

Confirmed



Minutes of a Meeting of the **Planning Committee South** held in the Deben Conference Room, East Suffolk House, Melton, on **Tuesday, 25 April 2023 at 2.00pm.**

Members of the Committee present:

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

Other Members present:

Councillor David Ritchie

Officers present:

Marianna Hall (Principal Planner), Bridget Law (Strategic Lead - Housing Investment), Matt Makin (Democratic Services Officer (Regulatory)), Rachel Smith (Principal Planner), Dominic Starkey (Assistant Enforcement Officer (Development Management)), Alli Stone (Democratic Services Officer (Governance)), Ryan Taylor (Housing Development Officer), Ben Woolnough (Planning Manager (Development Management, Major Sites and Infrastructure))

Clerk's Note

The Chairman briefly adjourned the meeting during her introductions, to allow officers to resolve an issue with the audio-visual equipment in the Deben Conference Room.

1 Apologies for Absence and Substitutions

Apologies for absence were received from Councillor Tony Cooper.

2 Declarations of Interest

Councillor Stuart Bird declared an Other Registerable Interest in items 6 and 8 of the agenda, as a member of Felixstowe Town Council and Chairman of that authority's Planning and Environment Committee.

Councillor Colin Hedgley declared a Non-Registerable Interest in item 7 of the agenda, as the application was located within his Ward.

Councillor Mike Deacon declared an Other Registerable Interest in items 6 and 8 of the agenda, as a member of Felixstowe Town Council.

3 Declarations of Lobbying and Responses to Lobbying

No declarations of lobbying were made.

4 Minutes

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

RESOLVED

That the Minutes of the Meeting held on 28 March 2023 be agreed as a correct record and signed by the Chairman.

5 East Suffolk Enforcement Action - Case Update

The Committee received report **ES/1532** of the Head of Planning and Coastal Management, which was a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 27 March 2023. At that time there were 18 such cases.

The report was taken as read and there were no questions to the officers.

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

RESOLVED

That the outstanding enforcement matters up to 27 March 2023 be noted.

6 DC/23/0539/VOC - Former Deben High School, Garrison Lane, Felixstowe, IP11 7RF

The Committee received report **ES/1533** of the Head of Planning and Coastal Management, which related to planning application DC/23/0539/VOC.

The application sought to vary Condition 11 of permission DC/21/0541/FUL, granted on 3 June 2021 for the redevelopment of the former Deben High School site on Garrison Lane in Felixstowe. Condition 11 required a scheme for the provision of affordable housing to be submitted and approved and required no less than 42 of the 61 residential units approved to be affordable housing. The proposal was to amend the condition to require the policy compliant amount of 1 in 3 residential units to be affordable, being 20 units, with the additional 22 affordable units provided on a voluntary basis.

As East Suffolk Council was both the applicant and the landowner, the application was to be determined by the Committee in line with the Scheme of Delegation set out in the East Suffolk Council Constitution.

The Committee received a presentation from the Principal Planner, who was the case officer for the application. The site's location was outlined, and the Principal Planner highlighted the areas of the site subject to full and outline planning permission.

The Committee received aerial photographs of the site showing it both before and after the demolition of the school buildings on the site. It was noted that an assembly hall had been retained to be incorporated into the development.

The Principal Planner displayed the approved site layout; she explained that the number of affordable dwellings would not change and the proposed variation to condition 11 would enable the Council to seek external grant funding to deliver the affordable housing provision on the site, which would be over what was required by policy.

The Committee was shown photographs of the site demonstrating views looking north along Garrison Lane (prior to demolition), looking south along Garrison Lane (following demolition), looking west from Garrison Lane towards site access (prior to and following demolition), views of the former main school building, and the assembly hall (prior to and following demolition of the surrounding buildings). The Committee was also shown computer-generated images of the proposed development from the Design and Access Statement submitted with application DC/21/0541/FUL.

The Principal Planner summarised that the sole material planning consideration was whether the proposed variation of condition 11 was acceptable. The Committee was advised that the proposal was compliant with policy SCLP5.10 of the Suffolk Coastal Local Plan, regarding the provision of affordable dwellings on a development of this size, and that the development as a whole continued to be in accordance with the development plan. The recommendation to approve the application was outlined to the Committee.

The Chairman invited questions to the officers. It was confirmed that there was a typographical error in the description of the application and that there would be a provision of 61 parking spaces and not 16.

The Chairman invited Ms Law and Mr Taylor, representing the Council's Housing team, to address the Committee. Ms Law advised that she and Mr Taylor were present to answer any questions from the Committee.

The Chairman invited questions to Ms Law and Mr Taylor. In response to a query on the likelihood and securing funding and the implications if it was not, Ms Law advised that dialogue between Homes England and the Council had been positive and the application to vary condition 11 was a result of these conversations. Ms Law noted that any grant funding would be subject to an application process and although funding would leave the Council in a stronger position, it was not essential to the delivery of the proposed affordable housing as the project had been budgeted against not receiving this funding; if the Council was successful in obtaining the funding, then capital receipts earmarked for the development could be invested elsewhere.

The Chairman invited the Committee to debate the application that was before it. Councillor Deacon was delighted with the proposal as it would provide much

needed affordable housing and he welcomed the report. Councillor Bird concurred with Councillor Deacon and said the variation would help secure grant funding to establish an exemplar site, which would provide over and above the required amount of affordable housing.

There being no further debate, the Chairman sought a proposer and seconder for the recommendation to approve the application as set out in the report. On the proposition of Councillor Deacon, seconded by Councillor Bird, it was by a unanimous vote

RESOLVED

That the application be **APPROVED** and condition 11 of planning permission DC/21/0541/FUL be varied as follows:

11. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it and shall remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing.

The scheme shall include:

- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made, which shall consist of not less than 20 affordable dwellings. The details to include a mechanism for delivering an alternative method of providing affordable housing at the same level as approved in the event that no affordable housing provider acquires some or all of the affordable housing within a reasonable timescale.
- ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing,
- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing;
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: In accordance with Policy SCLLP5.10 of the Suffolk Coastal Local Plan (2020) to secure the appropriate provision of affordable housing on the site.

Other Conditions:

The final wording of some conditions may be subject to change, as noted in report ES/1533, as there are a number of applications to discharge conditions attached to

DC/21/0541/FUL under consideration at the time of writing this report. Conditions will address the following matters:

1. Time limit for commencement of residential development (with full planning permission).
2. Time limit for the submission of reserved matters (with outline permission) and time limit for commencement.
3. Development to be carried out in accordance with the approved plans and documents.
4. External facing and roofing materials to be agreed.
5. Removal of permitted development rights for extensions and alterations, roof alterations and outbuildings in respect of the residential development.
6. Removal of permitted development rights for walls and fences.
7. Removal of permitted development rights for additional windows above ground floor level.
8. Requirement for windows above ground floor level serving bathrooms to be fitted with obscure glazing.
9. Provision of storage areas for bins.
10. Details of external lighting to be agreed.
11. Scheme for provision of affordable housing to be agreed (as set out above).
12. Construction hours to be limited to 7.30am to 6pm Mondays-Fridays, 8am to 1pm on Saturdays and no construction work to take place on Sundays and Bank Holidays.
13. Details of protective fencing for existing trees to be agreed.
14. Noise assessment to be submitted.
15. Air quality assessment to be submitted.
16. Requirement for a minimum of 5% of car parking spaces for staff/visitor use to be provided with EV charging points.
17. Requirement for all dwellings with off-street parking and a minimum of 10% of spaces in private communal parking areas to be provided with EV charging points.
18. Site investigation in respect of land contamination to be carried out.
19. Remediation method statement (RMS) in respect of land contamination to be submitted.
20. RMS to be completed prior to occupation of the development.
21. Validation report in respect of land contamination to be submitted.
22. Landscaping scheme to be submitted for approval.
23. Management plan for maintenance of communal areas to be submitted for approval.
24. Scheme for provision improvements to pre-school and primary school education to be submitted for approval.
25. Strategy for disposal of surface water to be submitted for approval.
26. Details of implementation, maintenance and management of the strategy for the disposal of surface water to be submitted for approval.
27. Surface water drainage verification report to be submitted for approval.
28. Construction Surface Water Management Plan detailing how surface water and storm water will be managed on the site during construction to be submitted for approval.
29. Eastern-most balconies at first and second floors on apartment block D, on the eastern boundary of the site, to be fitted with an obscured glazed privacy panel on their eastern elevation to a height of 1.7m from balcony floor.

Informative:

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

7 DC/22/1746/FUL - Ipswich Town FC Training Ground, Playford Road, Rushmere St Andrew, IP4 5RG

The Committee received report **ES/1534** of the Head of Planning and Coastal Management, which related to planning application DC/22/1746/FUL.

The application sought the retention of existing camera towers located around the training pitches at Ipswich Town Football Club's training ground located off Playford Road in Rushmere St Andrew and the siting of additional towers.

As the officer's recommendation of approval was contrary to Rushmere St Andrew Parish Council's recommendation of refusal, the application was considered by the Planning Referral Panel at its meeting of 14 March 2023, in accordance with the Scheme of Delegation set out in the East Suffolk Council Constitution. The Referral Panel was of the view that the nature of the proposal warranted debate by the Committee.

The Committee received a presentation from the Principal Planner, who was the case officer for the application. The site's location was outlined, and the Principal Planner highlighted that the application site was bisected by Playford Road. The Committee was shown aerial photographs of the site.

The Principal Planner displayed block plans of the northern and southern sections of the site, demonstrating the location of existing and proposed towers. The Committee was advised that there would be a mixture of single aspect and dual aspect view towers in each area of the site and the block plans identified the locations of the different types of towers; the Principal Planner highlighted the proximity of towers in the southern section of the site to residential dwellings bordering the application site.

The Committee was advised that the existing towers on the site did not have planning permission; temporary permission for two towers was granted in 2001 and had since expired.

The Committee was shown a photograph of one of the existing towers along with the existing and proposed elevations for both single and dual aspect view towers. The Committee received photographs showing views of the site's northern and southern sections, demonstrating the locations of both existing and proposed towers and their proximity to residential properties where applicable.

The material planning considerations and key issues were summarised as visual amenity and residential amenity in relation to noise and privacy. The recommendation to approve the application was outlined to the Committee and the Principal Planner.

highlighted proposed condition 4, which related to restricting unauthorised use of the towers; officers considered that if used correctly, the towers would not have a significant impact on the residential amenity of neighbouring residential properties.

The Chairman invited questions to the officers. In response to a question on noise concerns and lighting, the Principal Planner advised that noise complaints had been made in respect of unauthorised use, where people had been on the towers and holding extended conversations and confirmed that there would be no lighting on the towers. The Principal Planner confirmed that she was satisfied that the distance, use and screening of the towers would not result in an unacceptable loss of privacy to neighbouring properties.

The Chairman invited Mr Sharp, the applicant, to address the Committee. Mr Sharp advised that he was present to answer any questions from the Committee and considered that the officer's report had adequately covered the application.

The Chairman invited questions to Mr Sharp. Mr Sharp confirmed that the opacity of the proposed meshing on the towers would block all views, similar to the meshing on the existing towers. Mr Sharp advised that he had regularly liaised with neighbours of the site in the last year and had made some changes to facilities on the site in response to concerns raised.

Mr Sharp explained that the cameras would be portable and mounted on tripods, at a 45-degree angle looking towards the pitches. Mr Sharp confirmed that all coaching was done at ground level and no megaphones were used on site; there would only be a maximum of two operators/analysts on a tower.

The Chairman invited the Committee to debate the application that was before it. Councillor Hedgley was not concerned about unauthorised use of the towers but acknowledged the concerns of objectors about being filmed. Councillor Hedgley was disappointed that no objector or representative from Rushmere St Andrew Parish Council had attended the meeting to make representations; he was not concerned with the towers in the northern section of the site and said the southern area had been a concern but was assured by Mr Sharp's comments that neighbours had been consulted and that appropriate and sufficient mitigation had been put in place.

Councillor Bird expressed some concerns about the aesthetics of the towers, describing them as unattractive, but considered they would appear less intrusive with the proposed meshing and accepted the officer's assurances that the towers would be of sufficient distance from residential dwellings, noting that there were other large structures already on the site, including the existing towers. Councillor Bird said that he was, overall, content with the application and would support it.

Councillor Blundell spoke of his experiences of the application site and considered it to be a well-run facility.

Councillor Newton expressed concerns with the proposed conditions, considering them not to be enforceable; he questioned who would enforce the proposed conditions. The Planning Manager (Development Management, Major Sites and Infrastructure), at the invitation of the Chairman, advised that the proposed conditions

were considered by officers to be enforceable and stated that it would be the applicant's responsibility to ensure they are complied with, and that any breaches could be reported to the Council who would act accordingly, including taking planning enforcement action where appropriate. Councillor Hedgley was of the view that residents would definitely report any alleged breaches if they considered they had occurred.

There being no further debate, the Chairman sought a proposer and seconder for the recommendation to approve the application as set out in the report. On the proposition of Councillor Hedgley, seconded by Councillor Blundell, it was by a majority vote

RESOLVED

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

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with drawing no 4015-1 01 received 28 April 2022 and 4015-1 03 B received 24 January 2023, 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 and maintenance of the camera towers hereby permitted shall only be in strict accordance with the Method Statement prepared by Hoopers (received 13 October 2022) and shall only be used when training is taking place on the pitch(es) directly adjacent to the tower(s) being used. No one shall use the towers when the adjacent pitch is not being used for training. Within six months of the towers being no longer required by the club for training purposes, they shall be removed from the site.

Reason: To restrict the use of the towers to professional use for limited periods in the interests of residential amenity.

Informative:

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

8 DC/23/0460/RG3 - Public Toilet Block adjacent Town Hall, Undercliff Road West, Old Felixstowe, Walton, IP11 2AG

The Committee received report **ES/1535** of the Head of Planning and Coastal Management, which related to planning application DC/23/0460/RG3.

The application sought extensions and alterations to the public toilet block facility at Undercliff Road West, Felixstowe to improve the facilities, including the provision of an accessible toilet, an operative rest area and improved access.

As East Suffolk Council was both the applicant and the landowner, the application was required to be determined by the Committee in line with the Scheme of Delegation set out in the East Suffolk Council Constitution.

The Committee received a presentation from the Principal Planner, on behalf of the case officer for the application. The site's location was outlined, and the Committee was shown aerial photographs.

The Principal Planner displayed photographs of the site demonstrating views towards the public toilet block from Undercliff Road West and the adjacent gardens. The Committee was shown the existing and proposed block plans and elevations.

The material planning considerations and key issues were summarised as design quality, residential amenity, listed buildings, and the conservation area. The recommendation to approve the application was outlined to the Committee.

There being no questions to the officers or public speaking on the application, the Chairman invited the Committee to debate the application that was before it. Several members of the Committee commented positively on the proposed alterations to the toilet block, noting they were long overdue and would complement the area. Members were broadly in support of the application.

There being no further debate, the Chairman sought a proposer and seconder for the recommendation to approve the application, as set out in the report. On the proposition of Councillor McCallum, seconded by Councillor Yule, it was by a unanimous vote

RESOLVED

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

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Drawing numbers 22.170-13, 22.170-14, 22.170-23 and Design and Access Statement received on the 03.02.2023, 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

Informative:

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

The meeting concluded at 2.52pm.

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Chairman