

Confirmed



Minutes of a Meeting of the **Planning Committee South** held in the Deben Conference Room, East Suffolk House, Melton, on **Tuesday, 23 August 2022** at **2.00pm**.

Members of the Committee present:

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

Other Members present:

Councillor Peter Byatt, Councillor David Ritchie

Officers present:

Mark Brands (Planning Officer (Development Management)), Karen Cook (Democratic Services Manager), Marianna Hall (Principal Planner), Matt Makin (Democratic Services Officer (Regulatory)), Agnes Ogundiran (Conservative Political Group Support Officer), Philip Ridley (Head of Planning and Coastal Management), Dominic Starkey (Assistant Enforcement Officer (Development Management)), Natalie Webb (Senior Planner)

1 Apologies for Absence and Substitutions

Apologies for absence were received from Councillor Mike Deacon and Councillor Debbie McCallum. Councillor Peter Byatt attended as Councillor Deacon's substitute.

Councillor Stuart Bird, Vice-Chairman of the Committee, chaired the meeting in Councillor McCallum's absence.

2 Declarations of Interest

Councillor Stuart Bird declared an Other Registerable Interest in item 7 of the agenda as a member of Felixstowe Town Council and Chairman of that body's Planning & Environment Committee.

3 Declarations of Lobbying and Responses to Lobbying

Councillors Stuart Bird, Chris Blundell, Tony Cooper, Tom Daly, Mark Newton and Kay Yule all declared that they had been lobbied on item 6 of the agenda by the applicant and had not responded.

4 Minutes

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

RESOLVED

That the Minutes of the Meeting held on 26 July 2022 be agreed as a correct record and signed by the Chairman.

5 East Suffolk Enforcement Action - Case Update

The Committee received report **ES/1250** 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 21 July 2022. At that time there were 15 such cases.

The report was taken as read and the Chairman invited questions to the officers.

The Assistant Enforcement Officer confirmed that all enforcement cases were dealt with on a priority basis and regardless of where in the district they were located; he acknowledged that there had been more compliance and less need for enforcement notices in the southern area of the district.

The Chairman sought a proposer and seconder for the recommendation to note the information in the report. On the proposition of Councillor Newton, seconded by Councillor Yule it was by a unanimous vote

RESOLVED

That the outstanding enforcement matters up to 21 July 2022 be noted.

6 DC/22/0573/OUT - Land to the north of 18 Mill Road, Newbourne

The Committee received report **ES/1251** of the Head of Planning and Coastal Management, which related to planning application DC/22/0573/OUT.

The application sought outline planning permission with some matters reserved for the construction of up to two dwellings and access on land to the north of 18 Mill Road, Newbourne.

The development was considered to be contrary to Local Plan Policies SCLP3.2, SCLP3.3, SCLP5.3, SCLP5.4 SCLP10.4 and SCLP11.9 which seek to ensure that new development understands and enhances local character, responds to local context and that layouts fit in with the character of their surroundings. The application had therefore been recommended for refusal.

The application was presented to the Planning Referral Panel on 9 August 2022 as officers were minded to refuse the application contrary to Newbourne Parish Council's support and was referred to the Committee for determination, as the Referral Panel concluded that there were material planning considerations which warranted discussion by Members.

The Committee received a presentation from the Senior Planner, who was the case officer for the application. The Senior Planner advised that no comments had been received from either of the Ward Members and no objections had been received from statutory consultees.

The site's location was outlined and an aerial photograph of the site was displayed. The Committee also received a second aerial photograph of the wider area, demonstrating the application site's relationship with the wider area.

The access layout was displayed; the Senior Planner explained that access was the only matter to be considered and that all other matters were reserved. The access layout detailed that the access point would be located centrally and provide two separate driveways.

The Committee was shown photographs demonstrating views north on Mill Road, north-east into the site, south-east into the site, looking south towards Mill Road, the trees and vegetation along the boundary with Mill Road and of 29 Mill Road, looking north towards the site.

The Senior Planner summarised the criteria of policies SCLP5.3 (Housing Development in the Countryside), SCLP5.4 (Housing in Clusters in the Countryside), SCLP10.4 (Landscape Character (B10 Mill River Valley)) and SCLP11.9 (Newbourne - Former Land Settlement Association Holdings) of the Suffolk Coastal Local Plan in respect of the application, noting that in all instances the application was considered to be contrary to policy as it would cause notable harm to the landscape character of the area.

The Committee received a map showing where cluster development had been applied for in Newbourne, indicating where planning permission had been either granted or refused.

The material planning considerations were summarised as the principle of development and landscape impact, design, access onto Mill Road, residential amenity and the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS).

The recommendation to refuse the application was outlined to the Committee.

The Vice-Chairman invited questions to the officers.

The Senior Planner confirmed that there would be a single access point to the site from Mill Road.

The Committee was advised that the application had been recommended for refusal as in all policy instances, the application was contrary to policy due to the harm it would cause to the landscape character area.

The Vice-Chairman advised that two individuals had registered to speak on behalf of the applicant and had agreed to split the time allotted between them.

The Vice-Chairman invited Daniel White, the applicant's agent, to address the Committee.

Mr White summarised the key policies to consider in relation to the application and outlined that the proposed development was for up to two dwellings to infill between existing development, including an existing cluster of dwellings, which he considered to be compliant with the Local Plan's policies. Mr White said that the addition of the two dwellings would result in the density of Mill Road being comparable to its current position.

Mr White noted an appeal to the Planning Inspectorate regarding a similar scheme that had been refused in Hollesley, outlining the comments of the Planning Inspector regarding the infill not having a harmful effect; he highlighted that this appeal had been allowed.

Mr White added that this application had been within the Area of Outstanding Natural Beauty (AONB), which the current application was not. Mr White was of the view that the proposed development would not have a negative impact on the landscape character of the area.

Mr White referred to statements the officer's report that two dwellings could be delivered on the site and accommodated in the frontage of Mill Road. Mr White considered that the application could not therefore reasonably be considered as intrusive, noting that the existing landscape buffers would be retained. Mr White asked the Committee to approve the application.

There being no questions to Mr White the Vice-Chairman invited Mr Winship, the applicant's representative, to address the Committee.

Mr Winship highlighted the history of the applicant's family occupying the site and said that as a former member of the AONB partnership board he commended the application. Mr Winship stated that approving the application would mean the applicant and their family could continue to live on the site and personify Newbourne's historical role with the land settlement trust.

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

Councillor Blundell stated that Newbourne was adjacent to his Ward and he was familiar with the area, noting that there was significant development already taking place there. Councillor Blundell was concerned about allowing further development in the countryside and said he could not support the application.

Councillor Bird noted that development in the countryside was permitted by the Local Plan but it had to meet the criteria set out in the relevant policies. Councillor Bird was content that the officer's recommendation that the proposed development was not fully in accordance with those policies was correct and highlighted paragraph 7.19 of the officer's report regarding the loss of green space.

During debate, officers clarified to Members that although the application accorded with some of the criteria of the relevant policies, it did not comply with all the criteria. The Senior Planner noted that the Council's Planning Policy team had been consulted and had advised they were happy that the application had been assessed in line with the Supplementary Planning Document (SPD) on cluster development that was currently being prepared.

Councillor Hedgley noted that although the scheme appeared acceptable, he acknowledged that it was not fully policy compliant and would be supporting the recommendation of refusal.

There being no further debate the Vice-Chairman sought a proposer and seconder for the recommendation to refuse the application, as set out in the officer's report.

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

RESOLVED

That the application be **REFUSED** for the following reason:

This application seeks outline planning permission with some matters reserved for the construction of up to two dwelling and access on and to the north of 18 Mill Road, Newbourne.

The proposed development would not meet any of the exemptions for new residential development in the countryside outlined by East Suffolk Council - Suffolk Coastal Local Plan (September 2020) Policy SCLP5.3, with specific regard to SCLP5.4 (Housing in Clusters in the Countryside). Furthermore, it is considered that the development would result in harm to the character of the former Land Settlement Association Holdings area identified by Local Plan Policy SCLP11.9 and Policy SCLP10.4 with regard to the impact on local landscape character as identified in The Suffolk Coastal Landscape Character Assessment.

Therefore, the development would be contrary to Local Plan Policies SCLP3.2, SCLP3.3, SCLP5.3, SCLP5.4 SCLP10.4 and SCLP11.9 which seek to ensure that new development understands and enhances local character, responds to local context and that layouts fit in with the character of their surroundings.

Informatives:

1. The local planning authority has identified matters of concern with the proposal and the report clearly sets out why the development fails to comply with the adopted development plan. The report also explains why the proposal is contrary to the objectives of the National Planning Policy Framework and local plan to deliver sustainable development.

2. In determining this application the Local Planning Authority has considered Drawing Nos PPS21-3110-TD1, PPS21-3110-VBP1 and PPS21-3110-ELP1 received on 11 February 2022.

The Committee received report **ES/1252** of the Head of Planning and Coastal Management, which related to planning application DC/22/0665/FUL.

The application sought planning permission for a replacement dwelling at 29D Quilter Road, Felixstowe. As officers were minded to refuse the application contrary to Felixstowe Town Council's recommendation of approval, the application was therefore presented to the Planning Referral Panel at its meeting on 19 July 2022, in accordance with the East Suffolk Council Constitution, where it was referred to the Committee for determination.

The Committee received a presentation from the Planning Officer (Development Management), who was the case officer for the application.

The Planning Officer summarised the comments made by the Council's Principal Design and Conservation Officer, which had been received after the deadline for information to be included in an update sheet. The Principal Design and Conservation Officer had advised that he could not support the application as it was unsuited to its back-land context, was over-scaled and lacked sufficient architectural interest or merit and would be detrimental to the Conservation Area.

The site's location was outlined and an aerial view of the site was displayed. A three-dimensional aerial image of the site was also shown, which demonstrated the existing structure's relationship with its host dwelling and the surrounding area.

An image of the streetscene was displayed and the Planning Officer noted the site's location within the Conservation Area, which comprised of a traditional Victorian urban streetscene.

Photographs displaying images of the site and surrounding area from the front, rear, rear and side and side and front were shown to the Committee.

The Committee received the floor plans and elevations for the existing structure, along with the elevations, floor and roof plans for a previously approved scheme on the site for a one-storey building, which had been considered to be appropriate to the character of the area.

The Planning Officer displayed the existing and proposed elevations, noting the slight increase in the depth of the property that would result from the replacement dwelling. The Committee was also shown the proposed floor plans and elevations.

The material planning considerations and key issues were summarised as the principle of development, design, the conservation area and residential amenity.

The recommendation to refuse the application was outlined to the Committee.

The Vice-Chairman invited questions to the officers.

The Planning Officer confirmed that the existing structure had originally been an ancillary building of its host dwelling before being converted to a dwelling and was set well back from Quilter Road.

The Planning Officer advised that officers had been minded to refuse the application not because of the loss of the existing structure, but as the proposed replacement was not of existing or greater value in respect of the Conservation Area.

The Vice-Chairman invited Phil Cobbold, the applicant's agent, to address the Committee.

Mr Cobbold explained that the existing dwelling was unoccupied, in poor condition, suffered from structural failings and was not financially viable to restore. Mr Cobbold noted that the site benefitted from amenity space and off-road parking and that the new building would be located in the same area of the site as the existing structure in order to retain these features.

Mr Cobbold considered that the proposed development would improve the living conditions on the site and create a two-bedroom property that would be appealing to a wider audience. Mr Cobbold said that the design had been influenced by both the host dwelling and the character of the surrounding area, using red brick and a roof design similar to others in the area.

Mr Cobbold confirmed that the building would incorporate first-floor accommodation and stated that the increased height would not cause demonstrable harm, noting that windows had been carefully placed to avoid overlooking.

It was Mr Cobbold's view that the existing dwelling did not contribute to the Conservation Area given that it was set far back from Quilter Road; he considered that the benefits of the development outweighed any harm and the proposals were for a sustainable development that would benefit the economy through building jobs and provide a modest home in an area where there was a high demand for rented accommodation, reusing existing housing land.

Mr Cobbold highlighted that Felixstowe Town Council had recommended approval of the application and sought the support of the Committee.

The Vice-Chairman invited questions to Mr Cobbold.

Mr Cobbold confirmed that pre-application advice had not been sought as the Conservation Area assessment did not refer to the existing dwelling and that the applicant was proposing a replacement building incorporating design and materials used in the area.

In response to a question on the applicant seeking further advice on the previously approved plans, Mr Cobbold stated that the applicant wished to provide a better building on the site and considered that the proposed design could be accommodated

without causing additional harm, noting that the Council had already agreed that the building could be replaced.

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

Several members of the Committee expressed support for the application, considering the height and design to be acceptable and noting the support of Felixstowe Town Council.

The Head of Planning and Coastal Management drew the Committee's attention to the comments of the Council's Principal Design and Conservation Officer, who had concurred with the officer recommendation to refuse the application. The Head of Planning and Coastal Management asked the Committee to balance these comments with those made by the applicant's agent, reiterating the officer view that the proposed development would lead to some overlooking.

The Head of Planning and Coastal Management also highlighted the comments of the Principal Design and Conservation Officer that the previously approved scheme on the site did not provide "carte blanche" for any other scheme to be approved.

Councillor Bird highlighted that the application site was within a Conservation Area and said that, therefore, any replacement dwelling should be of either equal to or greater value than what it was replacing. Councillor Bird contended that unlike what had previously been approved on the site, the proposed development was not of equal or greater value to what it would replace, describing the design as being greater in height, more utilitarian in design and not retaining a veranda feature.

Several other members of the Committee concurred with the recommendation to refuse the application, considering the importance of protecting the sense of place provided by the Conservation Area and being of the view that the proposed development was not in keeping with the character of the area.

There being no further debate the Chairman sought a proposer and seconder for the recommendation to refuse the application, as set out in the officer's report.

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

RESOLVED

That the application be **REFUSED** for the following reason:

The existing building makes a positive contribution to the Felixstowe Conservation Area. The proposed replacement dwelling would result in overdevelopment of the site and is of an unsympathetic design and scale, given the character of the building in situ and its former relationship with the neighbouring property. The proposal would harm the character and appearance of the conservation area and adversely impact neighbouring amenity due to its overbearing scale, resulting in a loss of privacy and reduction of lighting levels. The proposed development is therefore considered contrary to policies SCLP11.1, SCLP11.2 and SCLP11.5 of the Suffolk Coastal Local Plan

2020 and the relevant provisions of the National Planning Policy Framework (paragraphs 130 and 202).

Informatives:

1. The Council offers a pre-application advice service to discuss development proposals and ensure that planning applications have the best chance of being approved. The applicant did not take advantage of this service. The local planning authority has identified matters of concern with the proposal and the report clearly sets out why the development fails to comply with the adopted development plan. The report also explains why the proposal is contrary to the objectives of the National Planning Policy Framework and local plan to deliver sustainable development.

2. In determining this application, the local planning authority has considered the following documentation submitted in association with the application:

- Application form
- Design and access and heritage statement
- 4291-01 (site location plan)
- 4291-02 (existing plans)
- 4291-03 (existing elevations)
- 4291-04 (proposed site plan)
- 4291-05 (proposed plans and elevations)
- land contamination report and questionnaire

The meeting concluded at 2.55pm.

.....
Chairman