in well with surrounding properties, both in terms of scale and appearance. The overall height is limited, and the dwelling will not appear overly large. The steep hipped roof and low eaves level means the proposal, compared to previous designs, has a more modest appearance, and will relate better to the adjacent bungalows.

The attached garage is a simple form, again with low eaves heights under a steep pyramidal roof.

8.6 As before, the layout of development essentially continues the curvilinear building line and represents a logical infill plot as part of the group. The existing dwelling at 73 would maintain a very large rear garden and the parking/turning area off a shared drive will function acceptably for both dwellings, new and old. It is acknowledged that the private garden area to the rear of the new dwelling would be limited, however the moderate area of garden to the front and side of it would provide attractive amenity space, even if not particularly private. Overall there is sufficient amenity space for future occupiers.

8.7 A key concern for officers was the tree loss associated with the proposed development. Specialist advice from the Arboriculture and Landscape Officer (following her site visit) clarified that:

*"This site is tucked away from the road side and there are many trees and hedges screening the site from roadside and neighbours. Along the boundary and driveway to No. 69 is an existing Beech hedge with a couple of semi mature trees in the garden of No. 73 1 x Horse Chestnut, 1 x*

*Sycamore 1 x small Oak and 1x young Beech, a young Copper Beech and young poor quality Larch.*

*The young Beech, Copper Beech and Larch will need to be removed to allow this proposed development. The young Beech is very close to power lines, and the Copper Beech / Larch are located within the site close to proposed bungalow. These 3 trees have limited 'amenity value' and their loss would not be noticed within existing street scene.*

*Whilst it is a shame to lose trees, in this instance there are many trees / hedges on site and within the adjacent properties. Drawing No. 2159.2a also show 7 new trees, with 4 being in the frontage of the site to replace these 3."*

8.8 The loss of existing trees on site is something that could happen without consent being required from the LPA and, whilst unfortunate, there is no prospect of serving a Tree Preservation Order on those three trees given the feedback from the Arboriculture and Landscape Officer. The main boundary hedge and mature trees would be retained, and the well vegetated wider context would remain, partially screening the development but more importantly preserving the verdant character of the group. A planning condition would be necessary, however, to secure a site wide landscaping strategy inclusive of new tree planting. A further condition is necessary to secure the timely implementation of that landscaping, and its retention (and replanting where necessary) for a period of five years.

8.9 The immediate neighbour at No.69, along with a more distant neighbour at No.57, have objected to the proposed development, on several grounds that are summarised in paragraph 7.1 of this report.

8.10 In amenity terms, the amended design sees a chalet dwelling of appropriate scale that is acceptably located in terms of position relative to neighbouring dwellings. The neighbour at No.69 identifies some concern with overlooking from the two upper floor windows facing to the west/northwest. Officers share that concern and a condition restricting those windows to obscure glazed and non-opening is necessary to protect neighbour amenity. The upper floor south-east facing main window will look onto the front of the site and ensure adequate light and ventilation to the bedroom. The neighbour at No.69 has raised concern that this

window will permit overlooking of the caravan and motorhome site, to the south, that they also own. It is acknowledged there may potentially be a limited view from the south/southeast facing upper floor window onto this area. However, there is a lesser expectation of privacy for tourists staying on a caravan/camp site, and indeed at times when multiple guests are holidaying and staying at the site, there would be mutual overlooking between caravans and motorhomes due to the open nature of the site. Existing and retained vegetation on the southern edge of the application site will partially filter views meaning that overlooking will likely be limited. The neighbour at No.69 also has a garden area to the south side of their dwelling, however with the first floor bedroom window facing southeast it is very unlikely there would be any view of that garden area. Concerns have also been raised that the proposed bungalow and garage are to be built right up to the boundary with No.69 and that this will be an overbearing form of development, causing a loss of light and harming the enjoyment of the garden area. However, at the closest point, the new dwelling would be approximately 9 metres from the east side wall of No.69, and 3 metres away from the side boundary. The garage would be approximately 1.5 metres away from the north-western side boundary. At these separation distances, in combination with the low eaves height of the dwelling and garage, officers consider there would not likely be significant amenity impact on No.69.

- 8.11 Given the fairly narrow width of the private drive, it would be necessary to require a concise construction management plan by condition, particularly to ensure that contractor vehicles and deliveries are properly managed, along with any storage of materials – this should all take place within the site or land at No.73 to reduce any disruption during the construction phase. Concerns from the owners/occupiers of No.69 around use of the private drive is civil matter, rather than a planning matter.
- 8.12 For the reasons set out, the design, layout, and amenity aspects of the proposed development are all acceptable in accordance with WLP8.29 (Design).
- 8.13 A local resident has raised concerns about flood risk. However, this site is located within a low-risk flood area (flood zone one) and the proposed dwelling is a sufficient distance (over 20 metres) from a main river to the west whereby there is no requirement to consult the Environment Agency or seek a site-specific Flood Risk Assessment. There is no conflict with policy WLP8.24 (Flood Risk). On a single dwelling proposal outside of any critical drainage area or surface water designation, there is no planning requirement for a detailed surface water drainage strategy, and this would fall under building regulations approval.
- 8.14 The site utilises the existing vehicle access off Beccles Road which has good visibility in both directions. The proposal will provide adequate parking for both the new and existing dwellings, along with areas to manoeuvre vehicles on site. The proposal would result in a minor intensification of the use of an existing access and is not likely to result in any adverse highways safety impact. The County Highways Authority have considered the scheme and raise no objections, but recommend conditions including:
- Area within the site for manoeuvring and parking of vehicles to be provided prior to occupation of the new dwelling, and those area retained and used only for that purpose.
  - Details of electric vehicle charging points to be submitted and approved by the LPA.
  - Bin presentation and storage area to be provided before occupation of the new dwelling and retained for that purpose.

- 8.15 Officers agree with those conditions which are necessary and proportionate. The EV charging point details by condition will address one of the points raised by the Town Council.
- 8.16 In terms of bin presentation, it appears as though existing residents leave their bins adjacent the access from Beccles Road. The area shown on the proposed plan for potential bin presentation is not necessarily ideal due to it being a slightly raised grassed area. It may be suitable, but if not then future occupiers of the dwelling will need to also present their bins for collection at a sensible point adjacent it, back from the access off Beccles Road. There is sufficient width in the drive to do to this, and bins being presented in this manner is a fairly typical arrangement for residential properties. The addition of a single new dwelling is unlikely to create a highways safety concern through additional waste receptacles blocking the highway or limiting visibility for motorists trying to enter the main highway.
- 8.17 With conditions applied there are no highways safety or sustainable transport issues, and the scheme accords with WLP8.21 of the Local Plan.
- 8.18 The site falls outside of the Conservation Area and there are no designated heritage assets such as listed buildings affected by this scheme. Accordingly, there are no heritage considerations relevant to the proposal.
- 8.19 The site falls outside the Zone of Influence of any protected Habitats Sites; therefore, a Suffolk (Coast) RAMS contribution is not required, and it is not necessary to undertake an Appropriate Assessment of the scheme.
- 8.20 Whilst there is no reason to suspect any ecological harm arising from the development, officers recommend two standard conditions: first, that any tree/vegetation removal takes place outside of bird nesting season; and second, that prior to the felling of any trees on site, a survey for bat roost potential should be undertaken by a suitably qualified ecologist, with any mitigation measures identified as necessary as a result of this survey being implemented. With these conditions the proposal would meet the ecology and biodiversity objectives of the WLP8.34.

## **9. Conclusion**

- 9.1 The principle of development is supported by the Local Plan, and the amended design is acceptable for the site. The scheme accords with the Development Plan and there are no other material considerations that would indicate for a decision other than approval. The proposal would make more efficient use of the land and represents a limited infill opportunity in a location well-related to the town. The single dwelling contribution to housing supply is a modest benefit. Future residents will also spend in the local economy and in the short-term some construction jobs would be created; these are modest economic benefits of the proposal that add further weight to a recommendation of approval.

## **10. Recommendation**

- 10.1 Approve with conditions summarised in section 11, below.

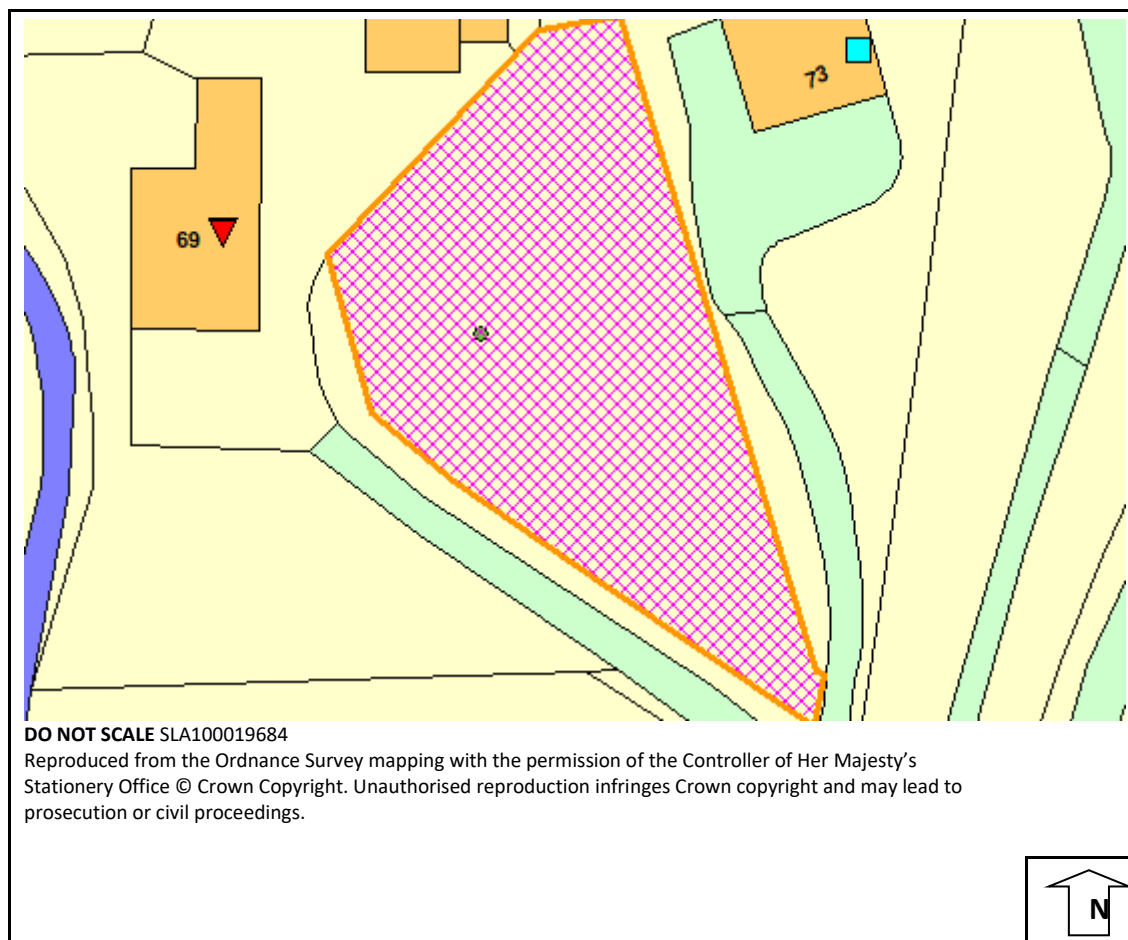
## **11. Conditions (summarised)**

1. Three-year time limit.
2. Development in accordance with approved plans.
3. Materials/finishes to be submitted and agreed.
4. Area within the site for manoeuvring and parking of vehicles to be provided prior to occupation of the new dwelling, and those area retained and used only for that purpose.
5. Details of electric vehicle charging points to be submitted and approved by the LPA.
6. Bin presentation and storage area to be provided before occupation of the new dwelling and retained for that purpose.
7. Scheme of hard and soft landscaping to be submitted and approved pre-commencement.
8. Landscaping implemented at first available planting season and maintained for five years.
9. West facing bedroom windows to be obscure glazed and non-opening.
10. Standard condition requiring action if unexpected contamination encountered.
11. Construction management plan to be submitted, approved, and then adhered to.
12. Tree/vegetation removal to take place outside bird nesting season.
13. Prior to the felling of any trees a survey for bat roost potential to be undertaken by a suitably qualified ecologist. Any mitigation measures identified to be implemented.

## **12. Background Papers**

See application reference DC/21/2369/FUL on [Public Access](#)

## Map



## Key



Notified, no comments received



Objection



Representation



Support

## Committee Report

Planning Committee North – 13 December 2022

Application no DC/22/3272/FUL

**Location**

Land To The Rear Of 55  
The Street  
Carlton Colville  
Suffolk

**Expiry date** 10 October 2022

**Application type** Full Application

**Applicant** Richden Homes Ltd

**Parish** Carlton Colville

**Proposal** Construction of residential bungalow and all associated works

**Case Officer** Matthew Gee  
07901 517856

[matthew.gee@eastsuffolk.gov.uk](mailto:matthew.gee@eastsuffolk.gov.uk)

### 1. Summary

- 1.1. Planning permission is sought for the erection of a residential bungalow and all associated works. The proposal is considered to have an acceptable impact on the character and appearance of the area and street scene. Following submission of a Noise Impact Assessment, officers are content that the proposal would provide suitable living conditions/amenity to future residents with no likely harmful impacts from the adjacent Beer Garden. Furthermore, the proposal would not result in any adverse impacts on Highways Safety, and the appropriate RAMS contribution has been paid to mitigate the potential impacts on nearby European Protected Sites. Therefore, the proposal is considered to adhere to Local and National Planning policies.
- 1.2. The Town Council have raised concerns that the proposal would be out of character; result in the loss of parking; right of access; lack of charging points; flooding issues; and loss of allotment. These matters will be addressed in the main body of this report. Due to the contrary recommendation of the Town Council, the application was brought before the

referral panel for consideration. The Panel referred the application to Planning Committee (North) for determination.

## **2. Site Description**

- 2.1. The site is located within the defined settlement boundary and comprises a private allotment area behind 55 and 57 The Street. The site is accessed off an existing vehicle access to the north-west. To the north of the site is the 'The Old Red House' Public House, and to the east is farmland.

## **3. Proposal**

- 3.1. Planning permission is sought for the erection of a residential two-bedroom bungalow and associated works.

## **4. Consultees**

### Third Party Representations

- 4.1. One representation of objection has been received raising the following key concerns:

- No right of access for new dwelling
- Lack of parking for existing dwellings
- Cramped design
- Dangerous visibility
- Proximity of beer garden

- 4.2. One representation raising no objection, raising the following key point:

- The beer garden would not affect the proposed dwelling.

### Parish/Town Council

Consultee	Date consulted	Date reply received
Carlton Colville Town Council	18 August 2022	9 September 2022
<p>Summary of comments:</p> <p>Recommend Refusal</p> <p>The Town Council stand by there original comments of refusal on 3rd June 2021 despite the changes and orientation of the bungalow and the subsequent refusal from the appeal inspectors comments.</p> <p>This is still out of character for the heart of the village and the style of houses around its immediate proximity.</p> <p>There would potentially be a loss of 4 car parking spaces</p> <p>There is questionable right of access over Public house land</p> <p>No car charging point</p> <p>flooding issues access to concealed water way</p> <p>loss of allotment contrary to policies wlp8.33 wlp8.29 and wlp8.34 of East Suffolk Local Plan and</p>		

NPPF  
Parts of the land under water in winter months  
Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	18 August 2022	19 August 2022
Summary of comments: No objections		

Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	18 August 2022	31 August 2022
Summary of comments: No objections		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	18 August 2022	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	18 August 2022	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	18 August 2022	No response
Summary of comments: No comments received		

**5. Site notices**

General Site Notice

Reason for site notice: New Dwelling  
Date posted: 19 August 2022  
Expiry date: 12 September 2022

## 6. Planning policy

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

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

WLP8.33 - Residential Gardens and Urban Infilling (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

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

National Planning Policy Framework 2021

## 7. Planning Considerations

### History

- 7.1. Planning permission for a similar form of development was previously refused under application reference DC/21/2130/FUL. The key refusal reason being:

*“Policy WLP8.29 sets out that proposed development will be expected to demonstrate high quality design, which should protect the amenity of the wider environment, neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development. Directly to the north of the application site is a Public House, with the rear grassed beer garden located directly adjacent to the dwelling. The close proximity of the Public House and in particular its rear beer garden is deemed to have an adverse impact on the amenity of future occupants and would fail to provide good standards of amenity for future occupants of the dwelling. Furthermore, the bedrooms of the proposed dwellings will have poor outlook as they will look across the proposed parking area for 5 vehicles and the access to the public house. This outlook is also likely to mean car headlights directly shine into the applications dwellings bedrooms further impact on the standard of amenity for future occupants. Finally, the proposed dwelling could harm the adjacent public houses operations particularly in regard to the beer garden usage, with outside space likely to be at more of premium in the rear future. This could adversely impact on the operations of the public house in the future. The proposed economic and social benefits through the creation of one additional three bedroom dwelling is not considered to outweigh the poor standard of amenity that future occupants of the dwelling would have, and the minor impact on the character and appearance of the street scene. The proposal is therefore contrary to East Suffolk Council - Waveney Local Plan (2019) Policies WLP8.29 and the NPPF.”*

- 7.2. This decision was appealed and dismissed by the Planning Inspectorate (see appendix 1 for a copy of that appeal decision). The Inspector agreed with the Council’s reasoning in respect of amenity impact.

### Principle

- 7.3. The site is located within the settlement boundary and therefore the principle of development is considered acceptable subject to the consideration of detailed development management policies. The dwelling would be constructed upon an allotment; however, these appear to be private allotments, and not for general public usage. Furthermore, they are not designated as being open space within the Local Plan, as such the principle of their loss is not contrary to policy.

#### Character and appearance

- 7.4. Policies WLP8.29 and WLP8.33 set out that proposed development should demonstrate a clear understanding of the form and character of the built, historic and natural environment and use this understanding to complement local character and distinctiveness and respond to local context and the form of surrounding buildings. The proposal seeks to build a dwelling behind existing development. The immediate area is largely characterised by linear development which fronts onto The Street, however, wider afield there are instances of development on the southern side of 'The Street' taking place behind dwellings that front the highway, but these tend to be part of more comprehensive schemes such as a Short Lane. The site is also situated adjacent to a public house with car park in the centre of the site and beer garden at the rear. Therefore, whilst the proposal would represent somewhat of a departure from the more common grain of development, a backland form of development in this location would not be completely out of character, nor would the impact on the character and appearance of the area be significant enough to warrant refusal. Furthermore, in the dismissed appeal the inspector raised no concerns with regards to impact on the character and appearance of the area. Officers consider the location of development and general layout to be in accordance with the Local Plan.
- 7.5. The proposed dwelling is unremarkable in form – a simple bungalow with a hipped roof built from brick. It is a fairly modest building of low scale and will fit within the context.

#### Amenity

- 7.6. Policy WLP8.29 also requires that the living conditions of proposed and existing properties are not unacceptably harmed, and that suitable amenity is provided. The proposed dwelling will be single storey and located a sufficient distance from neighbouring properties that it would not adversely impact on the amenity of neighbours through loss of privacy or light, nor would the proposed dwelling be an overbearing form of development. Furthermore, the proposed garden space for future residents would be sufficient for the size of the dwelling.
- 7.7. However, the proposal would be located adjacent to a public house, and whilst this type of relationship is not unusual, the positioning of the dwelling directly adjacent the beer garden at the rear could have adverse impact on the amenity of occupants of the dwelling because of noise and activity levels particularly during later hours in the summer months. This was the main reason for refusal in the previous application subject of the appeal, and the inspector agreed with those reasons, concluding that "*Whilst the appellant has indicated that any effects of noise could be addressed through the use of a 1.8 metre high acoustic fence along the boundary, there is no evidence before me to suggest how effective this might be in reducing noise from patrons of the Public House*".

- 7.8. In making such a conclusion on noise impact, and citing a lack of evidence, it is clear that there would be an opportunity for the applicant to seek to overcome that point through a re-submission. In this current application the applicant has provided a Noise Impact Assessment which concludes that, with a 2.4m high acoustic fence on the north-eastern side boundary, the noise levels associated with public house would be limited to such an extent so as not to harm the amenity of future residents of the proposed dwelling. Furthermore, the two bedrooms have been positioned so that they are at the points furthest from the boundary with the Public House. The Council's Environmental Protection Officers have reviewed the information submitted, and agree with the conclusion of the Noise Impact Assessment. Therefore, officers consider that previous concerns about potential for noise impact have been fully addressed, and such a refusal reason can no longer be advanced. A condition is necessary though to ensure that the acoustic fence be installed as stated and thereafter retained. A timber acoustic fence of this height, in the proposed location, will be visually acceptable and present as very similar to a normal boundary treatment in a built-up context.
- 7.9. Officers did previously raise concerns regarding the proposed outlook from the front of the new dwelling, being across the shared parking area and thus having a poor outlook. The inspector also agreed with the concerns in that regard, concluding (emphasis added): "***Due to the absence of any screening or landscaping, headlights would shine directly towards the front windows of the proposed dwelling resulting in disturbance from lighting***".
- 7.10. Again, the conclusions from the appeal decision provided the applicant with an opportunity address that concern, and this new application has included landscaping to the front of the dwelling to separate the parking area from the dwelling, and limit light impact from car headlights shining into the front windows of the dwelling. The plans show a general landscaped area, with no precise details of the planting; however, officers have recommended a condition to secure those planting details with timely implementation. With suitable planting it is deemed that the impact would be negligible, and the second part of the main refusal reason on the previous application addressed.
- 7.11. Therefore, it is considered that the previous reason for refusal has been overcome, and with no other substantive concerns raised by the Inspector in the appeal decision, the matters have been fully addressed.

#### Highways

- 7.12. Concerns have been raised by the Town Council regarding the loss of parking spaces for 55 and 57, who currently park four vehicles in the area. The proposal seeks to provide a single parking space for each of 55 and 57 The Street. The parking standards for these properties would be two spaces each which means there is an under provision of one space for each of the existing dwellings. However, Suffolk County Council Highways have raised no objections, and this is a sustainable location where lower parking provision can be acceptable. It is also noted that other properties in the terrace do not appear to have specific on-site parking provision, so in that context a single parking space for each dwelling (55 and 57) is acceptable. It is also noteworthy that in the appeal decision the Inspector raised no concerns in respect of parking or highways safety matters.

#### Ecology

- 7.13. The development site is within the recreational disturbance Zone of Influence for the following Habitats Sites (European Sites) in East Suffolk: Benacre to Easton Bavents SPA and Benacre to Easton Bavents Lagoons (SAC). Habitats Regulations Assessment of the Local Plan has identified that new residential growth in East Suffolk will result in increased recreational disturbance on Habitats Sites. The in-combination effect of this new growth will, in the absence of adequate mitigation measures, result in an adverse effect on the integrity of Habitats Sites in East Suffolk.
- 7.14. The Suffolk Coast RAMS provides strategic mitigation measures to address this impact. To fund this mitigation, financial contributions are collected from new developments. In order to conclude that this development will not result in an in-combination adverse effect on the integrity of Habitats Sites the relevant financial contribution to the strategy is required to be secured prior to determination. The required contribution has secured.

#### Other Matters

- 7.15. The site is located within Flood Zone 1, and therefore the impact from flooding is low and the site sequentially preferable for residential development.
- 7.16. Concerns have been raised by the Town Council regarding potential right of access. Rights of access are not a material planning consideration, and the access shown is deemed appropriate by officers and SCC Highways.

### **8. Conclusion**

- 8.1. In conclusion, the proposal overcomes the concerns raised in the previous application and dismissed appeal. The design, layout, and form of the proposed development is acceptable and will make use of a site within the settlement boundary to provide a smaller home to address local housing needs. The proposal accords with the Development Plan and permission can therefore be granted.

### **9. Recommendation**

- 9.1. Approve subject to conditions.

### **10. Conditions:**

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with the:
- Location Plan and blocks plans, 2742.21.3C, received 25/10/2022,
  - Proposed plans, 2742.21.2E, received 25/10/2022,
  - Noise Impact Assessment, IEC/4401/01/AVH, received 16/08/2022,

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

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

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

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

4. The use shall not commence until the area(s) within the site shown on drawing no. 2742.21.2E for the purposes of loading, unloading, manoeuvring and parking of vehicles has / have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking (2019) where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

5. Prior to construction above slab level details of the infrastructure to be provided for electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: In the interests of sustainable travel provision and compliance with Local Plan Sustainable Transport Policies.

6. The areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins as shown on Drawing No. 2742.21.2E shall be provided in their entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

7. In the event that contamination is found or suspected at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of the contamination on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons 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 scheme must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include

all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme must be carried out in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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 ORBH that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

8. Prior to the first occupation of the dwelling, hereby permitted, the 2.4m high Acoustic fence as shown on drawing 2742.21.2E, and detailed within the Noise Impact Assessment (IEC/4401/01/AVH), shall be installed, and shall thereafter be retained in this approved form.

Reason: To protect the amenity of future residents from the adjacent Public House and Beer Garden.

9. Prior to development above slab level full details of the soft landscape works, shown on drawing 2742.21.2E, shall be submitted to and approved in writing by the Local Planning Authority. 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; and an implementation programme.

The approved landscaping scheme shall be completed within 6 months of the first occupation of the dwelling, hereby permitted. Any trees or plants which die during the first 3 years shall be replaced during the next planting season.

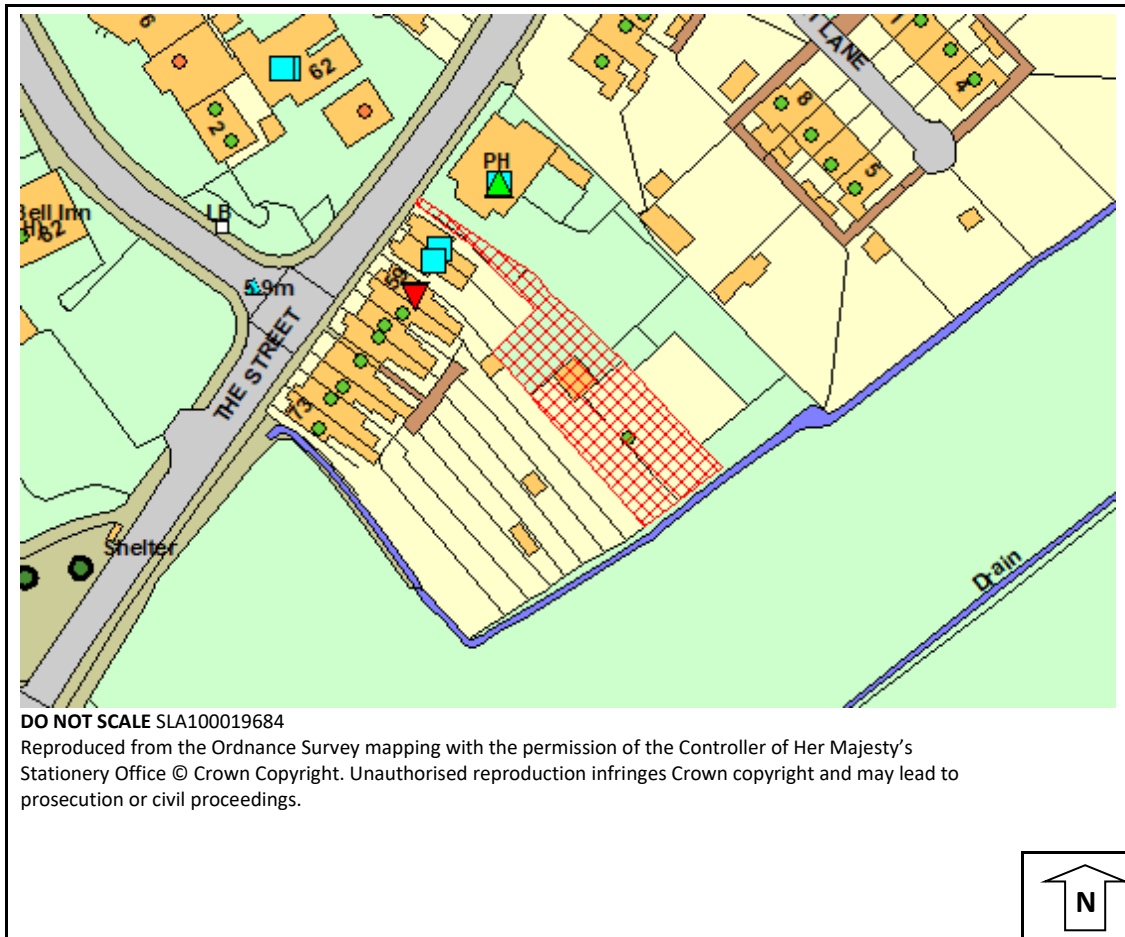
Reason: To ensure the provision of amenity afforded by appropriate landscape design, and to provide amenity benefits to future residents.

## **Background information**





See application reference DC/22/3272/FUL on [Public Access](#)

Appendix 1: Appeal Decision Ref: APP/X3540/W/21/3279845

## Map



## Key

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

---

# Appeal Decision

Site visit made on 15 February 2022

**by Philip Mileham BA(Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 1<sup>st</sup> March 2022**

---

**Appeal Ref: APP/X3540/W/21/3279845**

**Land Rear of 55, The Street, Carlton Colville, Suffolk, NR33 8JP**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Richden Homes Ltd against the decision of East Suffolk Council.
  - The application Ref DC/21/2130/FUL, dated 4 May 2021, was refused by notice dated 28 June 2021.
  - The development proposed is the erection of a residential bungalow and all associated works.
- 

## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is the effect of the proposed development on the living conditions of future occupiers having regard to noise and disturbance, lighting and outlook.

## Reasons

3. The appeal site comprises an area of what is described on the plans as allotment land located to the rear of No.55 The Street. The site is predominantly laid to grass with a shed and greenhouse and also includes a single-storey flat-roofed double garage block. There is no dispute between the parties that the site would be located within the settlement boundary and that local bus services are available to other nearby settlements.
4. The proposed development would be located directly adjacent to the beer garden of the Old Red House Public House. The beer garden is a flat area of land laid to grass with an area of decking close to the front corner of the proposed dwelling. Whilst the appellant has indicated that the Public House is currently closed, there is no evidence before me to confirm this. Even so, the Public House and accompanying beer garden could be reopened and actively used with limited notice. At the time of my visit during a winter weekday, the Public House was not open for customers; however, I consider that there would be a significant likelihood of the beer garden being used during periods of good weather.
5. Notwithstanding the above, the availability of outdoor space for Public Houses to use, has become particularly important since the coronavirus pandemic including for the provision of additional seating outdoor dining space. As such, the outdoor space of the Public House has the potential to make a positive contribution to maintaining its ongoing vitality and viability as a community

facility. I consider that the close proximity of the proposal to the beer garden would result in noise and disturbance to future occupiers of the proposed development, particularly in relation to their use of the proposed rear garden area. I consider such noise and disturbance would also place pressure on the future restriction of use of the Public Houses' outdoor space.

6. The proposed dwelling would be set back on the plot, and whilst there are a number of mature trees along the boundary of the beer garden, the dwelling would nonetheless be located in close proximity to the boundary of the beer garden. Whilst the appellant has indicated that any effects of noise could be addressed through the use of a 1.8 metre high acoustic fence along the boundary, there is no evidence before me to suggest how effective this might be in reducing noise from patrons of the Public House.
7. The proposal would have two bedrooms positioned to the front of the dwelling overlooking the parking and turning area. This area includes parking not only for the proposed dwelling, but also parking spaces for No.55 and No.57 The Street. The proposed dwelling would look out over the parking and turning area, and as there would be no intervening landscaping, future occupiers of the proposed dwelling would experience a poor outlook which would adversely affect their living conditions.
8. In addition to the poor outlook, outside daylight hours light from vehicle headlights would be directed towards the windows on the front elevation when entering the site. Due to the absence of any screening or landscaping, headlights would shine directly towards the front windows of the proposed dwelling resulting in disturbance from lighting. I consider that the effects of vehicle headlights would be harmful to the living conditions of future occupiers.
9. In light of the above, I conclude that the proposal would result in harm to the living conditions of future occupiers having regard to noise and disturbance, lighting and outlook. As such, it would fail to comply with Policy WLP8.29 of the adopted Waveney Local Plan (2019) (WLP) which states that development proposals should protect the amenity of the wider environment, neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development.
10. The proposal would also fail to accord with paragraph 130 of the National Planning Policy Framework (NPPF) which states that developments should create places with a high standard of amenity for existing and future users.

### **Other Matters**

11. The Council's second reason for refusing the proposal as set out in the decision notice was due to the proposed development failing to demonstrate that it would avoid an adverse effect on the integrity of the Benacre to Easton Bavents Special Protection Area (SPA) and the Benacre to Easton Bavents Special Area of Conservation (SAC) as set out in the Suffolk Recreation Access and Mitigation Strategy (RAMS). Since the appeal was lodged, the appellant has provided a financial contribution to the Council which, if permission were granted, would provide suitable mitigation to address any potential effect on European sites. In light of the issue of mitigation being satisfactorily addressed, the Council has indicated this matter is no longer in dispute between the parties. However, as I am dismissing the appeal for other reasons, I have not addressed this matter further in my decision.

12. The proposed development would provide economic benefits through job creation and in the supply of materials, albeit these would be temporary during the construction period. The proposal would have social benefits from future occupiers utilising local services and facilities and engaging in community activities. Environmental benefits would be secured through on-site biodiversity enhancements. The proposal would also make a contribution to meeting housing needs in the area.

**Conclusion and planning balance**

13. Whilst the proposed development would result in a number of benefits as set out above, as the proposal is for a single dwelling these benefits would be limited and insufficient to outweigh the harm I have identified in the main issue and the conflict with the development plan when read as a whole.
14. For the reasons given above I conclude that the appeal should be dismissed.

*Philip Mileham*

INSPECTOR