



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

Planning Committee South

Members:

Councillor Debbie McCallum (Chairman)
Councillor Tony Fryatt (Vice-Chairman)
Councillor Melissa Allen
Councillor Stuart Bird
Councillor Chris Blundell
Councillor Tony Cooper
Councillor Mike Deacon
Councillor Colin Hedgley
Councillor Kay Yule

Members are invited to a **Meeting** of the **Planning Committee South**
to be held on **Tuesday, 23 February 2021 at 2.00pm**

This meeting will be conducted remotely, pursuant to the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

The meeting will be facilitated using the Zoom video conferencing system and broadcast via the East Suffolk Council YouTube channel
at <https://youtu.be/38nm6luQ3IQ>

An Agenda is set out below.

Part One – Open to the Public

Pages

2	Declarations of Interest Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.	
3	Declarations of Lobbying and Responses to Lobbying To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.	
4	Minutes To confirm as a correct record the Minutes of the meeting held on 26 January 2021.	1 - 47
5	Enforcement Action - Case Update ES/0677 Report of the Head of Planning and Coastal Management	48 - 67
6	DC/20/4544/FUL - 52 The Street, Melton ES/0678 Report of the Head of Planning and Coastal Management	68 - 76
7	DC/20/4630/FUL - Site adjoining 88 Bury Hill, Melton, Woodbridge ES/0680 Report of the Head of Planning and Coastal Management	77 - 88
8	DC/20/2540/FUL - 28 Harvester Way, Martlesham Heath, Martlesham ES/0681 Report of the Head of Planning and Coastal Management	89 - 95
9	DC/20/4198/OUT - Blackstone Cottage, Blackstone Crossing, Campsea Ashe, Woodbridge ES/0682 Report of the Head of Planning and Coastal Management	96 - 106

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/planning/planning-applications/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. Any member of the public who attends a meeting and objects to being filmed should advise the Committee Clerk (in advance), who will instruct that they are not included in any filming.

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



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

Minutes of a Meeting of the **Planning Committee South** held via Zoom, on **Tuesday, 26 January 2021**
at **2:00 pm**

Members of the Committee present:

Councillor Melissa Allen, Councillor Stuart Bird, Councillor Chris Blundell, Councillor Tony Cooper, Councillor Mike Deacon, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Kay Yule

Other Members present:

Councillor Carol Poulter, Councillor David Ritchie, Councillor Steve Wiles

Officers present:

Jamie Behling (Trainee Planner), Liz Beighton (Planning Manager), Sarah Carter (Democratic Services Officer), Matt Makin (Democratic Services Officer), Philip Perkin (Principal Planner (Major Sites)), Philip Ridley (Head of Planning and Coastal Management), Katherine Scott (Principal Planner), Robert Scrimgeour (Principal Design and Conservation Officer), Ben Woolnough (Major Sites & Infrastructure Manager)

1 Apologies for Absence and Substitutions

Apologies were received from Councillor Tony Fryatt; Councillor Paul Ashdown attended as his substitute.

2 Declarations of Interest

Councillor Melissa Allen declared an interest in item 10 of the agenda as she had objected to it in her capacity as Ward Member. Councillor Allen advised the Committee that she remained of an open mind about the application and would be basing her decision on the information presented to the Committee.

Councillor Stuart Bird declared a Local Non-Pecuniary Interest in item 8 of the agenda as a member of Felixstowe Town Council and Chairman of its Planning and Environment Committee.

Councillor Mike Deacon declared a Local Non-Pecuniary Interest in item 8 of the agenda as a member of Felixstowe Town Council.

3 Declarations of Lobbying and Responses to Lobbying

Councillor Melissa Allen declared that she had been lobbied on item 10 of the agenda and had responded to this correspondence.

Councillor Stuart Bird declared that he had been lobbied on item 8 of the agenda and had not replied to any correspondence.

4 Minutes **RESOLVED**

That the Minutes of the Meeting held on 22 December 2020 be agreed as a correct record and signed by the Chairman.

5 East Suffolk Enforcement Action - Case Update

The Committee received report **ES/0641** of the Head of Planning and Coastal Management. The report 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 18 December 2020; at that time there were 13 such cases.

The Chairman invited questions to the officers.

The Planning Manager advised that she and the Senior Enforcement Officer had scheduled to visit the site at Top Street, Martlesham, to confirm compliance and would provide an update to the Committee once this visit had taken place.

In response to a question on the enforcement case at Pine Lodge, Hinton, the Planning Manager confirmed that charging orders had been placed on the land to recover court costs and recent site visits had demonstrated continuing compliance on the site. The Planning Manager advised that the length of time the case had taken had been predicated by High Court dates.

There being no further questions the Chairman moved to the recommendation to note and receive the report.

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

RESOLVED

That the report concerning Outstanding Enforcement matters up to 18 December 2020 be received and noted.

6 DC/20/3264/FUL - Land between High Street and Chapel Lane, Pettistree

Note: during this item, Councillor Allen lost connection to the meeting on several occasions and was not able to return to the meeting for significant periods of time. As a result, she did not vote on this item.

The Committee received report **ES/0642** of the Head of Planning and Coastal Management, which related to planning application DC/20/3264/FUL.

The application sought full planning permission for the development of 129 houses and associated infrastructure and outline planning permission for seven self-build dwellings.

The site was allocated in the East Suffolk Council Suffolk Coastal Local Plan for the development of approximately 150 houses under Policy SCLP12.60.

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

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

The site's location was outlined; the site was immediately south of another Hopkins Home development now known as the Morris Road development and was bounded by the High Street to the west and Chapel Lane to the east. There were no features that defined the southern boundary of the site.

The Committee was shown a map which related the application site to the site allocated under policy SCLP12.60 of the Suffolk Coastal Local Plan, which had been adopted by East Suffolk Council in September 2020, as well as an aerial view of the site.

Photographs were displayed of the following:

- the view north along the High Street from the proposed access point
- the view north along the High Street of the tower and spire of All Saints Church
- the view south from the proposed access point
- the view along the High Street towards the entrance to Morris Road
- the view from the High Street across the site to the southern boundary of the Morris Road development
- the view of the ditch along the northern boundary of the site
- the east to west view across the site
- the view to the south of the site
- the view of the play area adjacent to the southern boundary of the Morris Road development
- the view along the southern boundary of the Morris Road development
- the view along part of the southern boundary of the Morris Road development
- the view of the site from the adjacent site to the north
- the view south along Chapel Lane
- Chapel Lane
- the view north along Chapel Lane
- the view along the northern boundary
- the view from Chapel Lane to the south

The Principal Planner indicated that the site sloped towards its lowest point, located at the northern boundary.

The proposed site layout was displayed. Planning officers considered that the layout proposed was an attractive one with a good amount of open space. A 10 metre landscape buffer zone was proposed for the southern boundary, which was required by policy SCLP12.60. Two play areas were proposed and there would be significant landscaping on the frontage with the High Street. The Principal Planner said that a significant feature of the proposal was the inclusion of

infiltration basins to the north of the site as part of the sustainable urban drainage system (SUDS) for the development.

An image showing the proposed layout's relationship with the Morris Road development was shown. The Principal Planner stated that the proposed layout would complement the existing development.

Cross-sections of the site were displayed which demonstrated the various street scenes and relationships with the Morris Road development. The images detailed the mix of housing types, heights and proposed materials.

The Committee was in receipt of the proposed landscape strategy, which demonstrated large open spaces and high quality landscaping.

Elevations of the proposed housing types were displayed and outlined.

The material planning considerations and key issues were summarised as the principle of development, housing mix and affordable housing, the provision of open space, pedestrian connectivity, access and highways, design and layout/residential amenity, landscape and visual impact, ecology, and surface water drainage.

The Principal Planner noted the potential for pedestrian connectivity between the proposed development and the Morris Road development; this required the agreement of the Morris Road development's management company, which had not been forthcoming. A Section 106 Agreement would be put in place to ensure the delivery of this connectivity should it become possible.

Concern had been expressed about the proximity of Plots 1 and 23 to the existing dwelling located to the north of Plot 1. However, Plot 1 had a side-to-side relationship with the existing dwelling to the north with a separation distance of some 16m between the two side elevations, which officers considered sufficient to ensure there would be no loss of amenity.

The Principal Planner noted recent flooding on the application site and stated that this had been discussed with both the applicant and the Flood Authority; the applicant had considered that this flooding had occurred due to surface water flowing to the lowest point of the site and the Flood Authority confirmed that the pooling observed was where one of the infiltration basins would be located.

The Lead Local Flood Authority had also noted that the drainage ditch at the northern site serviced the Morris Road development and discharge during storms could affect the proposed development; this required assessment to ascertain what the impact would be and what mitigation would be required and this was included as a condition in the recommendation. The applicant had committed to improve and widen this drainage ditch.

The recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the officers.

The Principal Planner clarified the area of the site that would be allocated for self-build plots and that the affordable housing units would be distributed throughout the site.

In response to a question regarding pedestrian connectivity between the site and the Morris Road development, the Principal Planner considered that it would be better to consider this in more detail once the site had at least been developed at its northern boundary and that the benefits would be more realised at this point. The Head of Planning and Coastal Management reiterated that the connectivity had been objected to by the management company of the Morris Road development and that the use of a legal agreement to secure this in the future was an acceptable option.

The Principal Planner detailed the recreational areas that would be available, including the two play areas, a circular walking route around the perimeter of the site and the links to Chapel Lane which would in turn link to existing public footpaths. In response to a question regarding playing fields, the Head of Planning and Coastal Management said there was no requirement for sports facilities on the site and noted the good provision of such facilities in Wickham Market, which would be within walking distance from the site.

It was confirmed that the infiltration basins would be dry for a majority of a time but would contain some water after high rainfall events.

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

Mr Cook said that he and other residents of Pettistree were not against the principle of development in the parish but did object to the size of the proposed development in relation to the existing size of the village, and what it would mean in relation to the question of coalescence.

It was considered by Mr Cook that the development would merge Pettistree and Wickham Market and that there would be no dividing line between the two settlements. Mr Cook said that this would be contrary to policy SCLP10.5 of the Suffolk Coastal Local Plan.

Mr Cook acknowledged that assurances of "open space" between this development and the existing Morris Road development had been given but said that in practice this would have almost no effect in creating a buffer zone and therefore coalescence would occur.

Mr Cook stated that Pettistree consisted of 85 dwellings and noted that the proposed 136 new dwellings would result in a 160% increase in the size of the parish, which had no shop, only one pub and a village hall. Mr Cook considered that a development of this size would be too large for even Wickham Market to cope with and that the impact of additional vehicles on local roads, particularly through Ufford heading south to the A12, would be substantial. He recommended that any Member not familiar with the bottleneck in the centre of Wickham Market visit the area to witness its impact during busy periods.

It was Mr Cook's view that there should be a maximum of 90 properties delivered on the site and that 30 of them should be affordable units if local housing was a driver for the development. Mr Cook considered that the wealthier residents in the area would not want to buy the houses and the less well-off residents who wanted to stay in Wickham Market would; he suggested that a housing association would be more likely to take on a group of larger group of properties.

Mr Cook concluded that the development would not provide resources for the area but would draw resources from it, adding to traffic and demand on local services. He considered that the development would only provide short-term gain for the developer and cause long-term loss for the community.

There being no questions to Mr Cook the Chairman invited Councillor Hallett, Chairman of Pettistree Parish Council, to address the Committee.

Councillor Hallett informed the Committee of the serious impacts Pettistree Parish Council expected from the development on Pettistree and neighbouring villages. Councillor Hallett noted that the single pub that served both Pettistree and Wickham Market would not cope with the large influx of new residents and that the village hall was too small to accommodate a meeting of the new parishioners, and that Pettistree would not receive enough Community Infrastructure Levy (CIL) money to build a larger hall. Councillor Hallett added that the local church could not accommodate even a small percentage of the new residents.

It was highlighted by Councillor Hallett that Pettistree depended on Wickham Market for nearly all of its local services and he considered that the new population on the site would overload these services. Councillor Hallett also raised concerns about the impact of traffic entering and leaving Wickham Market at the pinchpoint in the centre of the village. Councillor Hallett said that no practical solution had been proposed; the Highways Authority had recognised the issue and Councillor Hallett was of the view that the untargeted sum of £41,000 for roads in the centre of the village would not resolve the problem.

Councillor Hallett suggested that a similar management company for open spaces to that on the Morris Road development would likely be formed for the new development and was concerned this would create no-go and no-play areas for non-estate families; he highlighted that this was already the case on the Morris Road development and referred the Committee to images he had circulated, prior to the meeting, of the unfriendly signage at the open spaces on that site.

Councillor Hallett commented on the Morris Road management company's objection to pedestrian connectivity between the sites and noted the comments at paragraph 8.1 of the report about this being a shortfall in the scheme as it would fail to create community cohesion, asking how this issue would be addressed before development commenced.

It was noted by Councillor Hallett that the Highways Authority had said that no trees shall be planted closer than five metres to the carriageway, and that this would apply to the High Street and the roads within the estate. Councillor Hallett referred to the proposed planting and said that this would result in the estate roads not being adopted. Councillor Hallett said that this could lead to maintenance and possibly ownership being taken on by a private company, which could create future conflict over ownership and access to the roads. Councillor Hallett also noted that if the planting guidance was followed, the screening and amenity planting schemes would fail.

Councillor Hallett reiterated Pettistree Parish Council's objection to the application in both principle and detail.

The Chairman invited questions to Councillor Hallett.

Councillor Hallett acknowledged that the proposed number of dwellings was lower than that which the site was allocated in the Suffolk Coastal Local Plan but noted the Parish Council's objection to the policy during the making of the Local Plan.

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

Councillor French confirmed that Wickham Market Parish Council objected to both this application and its duplicate (item 7 of these Minutes) and wanted to take the opportunity to reinforce the concerns set out in the Parish Council's letter of 12 October 2020.

Councillor French expressed disappointment that an archaeological assessment report had not been submitted in advance of the meeting, given the investigations had been carried out in 2020. Councillor French also raised concerns about the impact of the development on the village road network and sought assurances that all required works would be carried out under the Section 106 Agreement, as the £41,000 allocated for improvements was not enough.

The flooding problem on the site was highlighted by Councillor French and he asked if there was an alternative plan should the infiltration basins be insufficient, as well as for confirmation on who would manage the basins. Councillor French highlighted that the treatment plant that would serve the development was already nearly at capacity and questioned if it would be able to cope with the new development.

Councillor French suggested that local services in Wickham Market would be overloaded as they already supported several neighbouring parishes which either already had or would see further residential development in the future.

Councillor French said that Wickham Market Parish Council wanted to be involved in discussions regarding highway works such as bus stops, footway works, crossings, gateway design, and speed control measures. Councillor French also queried if the estate roads would be adopted by the Highways Authority.

Councillor French expressed concern that the development would bring second home owners with no sense of community with either village.

Councillor French concluded that, should the Committee approve the application, Wickham Market Parish Council wanted to be fully involved in the details relating to layout, drainage, landscape, treescape, highways and legal agreements in order to ensure that these address its technical concerns.

There being no questions to Councillor French the Chairman invited Mr Lieberman, Head of Planning for Hopkins Homes, to address the Committee. Mr Lieberman was accompanied by Mr Armstrong of Armstrong Rigg Planning and Mr Wigzell of Ingent Consulting Engineers who would be able to answer any technical questions that the Committee might have.

Mr Lieberman said that Hopkins Home had worked closely with officers, both before submitting the application and over the last six months, to arrive at a scheme which was supported by statutory consultees and in full accordance with the site allocation in the Suffolk Coastal Local Plan.

Hopkins Homes had carried out community engagement prior to submitting the application and Mr Lieberman said that this had helped to inform the scheme design and layout. This included a well-attended public exhibition and a meeting with Pettistree Parish Council in August 2019.

Mr Lieberman considered that Hopkins Homes had an excellent track record of delivery and said it was fully committed to progressing the site as soon as possible. Should the application be approved it was Hopkins Homes' intention to commence development towards the end of 2021, following the discharge of relevant conditions, and envisaged completion of the first dwelling at the end of 2022 and all dwellings by late 2025.

Mr Lieberman suggested that the development was attractive in design and noted the provision of 45 affordable housing units and seven self-build dwellings.; he also noted the variety of housing types on the site, including smaller one and two bedroom units, as well as open spaces, play areas and sustainable urban drainage systems.

Hopkins Homes' approach to development was described by Mr Lieberman as 'fabric first' and utilising low carbon technology, including air source heat pumps. These details would be further discussed and agreed with officers as part of any subsequent discharge of condition applications.

Mr Lieberman highlighted that the Highways Authority had not objected to the application and that it would bring the highway improvements requested. Mr Lieberman concluded that the scheme was in line with local and national planning policies and would provide high-quality housing on an allocated site.

The Chairman invited questions to Mr Lieberman, Mr Armstrong and Mr Wigzell.

Mr Lieberman confirmed that Hopkins Homes was happy to work with Wickham Market Parish Council as requested, subject to the application being approved.

It was envisaged that all properties with on-plot parking would have an electric vehicle charging point and that communal charging points across the site would be considered.

Mr Lieberman stated that the expected completion date excluded the self-build plots, which would be subject to separate reserved matters applications; these plots would be subject to a specific design code.

The Chairman invited Councillor Carol Poulter, Ward Member for Pettistree, to address the Committee.

Councillor Poulter said that she had listened with interest to what had been said at the meeting; she considered that the development appeared to meet planning requirements and was an attractive development but that she agreed with a number of the objections raised about the application, including the impact on the highways through Ufford to and from the site.

Councillor Poulter considered that she had not been able to see a sequential approach to the planning process and that it had not been as transparent as it could have been. Councillor

Poulter expressed concern that residents felt that they had not been listened to and noted that this was evidenced in the correspondence received in the respect of the application.

In respect of the lack of objection from the Highways Authority, Councillor Poulter said this was contrary to the known pinch point in Wickham Market which was 300 metres from the application site. The resulting diversion at peak times would be significant and Councillor Poulter asked if traffic modelling had been undertaken and highlighted the possible impact of Sizewell C on traffic in the locality.

Councillor Poulter was pleased to hear that the applicant would work with Wickham Market Parish Council and asked if they would work with the other parish councils.

The Chairman asked officers to clarify the concerns raised by Councillor Poulter.

The Head of Planning and Coastal Management outlined that all Members and parish councils were encouraged to link into the Public Access system which provided regular updates on planning applications; the system contained all information on applications and allowed users to access this information digitally.

The Head of Planning and Coastal Management acknowledged that many communities in East Suffolk would be impacted by any development of Sizewell C and highlighted that he and his team would be meeting with Wickham Market Parish Council and EDF Energy regarding this. In terms of highways issues, the Head of Planning and Coastal Management assured the Committee that other allocations in the Local Plan and the impact of Sizewell C had been taken into consideration when the application site was allocated for development.

The Head of Planning and Coastal Management stated that the issue of access to open spaces could be addressed through planning conditions to ensure that areas remained open to members of the public. The Major Sites and Infrastructure Manager added that the issues at the Morris Road development regarding open spaces were being investigated and noted the open spaces on sites such as these were controlled through Section 106 agreements and should be open to non-residents.

The Chairman invited questions to Councillor Poulter.

Councillor Poulter explained that parts of Ufford were located near to the application site and that it would impact on the highways passing through the village.

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

Members of the Committee spoke in favour of the application, highlighting that the proposed number of dwellings was lower than the number allocated in the Local Plan and included affordable housing units; several Members who were supportive of the application considered the design to be attractive.

A member of the Committee noted that the mix of housing proposed was positive and was unsure about the concerns raised by Pettistree Parish Council as he considered the development would have more impact on Wickham Market. The Member was concerned about flooding on the site and was not sure if the issue was fully appreciated by the developer.

Another member of the Committee highlighted that the application had to be decided on material planning considerations; he noted the concerns raised about a lack of facilities in the area and said this was due to rural depopulation, considering that the development would bring a demand for more services in the area. The Member stated that the site had been allocated in the new Local Plan, which had been through a rigorous plan making process, and that the development would provide self-build plots and affordable housing units; he stated that he would be voting in favour of the application.

The Chairman concluded the debate, concurring with the points raised about bringing services to the area and the provision of smaller units; she asked the developers, should the application be approved, to work with the local parish councils and form a liaison committee during development.

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

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

RESOLVED

That **AUTHORITY TO APPROVE** be delegated to the Head of Planning and Coastal Management with conditions (including but not limited to those below), subject to the completion of a Section 106 Legal Agreement within six months to secure obligations (including but not limited to):

- Provision of 45 affordable dwellings;
- Per-dwelling contribution to the Suffolk RAMS;
- Provision and long term management of public open space;
- Financial contribution to fund secondary school transport;
- Financial contribution to fund improvement works to local bus stops;
- Financial contribution to fund highway safety improvements in Wickham Market High Street;
- Financial contribution to extend the 30mph speed limit; and
- Financial contribution to implement the travel plan.
- Financial contribution to be available for 10 years from the completion of the open spaces on the northern boundary to allow for an agreed community connection if requested by the management companies of both sites.

If the Section 106 Legal Agreement is not completed within six months **AUTHORITY TO REFUSE** the application be delegated to the Head of Planning and Coastal Management.

Conditions:

1. For the seven dwellings offered for self or custom builders (in outline):
 - a) Application for approval of any reserved matters must be made within three years of the date of this outline permission and then

b) The development hereby permitted must be begun within either three years from the date of this outline permission or within two years from the final approval of the reserved matters, whichever is the later date.

Reason: To comply with section 92 of the Town and Country Planning Act 1990.

2. The seven self-build plots shall be developed in accordance with the design principles set down in the Self-Build Design Code Revision A (November 2020). Plans and particulars showing the detailed proposals for all the following aspects of the self build plots ("the reserved matters") shall be submitted to the Local Planning Authority and development shall not be commenced before these details have been approved:

- i) The siting of all buildings within their plots.
- ii) The design of all the buildings, including the colour and texture of facing and roofing materials. A landscape design showing the planting proposed to be undertaken, the means of forming enclosures, the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels.
- iii) Measures to minimise water and energy consumption and to provide for recycling of waste.
- iv) The provision to be made within each plot for the parking, loading and unloading of vehicles.
- v) The alignment, height and materials of all walls and fences and other means of enclosure.

Reason: To secure a properly planned development.

3. For the 129 dwelling part where full planning permission is sought:
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.

4. The development hereby permitted shall be completed in all respects strictly in accordance with the following plans:

Site Location Plan 001 received 25 August 2020,
External works layout 002 Rev C received 7 January 2021,
Planning layout 003 Rev C received 7 January 2021,
Materials Plan 004 Rev B received 22 December 2020,
Street Scenes 005 received 30 November 2020,
10m Landscape Buffer 007 Rev A received 22 December 2020,
Self-build Phasing Plan 008 Rev A received 22 December 2020
Preliminary Access Proposals 1904-347-SK001 Rev E received 30 November 2020,
3D Views 006 received 30 November 2020.
Landscape Strategy Plan 6692/ASP4/LSP Rev C received 26 August 2020,
Landscape Cross Section Detail 6692/ASP5/CSD Rev A received 26 August 2020

And the following house type plans:

201 Rev A received 30 November 2020,
101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119,
120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138,

139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218 A, 219 A, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230 and 231 received 25 August 2020;

And the following garage plans:

301, 302, 303 and 304 received 25 August 2020;

And the following miscellaneous plans:

Substation 401, External Works Details 402 and Bin and Cycle Store 403 received 25 August 2020

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

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

5. Prior to the commencement of development, a Minerals Management Plan shall be submitted to and approved by the local planning authority. The plan shall be implemented in accordance with the agreed details.

Reason: To ensure the sustainable use of reclaimed Mineral beneath the site.

6. Details of the play equipment to be provided on the site shall be submitted to and agreed by the local planning authority. The play equipment shall be installed in accordance with the approved details prior to first occupation of the dwellings.

Reason: To ensure appropriate provision of play equipment.

7. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecology Assessment (Hopkins Ecology, August 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

8. No removal of hedgerows, trees or shrubs or other site clearance 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.

9. Prior to commencement, a "lighting design strategy for biodiversity" for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for biodiversity likely to be impacted by lighting and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To ensure that impacts on ecological receptors from external lighting are prevented.

10. Prior to commencement an Ecological Enhancement Strategy, addressing how ecological enhancements will be achieved on site, will be submitted to and approved in writing by the local planning authority. Ecological enhancement measures will be delivered and retained in accordance with the approved Strategy.

Reason: To ensure that the development delivers ecological enhancements.

11. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved by, the local planning authority prior first occupation of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

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

Reason: To ensure that the long-term ecological value of the site is maintained and enhanced.

12. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or

contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation programme.

Reason: To ensure the provision of amenity afforded by appropriate landscape design.

13. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority; and any trees or plants which, within a period of five years from completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation; all works shall be carried out in accordance with the relevant provisions of appropriate British Standards or other recognised Codes of Good Practice.

Reason: to ensure that the appearance of the development is satisfactory.

14. Deliveries to the construction site and collections of waste during the construction phase shall be undertaken between 09.00 and 16.30 (except for the delivery of abnormal loads to the site which may cause congestion on the local road network).

Reason: In the interests of amenity.

15. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved by the Local Planning Authority. This should contain information on hours of construction and how noise will be controlled so as to avoid annoyance to occupiers of neighbouring properties. Examples of measures to be included are:

- a) Good practice procedures as set out in BS5228:2014,
- b) Best Practicable Means (BPM) as defined in Section 72, of the Control of Pollution Act 1974 (COPA),
- c) Careful location of plant to ensure any potentially noisy plant is kept away from the site boundary as far as possible,
- d) Careful selection of construction plant, ensuring equipment with the minimum power rating possible is used, and that all engine driven equipment is fitted with a suitable silencer,
- e) Regular maintenance of plant and equipment to ensure optimal efficiency and quietness,
- f) Training of construction staff where appropriate to ensure that plant and equipment is used effectively for minimum periods,
- g) If identified as necessary, the use of localised hoarding or enclosures around specific items of plant or machinery to limit noise breakout especially when working close to the boundary.

The Construction Management Plan shall be implemented in accordance with the approved details.

Reason: In the interests of amenity.

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

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

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

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

17. Dust control measures shall be applied during the construction phase of the development in accordance with the dust mitigation measures set out in Section 5.4 (Pages 19 to 23) of the SLR Air Quality Screening and Dust Risk Assessment report dated 8 October 2020.

Reason: In the interests of amenity.

18. No development shall take place until a scheme for the installation of fire hydrants throughout the site has been submitted to and approved in writing by the Local Planning Authority in conjunction with the Fire and Rescue Service. The fire hydrants shall be installed prior to occupation of dwellings.

Reason: In the interests of fire safety.

19. Before the development hereby permitted is occupied full details of electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles.

20. Prior to the commencement of development full details of how the development will achieve high energy efficiency standards that result in a 20% reduction in CO2 emissions below the Target CO2 Emission Rate (TER) set out in the Building Regulations and water efficiency of 110 litres/person/day shall be submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the agreed details.

Reason: In the interests of sustainable construction.

21. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved by the local planning authority.

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

22. No development shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved by the local planning authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

23. Within 28 days of completion of the last dwelling/building become erected details of all Sustainable Drainage System components and piped networks have been submitted, in an approved form, to and approved by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-assetregister/>

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

- a. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
 - i. Temporary drainage systems

- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. This condition is a pre commencement planning condition and requires details to be agreed prior to the commencement of development to ensure flooding risk as a result of both construction and use of the site is minimised and does not result in environmental harm or even risk to life.

25. The new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. 1904-347-SK001 Rev E; and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.

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

26. No part of the development shall be commenced until details of the proposed pedestrian crossing and associated highway improvements (including Bus Stop improvements) indicatively shown on Drawing No. 1904-347-SK001 Rev E have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to occupation.

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

27. Before the development is commenced details of the areas to be provided for storage of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

28. Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

29. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.

Reason: To ensure that satisfactory access is provided for the safety of residents and the public.

30. The new estate road junction(s) with High Street inclusive of cleared land within the sight splays to this junction must be formed prior to any other works commencing or delivery of any other materials.

Reason: To ensure a safe access to the site is provided before other works and to facilitate off street parking for site workers in the interests of highway safety.

31. The use shall not commence until the area(s) within the site shown on Drawing No. WIC5 003 C for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

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

Reason: To ensure the provision and long term maintenance of adequate on-site space for cycle storage to encourage sustainable travel.

33. Before the access is first used visibility splays shall be provided as shown on Drawing No. 1904-347-SK001 Rev E with an X dimension of 2.4m and a Y dimension of 120m to the north and 160m to the south and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.

Informatives:

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

2. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority. The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail, your development may be liable to pay CIL and you must

submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to CIL@eastsuffolk.gov.uk

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

CIL forms can be downloaded direct from the planning portal: https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5

Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

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

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

5. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.

6. The Local Planning Authority recommends that developers of housing estates should enter into formal agreement with the Highway Authority under Section 38 of the Highways Act 1980 relating to the construction and subsequent adoption of Estate Roads.

7 DC/20/3361/FUL - Land between High Street and Chapel Lane, Pettistree

Note: the meeting was briefly adjourned at the beginning of this item to allow the case officer to resolve a technical issue that prevented him from sharing his presentation. The meeting was adjourned from 3.34pm to 3.38pm.

The Committee received report **ES/0643** of the Head of Planning and Coastal Management, which related to planning application DC/20/3361/FUL.

The application sought full planning permission for the development of 129 houses and associated infrastructure and outline planning permission for seven self-build dwellings.

The site was allocated in the East Suffolk Council Suffolk Coastal Local Plan for the development of approximately 150 houses under Policy SCLP12.60.

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

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

The Principal Planner advised the Committee that the application was a duplicate of planning application DC/20/3264/FUL, which had been approved by the Committee earlier in the meeting.

The Principal Planner recapped the executive summary of his report and displayed the proposed layout for the development.

The recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the officers.

The Planning Manager explained that this application and its duplicate had been submitted in accordance with legislation and that the applicant was entitled to do so; East Suffolk Council, as the Local Planning Authority, was therefore required to determine both applications.

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

Mr Cook said that he did not intend to repeat the points he made when he addressed the Committee on the previous application. Mr Cook questioned why the applicant had made a duplicate application and sought an explanation for them doing so.

There being no questions the Chairman invited Councillor Hallett, Chairman of Pettistree Parish Council, to address the Committee.

Councillor Hallett said that his views on the proposed development remained unchanged and would not be repeating the comments he made on the previous application. Councillor Hallett welcomed that the condition regarding public access had been applied to both recommendations and reiterated his concerns about the development roads not being adopted and shut off by any management company formed.

Councillor Hallett stated that he was concerned that the widening of the drainage ditch would increase the isolation between the development and the Morris Road development to the north of the site and that the infiltration basins would become muddy swamps when half-full and provide a breeding ground for mosquitos. Councillor Hallett noted that the existing footpath connections would be the busy High Street or Chapel Lane, which did not have any footpaths.

There being no questions to Councillor Hallett the Chairman invited Councillor French, representing Wickham Market Parish Council, to address the Committee.

Councillor French stated that he would not be repeating his comments made earlier in the meeting and that Wickham Market continued to object to the proposed development. Councillor French said he was interested to hear why the applicant had made duplicate applications.

The Chairman asked Councillor French for his views on the applicant's commitment to work with local parish councils. Councillor French said that he welcomed this.

There being no other questions to Councillor French the Chairman invited Mr Lieberman, Head of Planning for Hopkins Home, to address the Committee. Mr Lieberman was accompanied by Mr Armstrong of Armstrong Rigg Planning and Mr Wigzell of Ingent Consulting Engineers who would be able to answer any technical questions that the Committee might have.

Mr Lieberman said that he heard and noted the comments raised at the meeting. Mr Lieberman explained that there was a clause when land was transferred to management companies to prevent open spaces being restricted and noted the issues reported at the Morris Road development.

With regard to the duplicate applications, Mr Lieberman explained that this was to give the applicant flexibility to amend one of the applications if there were differences in terms of landscaping and design; this had not been necessary in this instance.

There being no questions to Mr Lieberman, Mr Armstrong or Mr Wigzell, the Chairman invited Councillor Poulter, Ward Member for Pettistree, to address the Committee.

Councillor Poulter confirmed that she had no further points to add and was pleased to hear that Hopkins Homes would work with the local parish councils.

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

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

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

RESOLVED

That **AUTHORITY TO APPROVE** the application be delegated to the Head of Planning and Coastal Management with conditions (including but not limited to those below), subject to the completion of a Section 106 Legal Agreement within six months to secure obligations (including but not limited to):

- Provision of 45 affordable dwellings;
- Per-dwelling contribution to the Suffolk RAMS;
- Provision and long term management of public open space;
- Financial contribution to fund secondary school transport;
- Financial contribution to fund improvement works to local bus stops;
- Financial contribution to fund highway safety improvements in Wickham Market High Street;
- Financial contribution to extend the 30mph speed limit; and
- Financial contribution to implement the travel plan.

- Financial contribution to be available for 10 years from the completion of the open spaces on the northern boundary to allow for an agreed community connection if requested by the management companies of both sites.

If the Section 106 Legal Agreement is not completed within six months **AUTHORITY TO REFUSE** the application be delegated to the Head of Planning and Coastal Management.

Conditions:

1. For the seven dwellings offered for self or custom builders (in outline):

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

Reason: To comply with section 92 of the Town and Country Planning Act 1990.

2. The seven self-build plots shall be developed in accordance with the design principles set down in the Self-Build Design Code Revision A (November 2020). Plans and particulars showing the detailed proposals for all the following aspects of the self build plots ("the reserved matters") shall be submitted to the Local Planning Authority and development shall not be commenced before these details have been approved:

- i) The siting of all buildings within their plots.
- ii) The design of all the buildings, including the colour and texture of facing and roofing materials. A landscape design showing the planting proposed to be undertaken, the means of forming enclosures, the materials to be used for paved and hard surfaces and the finished levels in relation to existing levels.
- iii) Measures to minimise water and energy consumption and to provide for recycling of waste.
- iv) The provision to be made within each plot for the parking, loading and unloading of vehicles.
- v) The alignment, height and materials of all walls and fences and other means of enclosure.

Reason: To secure a properly planned development.

3. For the 129 dwelling part where full planning permission is sought:

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.

4. The development hereby permitted shall be completed in all respects strictly in accordance with the following plans:

Site Location Plan 001 received 25 August 2020,
External works layout 002 Rev C received 7 January 2021,

Planning layout 003 Rev C received 7 January 2021,
Materials Plan 004 Rev B received 22 December 2020,
Street Scenes 005 received 30 November 2020,
10m Landscape Buffer 007 Rev A received 22 December 2020,
Self-build Phasing Plan 008 Rev A received 22 December 2020
Preliminary Access Proposals 1904-347-SK001 Rev E received 30 November 2020,
3D Views 006 received 30 November 2020.
Landscape Strategy Plan 6692/ASP4/LSP Rev C received 26 August 2020,
Landscape Cross Section Detail 6692/ASP5/CSD Rev A received 26 August 2020

And the following house type plans:

201 Rev A received 30 November 2020,
101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119,
120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138,
139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 202, 203, 204, 205,
206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218 A 219 A, 220, 221, 222, 223,
224, 225, 226, 227, 228, 229, 230 and 231 received 25 August 2020;

And the following garage plans:

301, 302, 303 and 304 received 25 August 2020;

And the following miscellaneous plans:

Substation 401, External Works Details 402 and Bin and Cycle Store 403 received 25 August 2020 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

5. Prior to the commencement of development, a Minerals Management Plan shall be submitted to and approved by the local planning authority. The plan shall be implemented in accordance with the agreed details.

Reason: To ensure the sustainable use of reclaimed Mineral beneath the site.

6. Details of the play equipment to be provided on the site shall be submitted to and approved by the local planning authority. The play equipment shall be installed in accordance with the approved details prior to first occupation of the dwellings.

Reason: To ensure appropriate provision of play equipment.

7. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecology Assessment (Hopkins Ecology, August 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

8. No removal of hedgerows, trees or shrubs or other site clearance 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.

9. Prior to commencement, a "lighting design strategy for biodiversity" for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for biodiversity likely to be impacted by lighting and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To ensure that impacts on ecological receptors from external lighting are prevented.

10. Prior to commencement an Ecological Enhancement Strategy, addressing how ecological enhancements will be achieved on site, will be submitted to and approved in writing by the local planning authority. Ecological enhancement measures will be delivered and retained in accordance with the approved Strategy.

Reason: To ensure that the development delivers ecological enhancements.

11. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved by, the local planning authority prior first occupation of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.

h) Ongoing monitoring and remedial measures.

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

Reason: To ensure that the long-term ecological value of the site is maintained and enhanced.

12. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation programme.

Reason: To ensure the provision of amenity afforded by appropriate landscape design.

13. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority; and any trees or plants which, within a period of five years from completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation; all works shall be carried out in accordance with the relevant provisions of appropriate British Standards or other recognised Codes of Good Practice.

Reason: to ensure that the appearance of the development is satisfactory.

14. Deliveries to the construction site and collections of waste during the construction phase shall be undertaken between 09.00 and 16.30 (except for the delivery of abnormal loads to the site which may cause congestion on the local road network).

Reason: In the interests of amenity.

15. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved by the Local Planning Authority. This should contain information on hours of construction and how noise will be controlled so as to avoid annoyance to occupiers of neighbouring properties. Examples of measures to be included are:

- a) Good practice procedures as set out in BS5228:2014,
- b) Best Practicable Means (BPM) as defined in Section 72, of the Control of Pollution Act 1974 (COPA),
- c) Careful location of plant to ensure any potentially noisy plant is kept away from the site boundary as far as possible,
- d) Careful selection of construction plant, ensuring equipment with the minimum power rating possible is used, and that all engine driven equipment is fitted with a suitable silencer,
- e) Regular maintenance of plant and equipment to ensure optimal efficiency and quietness,
- f) Training of construction staff where appropriate to ensure that plant and equipment is used effectively for minimum periods,
- g) If identified as necessary, the use of localised hoarding or enclosures around specific items of plant or machinery to limit noise breakout especially when working close to the boundary.

The Construction Management Plan shall be implemented in accordance with the approved details.

Reason: In the interests of amenity.

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval 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.

17. Dust control measures shall be applied during the construction phase of the development in accordance with the dust mitigation measures set out in Section 5.4 (Pages 19 to 23) of the SLR Air Quality Screening and Dust Risk Assessment report dated 8 October 2020.

Reason: In the interests of amenity.

18. No development shall take place until a scheme for the installation of fire hydrants throughout the site has been submitted to and approved by the Local Planning Authority in conjunction with the Fire and Rescue Service. The fire hydrants shall be installed prior to occupation of dwellings.

Reason: In the interests of fire safety.

19. Before the development hereby permitted is occupied full details of electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles.

20. Prior to the commencement of development full details of how the development will achieve high energy efficiency standards that result in a 20% reduction in CO2 emissions below the Target CO2 Emission Rate (TER) set out in the Building Regulations and water efficiency of 110 litres/person/day shall be submitted to and approved by the local planning authority. The development shall be constructed in accordance with the agreed details.

Reason: In the interests of sustainable construction.

21. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained 22. No development shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved by the local planning authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

23. Within 28 days of completion of the last dwelling/building become erected details of all Sustainable Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-assetregister/>

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

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

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. This condition is a pre commencement planning condition and requires details to be agreed prior to the commencement of development to ensure flooding risk as a result of both construction and use of the site is minimised and does not result in environmental harm or even risk to life.

25. The new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. 1904-347-SK001 Rev E; and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.

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

26. No part of the development shall be commenced until details of the proposed pedestrian crossing and associated highway improvements (including Bus Stop improvements) indicatively shown on Drawing No. 1904-347-SK001 Rev E have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to occupation.

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

27. Before the development is commenced details of the areas to be provided for storage of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

28. Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

29. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.

Reason: To ensure that satisfactory access is provided for the safety of residents and the public.

30. The new estate road junction(s) with High Street inclusive of cleared land within the sight splays to this junction must be formed prior to any other works commencing or delivery of any other materials.

Reason: To ensure a safe access to the site is provided before other works and to facilitate off street parking for site workers in the interests of highway safety.

31. The use shall not commence until the area(s) within the site shown on Drawing No. WIC5 003 C for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

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

Reason: To ensure the provision and long term maintenance of adequate on-site space for cycle storage to encourage sustainable travel.

33. Before the access is first used visibility splays shall be provided as shown on Drawing No. 1904-347-SK001 Rev E with an X dimension of 2.4m and a Y dimension of 120m to the north and 160m to the south and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.

Informatives:

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

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

The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

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

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

CIL forms can be downloaded direct from the planning portal:

https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5

Guidance is viewable at:

<https://www.gov.uk/guidance/community-infrastructure-levy>

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

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

5. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.

6. The Local Planning Authority recommends that developers of housing estates should enter into formal agreement with the Highway Authority under Section 38 of the Highways Act 1980 relating to the construction and subsequent adoption of Estate Roads.

Note: following the conclusion of this item the Chairman adjourned the meeting for a short break. The meeting was adjourned from 3.52pm to 4pm. Councillor Allen, who had been affected by connection issues throughout the item, did not vote on the application and left the meeting at the conclusion of this item.

Note: at this point of the meeting the Chairman reordered the agenda; item 9 would be heard before item 8.

9 DC/20/3946/FUL - 12 Elm Road, Rushmere St Andrew, IP5 1AJ

The Committee received report **ES/0645** of the Head of Planning and Coastal Management, which related to planning application DC/20/3946/FUL.

The proposed development sought permission retrospectively for planning permission for a one chair barbers to be operated out of a partly converted garage space at 12 Elm Road, Rushmere St Andrew.

Rushmere St Andrew Parish Council had recommended refusal to the application, and therefore given the contrary officer recommendation the application was presented to the Referral Panel on 15 December 2020 whereby it was decided to bring the application to the Committee for determination; the Referral Panel considered that there were material planning considerations which warranted further discussion by the Committee.

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

The site location was outlined, and the Committee was shown photographs looking into the site, views looking up and down Elm Road, the proposed unit, the access to the site and the off-street parking spaces. The Trainee Planner outlined the proposed operating hours and noted the existing enforcement case on the site.

Objections from neighbouring properties had been received in respect of customers parking on the street and causing congestion in the evenings. The Trainee Planner advised the Committee that there were no Traffic Regulation Orders in place to control on-street parking on Elm Road, which would make any parking conditions difficult to enforce.

The Committee was shown the proposed block plan and floor plan for the development. A condition was proposed to ensure that parking would be met within the site and that clients would not park on the street. The floor plan identified that there would be only one barber chair and one worker operating on the site at any time.

The Trainee Planner outlined in detail the comments received from Rushmere St Andrew Parish Council; he also noted the concerns raised regarding loss of privacy to neighbouring properties and noise and stated that officers had considered this and concluded that the development would not have a negative impact in these regards.

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

The Chairman invited questions to the officers.

The Trainee Planner, in response to a question on if the development complied with both health & safety and environmental legislation, advised the Committee that as the application was for a small one-person operation Environmental Health had not been notified or consulted; the Planning Manager added that these matters were dealt with by separate legislation and that Environmental Health had not been consulted on the application as it was not in the remit of the applications it had asked to be consulted on.

The Trainee Planner confirmed that the size of the host dwelling meant that it had two parking spaces, leaving one free to be used for the business. In response to a question regarding operation on Sundays the Trainee Planner considered that this question could be best answered by the applicant, who was present at the meeting.

The Chairman invited Mr Vince, the applicant, to address the Committee.

Mr Vince said that he was employed full-time as a postal worker and undertook barbering in his spare time, having passed qualifications in the profession. Mr Vince advised the Committee that his most immediate neighbours supported the application.

The development was described by Mr Vince as not being visible from the highway and stated there was four parking spaces available to the host dwelling. Mr Vince said that he only had one customer on the premises at a time and ensured all his clients were advised not to park on the street and use the allocated spaces; he added that he allowed sufficient time between appointments to ensure that customers were not arriving and waiting to be seen and that the work station could be sanitised between bookings.

Mr Vince was confident that the development would not impact on Elm Road. In response to the earlier question regarding operating the business on Sundays, Mr Vince said that appointments were limited to a maximum of one hour so he would not see more than four customers on Sundays.

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

The Chairman opened debate and noted that the Referral Panel's primary concern had been due to parking issues; she acknowledged that the road was a dead-end and did not have through traffic and that the application was supported by the most immediate neighbours to the site. The Chairman said that the operating hours were now clearer and said that any extension to these would require a separate planning application. The Chairman confirmed that she would vote in favour of the application.

Another member of the Committee considered the application to be for a small business seeing customers on a very small scale and was of the view that it should be approved.

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

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

RESOLVED

That the application be **APPROVED**, subject to conditions as outlined below.

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 Site Plan, Block Plan, Floor Plan & Proposed Info. received 05/10/20 and Elevation received 09/10/2020, 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 development hereby permitted shall not be used by members of the public outside the following hours:

16:00 - 20:00 Monday to Friday
09:00 - 12:30 Sunday

No works shall take place on Bank Holidays

Reason: To ensure the amenities of adjacent residents are not adversely affected.

4. The Barbers unit hereby approved shall only be operated and used by one professional barber with one client at a time. It shall not be leased out or used independently from the host dwelling (12 Elm Road).

Reason: To ensure the building is used by the applicant only, or any successive owner of the building in the interests of safeguarding residential amenity.

5. A parking space shown on the Block Plan showing possible parking received 05/10/2020 shall be retained during business hours for clients of the barbers unit only and for no other purpose. Outside of these hours it can be used in conjunction with the normal domestic purposes of the dwelling.

Reason: To ensure that off-road client parking is provided during business hours.

Informatives:

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

8 DC/20/1002/ARM - Land at Candlet Road, Felixstowe

The Committee received report **ES/0644** of the Head of Planning and Coastal Management, which related to planning application DC/20/1002/ARM.

The application sought the approval of reserved matters (covering details of: siting/layout/design and appearance (including materials) of buildings and means of access from an existing/proposed public highway; landscaping (hard and soft), layout of sewers and surface water drains; and enclosure/boundary treatment) pursuant to the Phase 1 of the Outline Consent DC/15/1128/OUT, consisting of the development of 255 dwellings, open space, landscaping and associated services and infrastructure (estate drainage/roads/paths/pumping stations etc.) on, 16.90 hectares of land at Candlet Road, Felixstowe.

The outline consent had been granted by the Secretary of State for Communities and Local Government on 31 August 2017 (APP/J3530/W/15/3138710).

The matters under consideration related to the detailed design of the development in terms of siting/layout/design and appearance (including materials) of buildings and means of access from an existing/proposed public highway; landscaping (hard and soft), layout of sewers and surface water drains; and enclosure/boundary treatment.

The application did not include details of the Commercial Units, Care Home and Independent Living Units also permitted by the outline consent; these matters would be dealt with as separate Reserved Matters Application(s)/phase(s), as would the balance of residential units.

The application was before the Committee at the discretion of the Head of Planning and Coastal Management under the terms of the Scheme of Delegation, as set out in the East Suffolk Council Constitution, due to the level of public interest and significance of the scheme.

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

The site's location was outlined, and the Committee was shown drawings which demonstrated how the application site related to the site allocated in SCLP12.3 for the North Felixstowe Garden Neighbourhood.

A proposed layout for the site was displayed; the Committee was advised that the application was concerned with the layout of the main residential areas of the development.

The Committee received an aerial view of the site, and photographs showing the following:

- the view west along Candlet Road
- the view east along Candlet Road
- the view north along Footpath 24 from Candlet Road

- the view north towards Cowpasture Farm from Footpath 24
- the view north across the site
- the view east to Grove Wood
- the view north
- the view of the site from Gulpher Road
- the view south along Gulpher Road
- the view north along Gulpher Road
- the view north along Gulpher Road with Candlet Road over

The indicative masterplan, approved under the outline consent, was displayed to the Committee. The Principal Planner noted that any reserved matters application needed to conform to this indicative masterplan as much as possible. The Principal Planner detailed the site connectivity.

The North Felixstowe Garden Neighbourhood development framework was outlined. The Committee was advised that it was important to take into account the pedestrian routes through the allocated site and how this development would connect to it.

The Principal Planner highlighted that the open space proposed differed from the indicative masterplan in that it had been broken down into two separate areas of open space. It was the view of officers that this was a better disposition of open space and an improvement on what had been indicated on the masterplan, as it would allow more people to access open space and improve views across the site.

The material planning considerations and key issues were summarised as the principle of development, housing mix and affordable housing, ecology, landscaping, sustainable construction, surface water drainage, foul water drainage, and renewable energy.

The Principal Planner noted the improvements to the scheme secured including the continuous frontage achieved towards Candlet Road. There had also been a reduction of the numbers of courtyard areas on the site and those remaining had been enhanced through planting and gate piers at their entrances. The improvements to the open space and hard parking for dwellings was also highlighted.

Drawings of street scenes were displayed and the variety of housing types were outlined. The Principal Planner said the variety of styles was welcomed.

The Committee was shown computer-generated images of the view across the open space at the southern end of the site, showing the contemporary style of properties proposed, and the views across the open space at the centre of the site. The design of the layout was described as attractive.

The Principal Planner referred to the update sheet, published on 25 January 2021, which noted that the Flood Authority had removed its holding objection and recommended approval with suggested conditions.

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

The Chairman invited questions to the officers.

In response to questions on community assets coming forward in future applications, the Head of Planning and Coastal Management advised the Committee that the application before them was the first in a number of reserved matters applications needed to deliver the entire scheme that was allowed on appeal, as well as part of the wider North Felixstowe Garden Neighbourhood allocated in the Suffolk Coastal Local Plan which would have a full suite of community facilities.

The Head of Planning and Coastal Management confirmed that the Council was in active discussions with the landowners within the allocated site and reassured the Committee that the wider community aspects of the North Felixstowe Garden Neighbourhood were understood, but not part of the application that was before the Committee. The Head of Planning and Coastal Management explained that the first phase of development would be connected to Felixstowe and considered that Members could be comforted that both planning policy and the outline consent required the community assets to be delivered in their entirety.

The Principal Planner highlighted that the masterplan indicated the proposed school would be located to the west of the site, and confirmed that a final site had not been identified for the school.

In response to a question regarding the discrepancy in the number of play equipment pieces for the open spaces proposed compared to what had been recommended, the Principal Planner stated that this would need to be agreed in consultation with the Active Communities Officer.

The Principal Planner confirmed that the use of specific materials was one of the proposed conditions in the recommendation.

With regard to existing water courses and both surface and foul water drainage arrangements, the Committee was advised that the Flood Authority would not have removed its holding objection if it was not satisfied with the surface water drainage strategy proposed, and that any existing water courses would not be affected by this development. The outline consent had identified that an additional rising main would be required for foul water drainage and this would be located in Gulpher Road; the specific details of this rising main would be agreed through the discharge of a condition in the outline consent and would be required to be to the satisfaction of Anglian Water.

The Chairman invited Mr McAdam, Planning Manager for Persimmon Homes Suffolk, to address the Committee.

Mr McAdam said that the creation of a new neighbourhood in North Felixstowe was part of the vision for the town and confirmed that the application sought approval of reserved matters to deliver phase one of the outline scheme allowed on appeal.

Mr McAdam noted that the details in the application had evolved through discussions between Persimmon Homes and planning officers, along with consultation with the public and Felixstowe Town Council. This had resulted in a series of amendments which had culminated in the submitted application.

The proposals were described by Mr McAdam as placing a strong emphasis on family housing and would provide a range of one to five bedroom dwellings, a majority being one to two bedroom properties in line with policies in the Suffolk Coastal Local Plan. The housing units would be built to modern standards and include a variety of green measures including photovoltaic panels and water butts. Mr McAdam said that all on-plot parking would be future proofed to allow connections for electric vehicle charging.

Mr McAdam highlighted that improvements had been made to the layout design and detail, noting the reduction and improvement of courtyards on the site. Mr McAdam highlighted the improved cycle and pedestrian connections introduced to ensure that the site would be connected to the wider North Felixstowe Garden Neighbourhood.

Mr McAdam confirmed that the concerns of the Flood Authority had been addressed and that Felixstowe Town Council was now the only statutory consultee that objected to the application.

Mr McAdam advised that should the application be approved, it was intended that development would start later in 2021 and be completed in approximately three and a half years.

The Chairman invited questions to Mr McAdam.

Mr McAdam confirmed that the proposed Section 106 Legal Agreement would have a requirement for open space specification and was happy to engage with the Council and Felixstowe Town Council to meet their requirements.

In response to a question relating to policy SCLP9.2 of the Suffolk Coastal Local Plan regarding sustainable construction and alternative/renewable energy, Mr McAdam considered that the scheme was compliant with the spirit of the policy despite the absence ground or air source heat pumps; he advised that Persimmon Homes had conducted a study into these matters and would explore alternative methods to address the required 20% reduction in carbon emissions. Mr McAdam said that Persimmon Homes adopted a 'fabric first' approach to development and would address the policy requirements over time.

Mr McAdam was confident that Persimmon Homes would be able to comply with the proposed conditions and trigger points and would take the application forward with the Council to ensure that approved plans were adhered to.

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

A member of the Committee considered the application to be an improvement on similar scale applications he had seen and was happy to support this, noting the assurances given by the applicant.

Another member of the Committee, who was Ward Member for Western Felixstowe, spoke at length on the application. He noted that the development would border his Ward and would greatly impact its residents.

The Member noted the allocated site was never part of the issues and options consultation document used in the making of the Suffolk Coastal Local Plan and was part of the countryside

and outside of the parish boundary; he highlighted that the outline application had been rejected by the former Suffolk Coastal District Council for what he considered to be many good planning reasons but had been allowed on appeal by the Secretary of State. The Member said this led to the allocated site in the Local Plan and the further destruction of habitat and agricultural land; he reluctantly accepted that the land would be developed but stated this needed to be done to the highest possible standards.

The Member disagreed with the assessment that the impact on wildlife would be minimal and was of the view that wildlife currently on the site would be lost. The comments of Felixstowe Town Council were supported by the Member and he was greatly concerned about the foul water drainage, highlighting existing issues in the area that Anglian Water had not been able to remedy over the previous 30 years. The Member noted that the last time there had been flooding in the area it had been significant and had required residents to lift manhole covers to relieve pressure.

On the subject of renewable energy, the Member said it was important to consider the climate emergency declared by the Council when approving development and was therefore concerned that the conditions on conservation of energy were silent on established technology such as ground source heat pumps; the Member highlighted that other major developments were introducing or even retrofitting similar technologies.

Gulpher Road was described by the Member as the gateway to the local countryside and considered that it needed to be preserved, suggesting that the proposed school site access be moved to the southern end of the site. The Member added that the junction to Gulpher Road was narrow and already suffered from considerable congestion. The Member concluded his speech by stating that given his concerns, he could not support the application.

Another member of the Committee, who was also Ward Member for Western Felixstowe, stated that although he was satisfied on issues relating to boundary treatment and existing water courses, and welcomed conditions on design, he remained concerned about a number of issues.

The Member accepted the principle of development on the site but retained concerns about the adequate provision of surface water run off and foul water treatment, as well as details on renewable and alternative energy sources; he noted that Persimmon Homes 'fabric first' approach would not allow for ground source heat pumps to be installed after housing units have been constructed. The Member confirmed that he would be voting against the application.

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

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

RESOLVED

That subject to the Suffolk RAMS contribution the application be **APPROVED** subject to the following conditions:

If the Suffolk RAMS contribution is not received or secured within two months then **AUTHORITY TO REFUSE** the application be delegated to the Head of Planning and Coastal Management on the grounds that the proposal does not adequately mitigate the impact of the development on designated sites.

Conditions:

1. The development hereby permitted shall be completed in all respects strictly in accordance with the listed plans and documents, 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:

Received 11 December 2020:-

956-P-180 Rev E - Site location plan
E3893-Felixstowe- Phase 1A Drainage Strategy-Rev 4 dated November 2019
956-P-100 Rev G - Planning Layout Sheet 1
956-P-101 Rev F - Planning Layout Sheet 2
956-P-102 Rev F - Planning layout Sheet 3
956-P-103 Rev F - Planning Layout Overview
956-P-104 Rev F - Movement and connectivity plan
956-P-110 Rev F and 111 Rev E - Character Areas
956-P-152 Rev E - Materials Schedule
956-P-116 - Mews Court Entrance
956-P-120 Rev F and 121 Rev E - Storey height layout
956-P-130 Rev F and 956-P-131 Rev E - Refuse strategy
956-P-140 Rev G and 956-P-141 Rev G - Parking Allocation
956-P-160 Rev F and 161 Rev E - Affordable housing layout
956-P-190 Rev D, 191 Rev D and 192 Rev D - Boundary treatment
956-P-019 Rev B and 020 Rev C - Cromer: Character Areas 1 and 4
956-P-021 Rev B, 022 Rev C and 023 Rev B - Hadleigh: Character Areas 2, 3 and 4
956-P-030 Rev B, 031 Rev C and 032 Rev C - Hopton: Character Areas 1, 2 and 4
956-P-033 Rev B and 034 Rev C - Longthorne: Character Areas 3 and 4
956-P-037 Rev B and 039 Rev C - Morden: Character Areas 1 and 4
956-P-041 Rev B and 042 Rev C - Newton: Character Areas 2 and 3
956-P-043 Rev E - (Newton floor plans: Character Area 4)
956-P-043.1 Rev E - (Newton elevations: Character Area 4)
956-P-044 Rev C and 046 Rev A - Oulton: Character Areas 1 and 4
956-P-047 Rev B - Ripley: Character Area 1
956-P-048 Rev B, 049 Rev B and 050 Rev B- Rufford: Character Areas 1, 2 and 4
956-P-053 Rev C and 054 Rev C - Souter: Character Areas 3 and 4
956-P-055 Rev C and 060 Rev B- Sutton: Character Areas 3 and 2
956-P-062 Rev A and 063 Rev B - Alnmouth: Character Areas 2 and 4
956-P-064 Rev A - Charnwood Corner: Character Area 2
956-P-065 Rev B and 066 Rev A- Charnwood Corner: Character Areas 3 and 4
956-P-065.1 Charnwood - Character Area 3
956-P-067 and 068 - Charnwood Danbury Corner: Character Area 2
956-P-069 - Charnwood Danbury Corner: Character Area 4
956-P-070 - Cromer: Character Area 2
956-P-071 and 073 - Danbury: Character Areas 1 and 4
956-P-074 Rev B, 075 Rev A and 076 Rev B - Greenwood: Character Areas 2, 3 and 4

956-P-077 Rev A and 078 Rev B - Kielder: Character areas 3 and 4
 956-P-079 Rev A - Morden: Character area 2
 956-P-080 Rev C, 081 Rev B and 082 Rev B - Piel: Character area 4, elevations and floor plans
 956-P-083 Rev B - Rufford: Character area 3
 956-P-084 Rev A - S103H: Character area 2
 956-P-085 Rev A, 086 Rev B and 087 Rev B - Sherwood: Character areas 2, 3 and 4
 956-P-088 Rev A - Souter: Character Area 2
 956-P-090 Rev B - Sutton: Character Area 4
 956-P-091 Rev A, 092 Rev A and 093 Rev B - Taunton: Character Areas 2, 3 and 4
 956-P-094 Rev A and 095 Rev B - Whiteleaf: Character Areas 2 and 3
 956-P-096 Rev A - Whiteleaf V3: Character Area 2
 956-P-097 Rev A, 098 Rev A and 099 Rev B - Whiteleaf V4: Character Areas 2, 3 and 4
 Plans received 19 October 2020:
 956-P-204 - Double carport
 956-P-061 - Substation
 956-P-061.1 - Bin and cycle store
 956-P-099.1 - Whiteleaf: Character Area 4
 JBA 19/033-01 Rev J - Soft Landscaping
 JBA 19/033-02 Rev J - Soft Landscaping
 JBA 19/033-03 Rev J - Soft Landscaping
 JBA 19/033-04 Rev J - Soft Landscaping
 JBA 19/033-05 Rev J - Soft Landscaping
 JBA 19/033-06 Rev J - Soft Landscaping
 JBA 19/033-07 Rev J - Soft Landscaping
 JBA 19/033-08 Rev J - Soft Landscaping
 JBA 19/033-09 Rev J - Soft Landscaping
 JBA 19/033-10 Rev J - Soft Landscaping
 JBA 19/033-11 Rev J - Soft Landscaping
 JBA 19/033-12 Rev J - Soft Landscaping
 JBA 19/033-13 Rev J - Soft Landscaping
 JBA 19/033-14 Rev J - Soft Landscaping
 956-P-153 Rev B and 154 Rev B - Fence specification
 956-P-200 - Single garage
 956-P-201 - Double garage
 956-P-202 - Triple garage
 956-P-203 - Quadruple garage
 956-P-402 - Pump station detail received 7 August 2020:

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

2. No more than ninety-nine (99) dwellings shall be occupied until the footway from Gulpher Road, as shown on drwg.no. 956-P-100 Rev G, has been completed in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a properly planned development.

3. No more than ninety-nine (99) dwellings shall be occupied until the footpath/cycleway links and the hoggin path, as shown on drwg.nos. 956-P-100 Rev G, 956-P-101 Rev F, 956-P-102 Rev F and 956-P-104 Rev F, have both been completed in accordance with details that

shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a properly planned development.

4. Prior to any above ground works an Ecological Enhancement Strategy, addressing how ecological enhancements will be achieved on site, will be submitted to and approved in writing by the local planning authority. Ecological enhancement measures will be delivered and retained in accordance with the approved Strategy.

Reason: To ensure that the development delivers ecological enhancements.

5. Prior to any works above slab level details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure the satisfactory external appearance of the development.

6. The landscaping scheme shall be fully implemented in accordance with the details shown on drwg. nos JBA 19/033-01 Rev J - JBA 19/033-14 Rev J prior to the occupation of any dwelling. Notwithstanding the landscape drawings hereby approved, no above ground construction shall commence until a scheme of soft landscaping for the areas around the basins (to the east of the care home site and in the north west corner of the site) has been submitted to and approved by the Local Planning Authority. That scheme of soft landscaping shall be to a scale of not less than 1:200 and include a programme for its delivery. The approved scheme of soft landscaping works shown on the drawings listed above and on those agreed for the areas around the basins, shall thereafter be implemented in accordance with the agreed programme. Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

Reason: To ensure the provision of amenity afforded by appropriate landscape design.

7. All hedges or hedgerows within the site, unless indicated as being removed on the approved drawings, shall be retained for at least five years following practical completion of the approved development, unless otherwise agreed by the Local Planning Authority; and these hedges shall be protected by the erection of secure fencing, to the satisfaction of the Local Planning Authority in accordance with the relevant British Standards (BS5837:2012 Trees in relation to design, demolition and construction - Recommendations) for the duration of works on site.

Within the aforementioned five-year period any parts of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the Authority's opinion, seriously damaged or otherwise defective shall be replaced and/or shall receive remedial action as required by the Authority. Such works shall be implemented by not later than the end of the following planting season, with plants of such size and species and in such number and positions as may be agreed with the Authority. The hedge(s) shall be reinforced with further planting where necessary to the satisfaction of the Local Planning Authority.

Reason: To ensure the continuity of amenity afforded by existing hedges or hedgerow.

8. No development shall take place until a scheme for the installation of fire hydrants throughout the site has been submitted to and approved in writing by the Local Planning Authority in conjunction with the Fire and Rescue Service. The fire hydrants shall be installed prior to occupation of dwellings.

Reason: In the interests of fire safety.

Informatives:

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

2. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority. The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail, your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to CIL@east Suffolk.gov.uk A CIL commencement Notice (CIL Form 6) must be submitted at least 24 hours prior to the commencement date. The consequences of not submitting CIL Forms can result in the loss of payment by instalments, surcharges and other CIL enforcement action.

CIL forms can be downloaded direct from the planning portal: https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5

Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

10 DC/20/3852/FUL - Part Land off Watermill Road, Newbourne, IP12 4NP

The Committee received report **ES/0646** of the Head of Planning and Coastal Management, which related to planning application DC/20/3852/FUL.

The application sought permission for the use of land for stationing of two holiday lodges at land off Watermill Road, Newbourne, IP12 4NP.

The application was presented to the Referral Panel on 22 December 2020 as officers were minded to approve the application, contrary to a holding objection from a statutory consultee (Suffolk County Council Flood and Water Team), Newbourne Parish Council's objection and an

objection from one of the Ward Members. The Referral Panel considered that there were material planning considerations which warranted further discussion by the Committee.

The Committee received a presentation on the application from the Planning Manager, who was presenting on behalf of the case officer.

The site's location was outlined. The Planning Manager referred to the extensive planning history on the site and noted a previous application for four lodges on the site that was withdrawn following discussions between the applicant and officers.

In addition to the objections from Newbourne Parish Council and a Ward Member, eight letters of objection had also been received from third parties.

The Committee was shown an aerial view of the site, which demonstrated the four existing lodges and the proposed location for the two new lodges. The new lodges would be adjacent to the existing ones. The Planning Manager detailed the site access.

The site layout plan and block plan were displayed.

The Committee received photographs showing the following:

- the southern (main) access
- the northern access
- looking north towards the site from the access
- looking east towards the existing lodges
- looking north-east towards the existing lodges
- looking north towards the landscaping bund and two previously consented plots
- looking east to the site of the proposed plots
- adjacent to the existing landscaping bund
- looking towards properties on Mill Road
- looking south-east towards the existing lodges
- looking south towards the existing lodges and access

The main considerations were summarised as tourism benefit, highways impact, land contamination, flood risk, landscape/ecology impact, and the impact on residential amenity.

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

The Chairman invited questions to the officers.

It was confirmed that the site was owned by the applicant and the lodges would be sold as holiday accommodation.

A member of the Committee expressed concern about the number of this type of application in the area and asked if anything could be done to limit the time the lodges could be occupied. The Planning Manager advised that each application needed to be considered on its own merits and that there was a finite number of lodges that the site could accommodate. The Planning Manager assured the Committee that the lodges would not be

used as a second homes and a condition was recommended to limit their use for holiday purposes only.

The Planning Manager advised that to comply with this condition the site operator would be required to maintain a register of use including the main residential address of the occupants of the lodges. Owners of the holiday lodges would be required to provide these details to the site operator.

The Planning Manager confirmed that the lodges would conform to the definition of 'caravans' set out in paragraph 29(1) of the Caravan Sites and Control of Development Act 1960.

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

The Chairman stated she was disappointed that there had been no public speaking on the application, given the objections that had brought it to the Referral Panel and in turn the Committee. She was in support of the application.

Another member of the Committee referred to similar sites in his Ward and highlighted the benefits that increased tourism would bring to the area.

It was noted by a member of the Committee that the proposed condition regarding holiday use would allow enforcement action to be taken should the lodges be used for second homes.

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

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

RESOLVED

That the application be **APPROVED**, subject to conditions as outlined below.

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

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

2. The development hereby permitted shall not be carried out other than in complete accordance with Drawing No's LSDP11260-03 Rev A received 29/09/2020 and the site location plan received 16/12/2020.

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

3. The two lodges herein referred to shall meet the definition of a 'caravan' (as stated in the planning statement received on 29th September 2020) provided by the Caravan Sites and Control of Development Act 1960 as amended or any Order/Act revoking or re-enacting the said Act. Only structures which meet this definition shall be placed on the site.

Reason: For the avoidance of doubt as to what has been considered and approved; only the siting of structures which meet the definition of a caravan have been granted on this site.

4. Full details of the proposed sewage treatment plant, including Environment Agency Registration or Permit Number, siting of unit, design and projected loading of unit, together with final discharge point, shall be submitted to the local planning authority. Only a scheme approved in writing by the local planning authority shall be implemented at the site and shall be fully operational before the units are occupied.

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

5. The use shall not commence until the area within the site shown on Drawing No: LSDP11260-03 Rev A for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area shall be retained and used for no other purposes.

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

6. The access shall be improved and maintained in accordance with drawing DM01 with the access properly surfaced with a bound material for the minimum distance of 15 metres from edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority, prior to the first use of the hereby permitted units.

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

7. The visibility splays shall be maintained with an X dimension of 2.4m and a Y dimension of 90m in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely and vehicles on the public highway would have sufficient warning of a vehicle emerging in order to take avoiding action.

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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk

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

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

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

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

9. The holiday cabins shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The hereby approved holiday cabins shall not be occupied between 05 January and 05 February in any calendar year. The owners/operators shall maintain an up-to-date register of: all the owners/occupiers of the individual cabins on the site; and their main home addresses and shall make the register available to the local planning authority upon request.

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

10. Prior to first occupation, a landscape and ecological enhancement strategy for the site shall be submitted to and approved in writing by the local planning authority. Landscaping and ecological enhancements will be implemented in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy unless otherwise approved in writing by the local planning authority.

Reason: In the interests of protecting and enhancing the local rural environment, including the ecological environment.

Informatives:

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

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

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. The County Council's East Area Manager must be contacted on Telephone: 01728 652400.

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

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

The meeting concluded at 5:27 pm

.....
Chairman

PLANNING COMMITTEE

Title of Report:

East Suffolk Enforcement Action– Case Update

Meeting Date

23 February 2021

Report Author and Tel No

Mia Glass
01502 523081

Is the report Open or Exempt?

Open

REPORT

The attached is a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has either been sanctioned under delegated powers or through the Committee up until 22 January 2021. At present there are 14 such cases.

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

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

RECOMMENDATION

That the report concerning Outstanding Enforcement matters up to 22 January 2021 be received.

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
EN08/0264 & ENF/2013/0191	15/01/2010	North	Pine Lodge Caravan Park, Hazels Lane, Hinton	Erection of a building and new vehicular access; Change of use of the land to a touring caravan site (Exemption Certificate revoked) and use of land for the site of a mobile home for gypsy/traveller use. Various unauthorised utility buildings for use on caravan site.	<ul style="list-style-type: none"> • 15/10/2010 - EN served • 08/02/2010 - Appeal received • 10/11/2010 - Appeal dismissed • 25/06/2013 - Three Planning applications received • 06/11/2013 – The three applications refused at Planning Committee. • 13/12/2013 - Appeal Lodged • 21/03/2014 – EN's served and become effective on 24/04/2014/ 04/07/2014 - Appeal Start date - Appeal to be dealt with by Hearing • 31/01/2015 – New planning appeal received for refusal of Application DC/13/3708 • 03/02/2015 – Appeal Decision – Two notices quashed for the avoidance of doubt, two notices upheld. Compliance time on notice relating to mobile home has been extended from 12 months to 18 months. • 10/11/2015 – Informal hearing held 	28/02/2021

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

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> Review site regarding day block and access after decision notice released for enforcement notice served in connection with unauthorised occupancy /use of barn. 27/06/2018 – Compliance visit conducted to check on whether the 2010. 06/07/2018 – Legal advice being sought. 10/09/2018 – Site revisited to check for compliance with Notices. 11/09/2018 – Case referred back to Legal Department for further action to be considered. 11/10/2018 – Court hearing at the High Court in relation to the steps remain on the 2014 Enforcement Notice/ Injunction granted. Two months for compliance (11/12/2018). 01/11/2018 – Court Hearing at the High Court in relation to the 2010 Enforcement Notice. Injunctive 	

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

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>attendance as was required in the Order of 27/03/2019.</p> <ul style="list-style-type: none"> • 11/04/2019 – Officers returned to the High Court, the case was adjourned until 7 May 2019. • 07/05/2019 – Officers returned to the High Court. A three month suspended sentence for 12 months was given and the owner was required to comply with the Notices by 03/09/2019. • 05/09/2019 – Site visit undertaken; file passed to Legal Department for further action. • Court date arranged for 28/11/2019. • 28/11/2019 - Officers returned to the High Court. A new three month suspended sentence for 12 months was given and the owner was required to comply in full with the Injunctions and the Order of the Judge by 31/01/2020 • Site visited. Case currently with the Council's Legal Team for assessment. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> Charging orders have been placed on the land to recover costs. 	
EN/09/0305	18/07/2013	South	Park Farm, Chapel Road, Bucklesham	Storage of caravans	<ul style="list-style-type: none"> Authorisation granted to serve Enforcement Notice. 13/09/2013 -Enforcement Notice served. 11/03/2014 – Appeal determined - EN upheld Compliance period extended to 4 months 11/07/2014 - Final compliance date 05/09/2014 - Planning application for change of use received 21/07/2015 – Application to be reported to Planning Committee for determination 14/09/2015 – site visited, caravans still in situ, letter sent to owner requesting their removal by 30/10/2015 11/02/2016 – Site visited, caravans still in situ. Legal advice sought as to further action. 09/08/2016 – Site re-visited, some caravans re-moved but 20 still in situ. Advice to be sought. 	April 2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • Further enforcement action to be put on hold and site to be monitored • Review in January 2019 • 29/01/2019 - Legal advice sought; letter sent to site owner. • 18/02/2019 – contact received from site owner. • 04/04/2019 – Further enforcement action to be placed on hold and monitored. • Review in April 2021. 	
ENF/2014/0104	16/08/2016	South	Top Street, Martlesham	Storage of vehicles	<ul style="list-style-type: none"> • 23/11/2016 – Authorisation granted to serve an Enforcement Notice • 22/03/2017 – Enforcement Notice served. Notice takes effect on 26/04/2017. Compliance period is 4 months. • 17/07/2017 – Enforcement Notice withdrawn and to be re-served • 11/10/2017 – Notice re-served, effective on 13/11/2017 – 3 months for compliance • 23/02/2018 – Site visited. No compliance with Enforcement 	20/01/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>Notice. Case to be referred to Legal Department for further action.</p> <ul style="list-style-type: none"> • Notice withdrawn • 09/07/2018 – Notice reserved, compliance date 3 months from 06/08/2018 (expires 06/11/2018) • 01/10/2018 - PINS has refused to accept Appeal as received after the time limit. • Time for compliance is by 06/12/2018 • Site visit to be completed after the 06/12/2018 to check for compliance with the Notice • 07/12/2018 – Site visit completed, no compliance, case passed to Legal for further action. • 17/01/2019 – Committee updated that Enforcement Notice has been withdrawn and will be re-served following advice from Counsel. • 21/02/2019 – Authorisation granted by Committee to serve an Enforcement Notice. Counsel has advised that the Council give 30 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>days for the site to be cleared before the Notice is served.</p> <ul style="list-style-type: none"> • 01/04/2019 – Enforcement Notice served. • 28/05/2019 – Enforcement Appeal has been submitted to the Planning Inspectorate. • Start date has now been received, Statements are due by 12/12/2019. • Awaiting Planning Inspectorate Decision • Appeal Dismissed with variations. Compliance by 20 January 2021 • Site visit due at end of January 2021. 	
ENF/2016/0292	11/08/2016	South	Houseboat Friendship, New Quay Lane, Melton	Change of use of land	<ul style="list-style-type: none"> • 11/08/2016 – Authorisation granted to serve Enforcement Notice with an 8 year compliance period. • Enforcement Notice to be drafted • Enforcement Notice served on 20/10/2016, Notice effective on 24/11/ 2016 – 8 year compliance period (expires 24/11/2024). 	24/11/2024

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2017/0170	21/07/2017	North	Land Adj to Oak Spring, The Street, Darsham	Installation on land of residential mobile home, erection of a structure, stationing of containers and portacabins	<ul style="list-style-type: none"> • 16/11/2017 – Authorisation given to serve EN. • 22/02/2018 – EN issued. Notice comes into effect on 30/03/2018 and has a 4 month compliance period • Appeal submitted. Awaiting Start date • Appeal started, final comments due by 08/02/2019. • Waiting for decision from Planning Inspectorate. • 17/10/2019 – 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. • 13/11/2019 – EN served in relation to the residential use of the site. Compliance by 13/04/2020 • Site visited. Case conference to be held • Appeal received in relation to the EN for the residential use 	31/03/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • Appeal started. Statement submitted for 16th June 2020 • Awaiting Planning Inspectorate Decision • Appeal dismissed with some amendments. Compliance by 11/12/2020 • Site visit to be undertaken after 11/12/20 • Site visited, no compliance with Enforcement Notices, case passed to Legal Department for further action. 	
ENF/2015/0279 /DEV	05/09/2018	North	Land at Dam Lane Kessingland	Erection of outbuildings and wooden jetties, fencing and gates over 1 metre adjacent to highway and engineering operations amounting to the formation of a lake and soil bunds.	<ul style="list-style-type: none"> • Initial complaint logged by parish on 22/09/2015 • Case was reopened following further information on the 08/12/2016/ • Retrospective app received 01/03/2017. • Following delays in information requested, on 20/06/2018, Cate Buck, Senior Planning and Enforcement Officer, took over the case, she 	30/04/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>communicated and met with the owner on several occasions.</p> <ul style="list-style-type: none"> • Notice sever by recorded delivery 05/09/2018. • Appeal has been submitted. Awaiting Start date. • Start letter received from the Planning Inspectorate. Statement due by 30/07/19. • Awaiting Planning Inspectorate Decision • Appeal dismissed. Compliance with both Notices by 05/08/2020 • 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. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2018/0057	15/11/2018	North	The Stone House, Low Road, Bramfield	Change of use of land for the stationing of chiller/refrigeration units and the installation of bunds and hardstanding	<ul style="list-style-type: none"> • Enforcement Notices served on 10/12/2018 • Notice effective on 24/01/2019 • 3 months given for compliance • Appeal submitted awaiting Start Date. • Start letter received from the Planning Inspectorate. Statement due by 30/07/19. • Awaiting Planning Inspectorate Decision • Appeal dismissed and amended. Compliance with both Notices by 13/08/2020 • Site visit conducted. Some works have been completed but due to Covid-19 pandemic work to remove refrigeration units has been delayed. Extension of time given until 02/10/2020. • Further extension of time given until 30/11/20. • 03/12/2020 - Site visited. MCU Notice has been complied with and Operational Development Notice partially complied with. Final steps 	31/03/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					are not required for completed until 31 st March 2021.	
ENF/2018/0543 /DEV	24/05/2019	North	Land at North Denes Caravan Park The Ravine Lowestoft	Without planning permission operational development involving the laying of caravan bases, the construction of a roadway, the installation of a pumping station with settlement tank and the laying out of pipe works in the course of which waste material have been excavated from the site and deposited on the surface.	<ul style="list-style-type: none"> • Temporary Stop Notice Served 02/05/2019 and ceases 30/05/2019 • Enforcement Notice served 24/05/2019, comes into effect on 28/06/2019 • Stop Notice Served 25/05/2019 comes into effect 28/05/2019. • Appeal has been submitted. Awaiting Start date. • Appeal to be dealt with as a Hearing. Deadline for Statements 03/08/2020 • Awaiting date of hearing from Planning Inspectorate. • Hearing date set for 02/02/2021. 	30/03/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2018/0385 /COND	01/08/2019	North	28 Beverley Close Lowestoft	Breach of condition 2 & 3 of DC/15/2586/FUL	<ul style="list-style-type: none"> • Breach of Condition Notice served 01/08/2019. • DC/19/4557/VOC Planning application submitted 21/11/2019 • Application refused 15/01/2020 • Currently within appeal period. • Application received DC/20/1387/AME to amend roof material. • DC/20/1387/AME approved 28/04/2020. • Team monitoring progress • Work due to commence early November 2020. • Site Visit planned to check compliance. • Site visited and work has not taken place. Internal meetings taking place to discuss further action. 	28/02/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2019/0391 /SEC215	26/11/2019	North	46 Wissett Way Lowestoft	Untidy Site	<ul style="list-style-type: none"> • Notice served 26/11/2019 • Compliance visit to be conducted when possible. • Site visit conducted 12/06/2020, notice not fully complied with. Internal discussions taking place regarding next step. • Enquires being made to take direct action. • Contractors arranged to undertake the required work. • Owner arranged for workers to undertake required work in place of Council Contractors. • Site visit due to check compliance. • Notice not complied with in full. Internal discussions being held to decide the next step. • Contractors being contacted to complete work. • Contractors undertook garden clearance on 13th January 2021. Will return at 	28/02/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					later date to complete outstanding work.	
ENF/2018/0090 /DEV	10/12/2019	South	Dairy Farm Cottage, Sutton Hoo	Erection of a summer house	<ul style="list-style-type: none"> Enforcement Notice served 10/12/2019 Awaiting site visit to check on compliance Site visit undertaken, summer house still in situ. Further action to be considered. Property has now changed hands. Contact with new owner to be established. Officers are now in contact with the new owners and are discussing a way forward. Six weeks given for summerhouse, decking and steps to be removed. New planning application has been submitted. Case on hold until determined. 	31/03/2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2015/0214 /MULTI	17/01/2020	South	98 Tangham Cottages, Tangham	Change of use of land and building for business, residential and holiday let purposes	<ul style="list-style-type: none"> 17/01/2020 – Enforcement Notice served. Appeal received. Statements due by 27/04/2020 Awaiting Planning Inspectorate Decision Appeal dismissed with amendments. Compliance date 26.12.2020. Judicial review submitted. Judicial review dismissed. Compliance date 23/03/2021 	23/03/2021
ENF/2019/0035 /DEV	30/06/2020	South	The White Cottage, 3-4 Queens Head Lane, Woodbridge	Installation of a wheelchair lift	<ul style="list-style-type: none"> 30/06/2020 – Enforcement Notice served. Appeal submitted awaiting start date. Appeal started. Final comments by 09/11/20 Awaiting Planning Inspector Decision. 	30/01/2021
ENF/2020/0049 /DEV	12/01/2021	South	17 Saxonfields, Snape	Installation of a replacement roof on conservatory	<ul style="list-style-type: none"> Enforcement Notice served. Comes into effect on 15/02/2021 	15/06/2021

Committee Report

Planning Committee South - 23 February 2021

Application no DC/20/4544/FUL

Location

52 The Street
Melton
Suffolk
IP12 1PW

Expiry date 14 January 2021

Application type Full Application

Applicant Melton Podiatry Practice

Parish Melton

Proposal Change of Use of existing building from Class D1(h) [reclassified on 1/9/2020 to Class D1(a)] to Class D1(a) Healthcare and Medical Services Provision [reclassified on 1/9/2020 as Class E Commercial, Business and Services Use]

Case Officer Rachel Smith
07887 452719
rachel.smith@eastssuffolk.gov.uk

1. Summary

- 1.1 The application proposes the change of use of a former chapel in Melton to be used as a podiatry clinic.
- 1.2 The application is being presented to the Planning Committee for determination as the proposal is contrary to the development plan in that it would result in the loss of a community facility without full marketing having taken place and without the provision of an alternative community facility elsewhere however given that the proposal would result in the re-use of a prominent and attractive historic building in the village core, that the space is likely to be made available to some community groups and the Parish Council's comments that they do not consider there to be a need for the building to be retained in community use, it is considered that the application can be supported as a departure from policy. The application is therefore recommended for approval.

2. Site description

- 2.1 52 The Street is a detached, two storey building located on a small site in the centre of Melton village, fronting The Street. It also lies within the Melton Conservation Area. The building is the former Melton Chapel which dates from 1860 and is a brick built building set slightly back from the pavement behind a low red brick wall. The Conservation Area Appraisal identifies the site as an unlisted building that makes a positive contribution to the street scene and wider Conservation Area.

3. Proposal

- 3.1 The proposal seeks to change the use from a chapel which would now fall within Class F2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) to a podiatry clinic which would fall within the wider commercial Class E.

4. Consultations/comments

- 4.1 102 letters of support have been received. The main points raised are summarised below:
- support a local business
 - local and convenient service
 - repair and maintenance of Melton Chapel would benefit the streetscene and community
 - there is a bus stop nearby
 - provides a vital service
- 4.2 A number of the letters also mention the need for the business to have a larger premises due to the current pandemic and comment on the very high level of service given by the practitioners.

5. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Melton Parish Council	23 November 2020	17 December 2020
<p>“Melton Parish Council Planning and Transport Committee considered this application at its meeting on 16 December 2020 and recommends approval. It considers that the application is in line with the National Planning Policy Framework, the East Suffolk Local Plan and the Melton.”</p> <p>Followed by further comments on 20 January 2021: “I am writing to clarify the Parish Council’s position in respect of planning application DC/20/4544/FUL – Former Chapel, 52 The Street, Melton – change of use to Class E commercial Business and Services use.</p>		

As you will be aware, Melton Parish Council Planning and Transport Committee recommended approval of this application at its meeting on 16 December 2020. The chapel was not included in the list of community facilities listed in the Neighbourhood Plan because (1) it has been unused for some time and before then was in poor condition (2) when previously used it was only available to its small number of members (3) it does not have modern facilities for community use (4) crucially it has no car parking in the part of the village with the greatest unmet parking need. Consequently it has never been considered a “community facility” caught by Neighbourhood Plan Policy MEL8.

The key arguments accepted by the Parish Council in coming to a decision on its recommendation are that if the application is approved, this significant building in the Melton Conservation Area will be given a new lease of life, will strengthen community business use in the heart of the village providing a service to a large number of Melton residents who would otherwise have to travel to either Ipswich, Felixstowe or Halesworth for a comparable facility, and will have minimal impact on the parking situation, as clients of the building will only attend individually for their appointments.

In terms of the Suffolk Coastal Local Plan Policy SCLP8.1, the Burness Parish Room, just a few doors along The Street, provides community space in that part of the village, and the Parish Council is planning in 2021/22 to redevelop the pavilion on its Melton Road playing field and that will include community space. Indeed the Council did look briefly at the chapel building as a possible village hall, but quickly dismissed the idea as the building is unsuitable for modern community use. Even where an identified shortfall may exist, there would be no point in providing substandard facilities, which when in use as such would cause serious loss of residential amenity to neighbours. The Parish Council would contend that, in terms of Policy SCLP8.1, that the site is inappropriate for modern community use and there is certainly no community need for the existing facility, which is why it has wholeheartedly supported this proposed change of use. “

Non statutory consultees

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	23 November 2020	No response
Summary of comments: None received		

6. Publicity

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

Category	Published	Expiry	Publication
Conservation Area	21 January 2021	11 February 2021	East Anglian Daily Times
Category	Published	Expiry	Publication
Conservation Area	26 November 2020	17 December 2020	East Anglian Daily Times

Site notices

General Site Notice	Reason for site notice: Conservation Area Contrary to Development Plan Date posted: 22 January 2021 Expiry date: 12 February 2021
---------------------	--

General Site Notice	Reason for site notice: Conservation Area Date posted: 24 November 2020 Expiry date: 15 December 2020
---------------------	---

7. Planning policy

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “where in making any determination under the planning Acts, if regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise”.

7.2 National Planning Policy Framework (NPPF) (2019)

7.3 National Planning Policy Guidance (NPPG)

7.4 The East Suffolk Council – Suffolk Coastal Local Plan was adopted on 23 September 2020 and the following policies are considered relevant:

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

SCLP8.1 - Community Facilities and Assets (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

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

7.5 Melton Neighbourhood Plan was ‘Made’ January 2018. The following policy is considered relevant.

MEL 8 - Community Facilities (Melton Neighbourhood Plan - 'Made' January 2018)

8. Planning considerations

Principle

8.1 The application seeks to change the use of the building to be used as a podiatry practice. The last use, and therefore lawful use of the building was a chapel which falls within use class F1 (f) as a use for, or in connection with, public worship or religious instruction. The

proposed use as a podiatry practice would fall within use class E which covers commercial premises including part (e) which includes uses for the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner.

8.2 National and local planning policy seeks to retain community facilities, such as a place of worship. The NPPF, at paragraph 83 d) supports the "retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship."

8.3 Local Plan Policy SCLP8.1 relates to community facilities and assets and states, in part:

"Proposals to change the use, or redevelop for a different use, a community facility which is not registered as an asset of community value, will only be permitted if:

a) It can be demonstrated that there is no community need for the facility and the building or the site is not needed for an alternative community use;

b) It can be demonstrated that the current, or alternative community uses are not viable and marketing evidence is provided which demonstrates the premises have been marketed for a sustained period of 12 months in accordance with the Commercial Property Marketing Guidance;

Or

c) Development would involve the provision of an equivalent or better replacement community facility either on site or in an alternative location in the vicinity that is well integrated into the community and has equal or better accessibility than the existing facility which meets the needs of the local population."

8.4 Melton Neighbourhood Plan policy MEL8 also relates to community facilities. This policy, in part, states:

"Proposals that would result in the loss of existing community facilities will not be supported unless appropriate re-provision is made. Such re-provision will be required to demonstrate that the replacement facility is:

a. At least of an equivalent scale to the existing facility; and

b. is in a generally accessible location to the community of Melton within the Neighbourhood Plan area; and

c. is made available before the closure of the existing facility; and

d. is of a quality fit for modern use."

8.5 SCLP8.1 requires that applicants are required to demonstrate that there is no community need for the facility and the building or the site is not needed for an alternative community use and also comply with parts b) or c) of the policy requirements as detailed above. MEL8 of the Melton Neighbourhood plan requires that any proposal resulting in the loss of a community facility will not be supported unless a replacement facility can be provided. The application has not met the requirements of either of these policies and therefore the proposal has been advertised as being contrary to the development plan.

8.6 In 2017, the building was abandoned by the then Methodist group who owned and operated the Chapel which has since remained vacant. The building was purchased by the current owner (and applicant) in 2020. Although the Chapel has not been actively used as a community facility since it closed in 2017, this remains its lawful use. No formal marketing

of the building has taken place however the applicant has submitted a letter from Cornerstone Estate Agents which indicates that they held the key for the building and were instructed to market the property for community use and state that no other party was forthcoming. There is, however, no evidence of any of this marketing.

- 8.7 In an attempt to demonstrate that there is no demand for the building to be used as a community facility, the Parish Council submitted further comments following their original comment of 'recommend approval' setting out why they do not consider the building to be contrary to the Neighbourhood Plan. They say that the Chapel was not included in the list of community facilities listed in the Neighbourhood Plan because:
- it has been unused for some time and before then was in poor condition
 - when previously used it was only available to its small number of members
 - it does not have modern facilities for community use
 - it has no car parking in the part of the village with the greatest unmet parking need.
- 8.8 Melton Parish Council also stated that consequently it has never been considered a "community facility" caught by Neighbourhood Plan Policy MEL8.
- 8.9 They go on to comment that if the application is approved, this significant building in the Melton Conservation Area will be given a new lease of life, will strengthen community business use in the heart of the village providing a service to a large number of Melton residents who would otherwise have to travel to either Ipswich, Felixstowe or Halesworth for a comparable facility, and will have minimal impact on the parking situation, as clients of the building will only attend individually for their appointments.
- 8.10 They also comment that the Burness Parish Room, just a few doors along The Street, provides community space in that part of the village, and the Parish Council is planning in 2021/22 to redevelop the pavilion on its Melton Road playing field and that will include community space. They add that they did look briefly at the chapel building as a possible village hall, but quickly dismissed the idea as the building is unsuitable for modern community use and its use as such could result in the loss of residential amenity to neighbours.

Parking

- 8.11 The building currently has no dedicated parking and on road parking in front of the building is limited and often taken. While the proposed use would require some parking spaces, given that customers would visit their site individually solely for their appointment, it is considered that the proposed use would generate less demand for parking than a community use where often, many people would visit the building at the same time.

Residential Amenity

- 8.12 The proposed use would be relatively quiet, particularly compared to its previous use which could have attracted larger numbers of people visiting the site at the same time either for worship or any other group meeting which could have taken place within the building.

Use

- 8.13 The application proposes the building be used as a podiatry practice which falls within Class E of the Use Classes Order. This use class also includes retail, cafes/restaurants, offices and nurseries and therefore the building would also be permitted to be used as any of these

uses. While the local planning authority is able to impose conditions on planning permissions which can restrict the use of buildings, given the current lawful use as a community facility, it is not considered that any of the other permitted Class E uses would be significantly or demonstrably more harmful to the character of the area or residential amenity such that the use should be restricted. The Government has also been clear in publishing the amendments to the Use Classes Order that they are seeking greater flexibility for changes to commercial premises. As such, it is not considered necessary or appropriate to make any restrictions on the use permitted.

Heritage

- 8.14 The property is identified in the Conservation Area Appraisal as an unlisted building but one which makes an important contribution to the Conservation Area. No physical changes are proposed to the building, however it is in need of repair and these works are currently being undertaken. Given the poor current state of the building which would have deteriorated in the last three years while unoccupied, bringing it back into use facilitates these repairs which help to preserve the building for the future which has a benefit on the character and appearance of the Conservation Area. Any active use of the building therefore results in a positive heritage benefit.

9. Conclusion

- 9.1 Whilst both the Local Plan and Neighbourhood Plan do not support the change of use of a community facility such as Melton Chapel without either providing equivalent space elsewhere and demonstrating that there is no need to retain the community use, in this case, given the support of the Parish Council and the benefit that it would bring as a result of bringing the building back into use, it is appropriate to support the proposals.

10. Recommendation

- 10.1 Approve, subject to the following conditions.

Conditions:

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.
Reason: This condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be completed in all respects strictly in accordance with Site Plan received 11 November 2020 and drawing nos. 01A, 02A, 04B and 05A received 20 November 2020 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.
Reason: For the avoidance of doubt as to what has been considered and approved.
3. The premises herein referred to, shall be used for purposes that fall within Class E of Town and Country Planning [Use Classes] Order (1987) (as amended).
Reasons: For the avoidance of doubt what has been considered and approved.

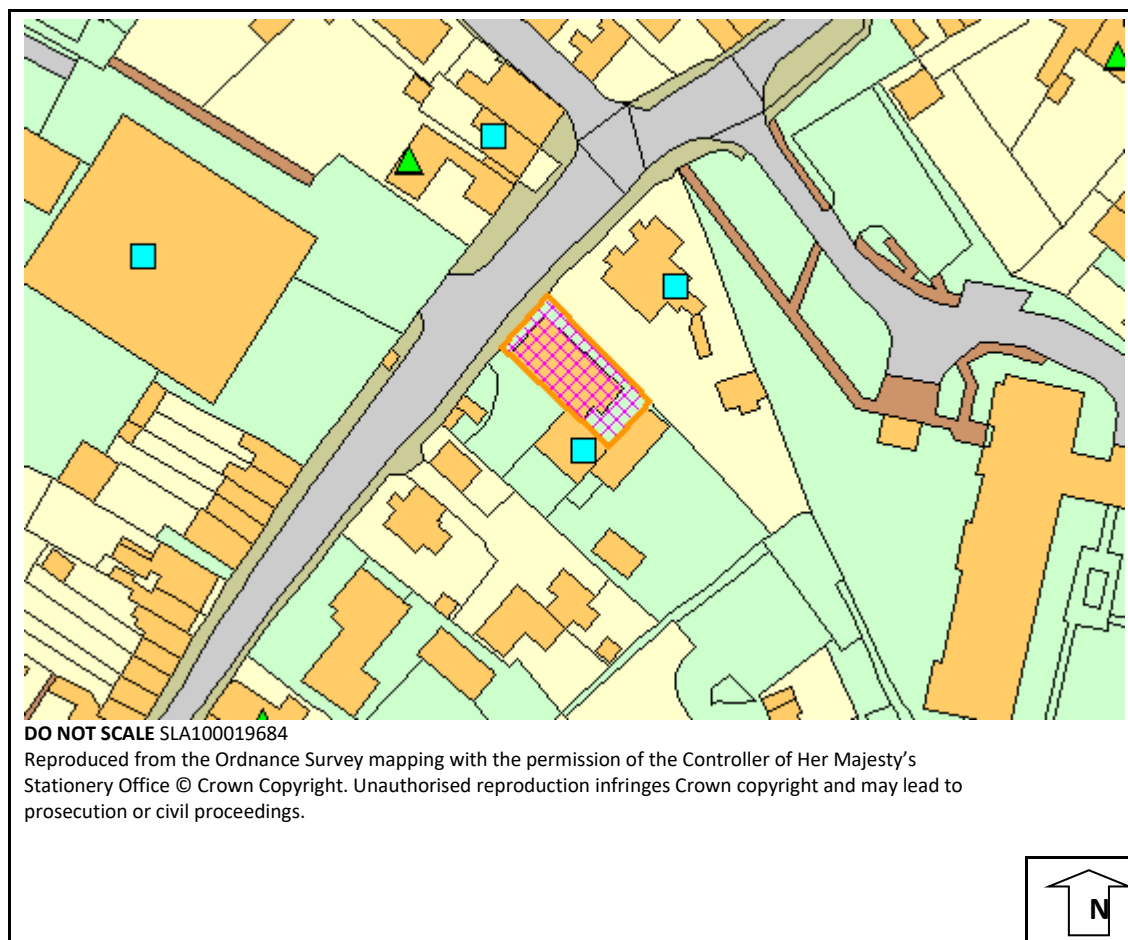
Informatives:

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





Background information

See application reference DC/20/4544/FUL on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee South - 23 February 2021

Application no DC/20/4630/FUL

Location

Site Adjoining 88
Bury Hill
Melton
Woodbridge
Suffolk
IP12 1JD

Expiry date 10 January 2021
Application type Full Application
Applicant Oliver Charles Developments Ltd

Parish Melton
Proposal Proposed Detached Dwelling and Car Parking
Case Officer Danielle Miller
07799 071744
Danielle.miller@eastsuffolk.gov.uk

1. Summary

- 1.1. This application is before members of the Planning Committee as it was taken to the referral panel on 19th January where the panel considered the points raised by the Parish Council in relation overdevelopment and impact on street scene needed to be discussed by members.
- 1.2. Melton Parish council have recommended refusal on the following grounds:
 1. Councillors are concerned at the impact of a build in this location on the tree line between the site and Woods Lane. A tree survey / impact assessment should be provided by the applicant before this application is considered.
 2. There is also concern at the impact of a new build on the proposed site on both the residential amenity of the immediate neighbourhood and how the new dwelling would

relate to the adjoining houses. Melton Councillors feel accordingly that East Suffolk Council Local Plan policies SCLP11.1 and SCLP11.2 are engaged here, and that this proposal may well be a case of inappropriate overdevelopment of what is a very small, cramped site.

- 1.3. The site consists currently of private residential amenity associated with 88 Bury Hill, which is a semidetached property located at the end of a secondary road, off the main spine road known as Bury Hill. The site backs onto Woods Lane and there is a good amount of tree coverage between the property and the main road.
- 1.4. The application site does fall within the settlement boundary for Woodbridge noted under SCLP3.3, which is a Market Town under policy SCLP3.2, however, is located within the village of Melton. Melton itself is characterised as a Large Village. Where Melton Neighbourhood Plan dated January 2018, plays a vital part in managing development within the area.
- 1.5. The application seeks permission for the construction of a new detached dwelling and access drive off Bury Hill.
- 1.6. Officers consider that the design of the new dwelling has paid attention to the requirements of SCLP5.7; SCLP11.1 and MEL17 where the scale and design is appropriate, and attention has been paid to the existing pattern of development. As such officers consider that the principle of development is acceptable in this instance.
- 1.7. Officers consider that the matters on amenity, parking and landscaping have been addressed and can be mitigated against through conditions. RAMs payment has been received.
- 1.8. Officers recommend approval.

2. Site description

- 2.1. The site consists currently of private residential amenity associated with 88 Bury Hill, which is a semi-detached property located at the end of a secondary road, off the main spine road known as Bury Hill. The site backs onto Woods Lane and there is a good amount of tree coverage between the property and the main road.
- 2.2. The application site is generous in relation to the other properties along this terrace, it mirrors the opposite side of the road, where both end terrace plots benefit from a large side garden in addition to the rear garden. The plot is currently a well maintained garden. There is an existing access drive serving the host dwelling, which is to be retained by no.88 together with its garage.
- 2.3. The application site does fall within the settlement boundary for Woodbridge noted under SCLP3.3; which is a Market Town under policy SCLP3.2, however is located within the village of Melton. Melton itself is characterised as a Large Village. Where Melton Neighbourhood Plan dated January 2018, plays a vital part in managing development within the area.

3. Proposal

- 3.1. The application seeks permission for the construction of a new detached dwelling and access drive off Bury Hill.
- 3.2. The design is similar to that of the buildings in the surrounding area. It would be two storey with gable ends. A mix of dark brown facing brickwork on the lower half of the building and white painted render to the first floor. The property will consist of 3 bedrooms with just one first floor window on the flank elevation which provides light to the landing. The main outlook is to the front and rear of the property.

4. Consultations/comments

- 4.1. Nine letters of objection have been received. The comments are summarised below:
- Insufficient parking: concern is raised about the loss of on-street parking.
 - Non on-site turning.
 - Insufficient drainage capacity.
 - The water pressure for the supply of clean water to the cul-de-sac and indeed the Woodbridge area is at best low and very poor, Anglian Water are undertaking a "flushing" project in December 2020.
 - Temporary disruption during construction
 - Congestion due to additional residents in the cul-de-sac.
 - The removal of the trees that border Woods Lane and shield the estate from traffic noise and fume.
 - Tree roots serve to keep the bank slipping onto Woods Lane.
 - When the Development for Woods Lane was approved the plans showed a development control line on the site of the proposed development.
 - Set a precedent for any future developments on land at the end of each of the small cul-de-sac off the main Bury Hill.
 - Loss of outlook and view.
 - Negative impact on ecology.
 - Negative impact on property value.
 - Detrimental impact on the character of the area

5. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Melton Parish Council	19 November 2020	17 December 2020
<p>“Melton Parish Council Planning and Transport Committee considered this application at its meeting on 16 December 2020. It recommends refusal on the following grounds:</p> <p>1. Councillors are concerned at the impact of a build in this location on the tree line between the site and Woods Lane. A tree survey / impact assessment should be provided by the applicant before this application is considered.</p> <p>2. There is also concern at the impact of a new build on the proposed site on both the residential amenity of the immediate neighbourhood and how the new dwelling would relate to the adjoining houses. Melton Councillors feel accordingly that East Suffolk Council Local Plan policies SCLP11.1 and SCLP11.2 are engaged here and that this proposal may well be a case of inappropriate overdevelopment of what is a very small, cramped site.”</p>		

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County Council - Highways Department	19 November 2020	10 December 2020
<p>Summary of comments: No objections standard conditions requested.</p>		

Consultee	Date consulted	Date reply received
Head of Environmental Services	19 November 2020	20 November 2020
<p>Summary of comments: Condition relating to unexpected contamination requested.</p>		

Non statutory consultees

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	30 November 2020	14 December 2020
<p>Summary of comments: Full details are contained within the officer's report, however the key issue in respect of this application for a new dwelling adjacent to 88 Bury Hill will be likelihood of potential impacts on adjacent trees between the site and Woods Lane.</p>		

Publicity

None

Site notices

General Site Notice

Reason for site notice: New Dwelling

Date posted: 19 November 2020

Expiry date: 10 December 2020

6. Planning policy

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “where *in making any determination under the planning Acts, if regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise*”.
- 6.2. National Planning Policy Framework (NPPF) (2019)
- 6.3. National Planning Policy Guidance (NPPG)
- 6.4. The East Suffolk Council – Suffolk Coastal Local Plan was adopted on 23 September 2020 and the following policies are considered relevant:

SCLP3.1 - Strategy for Growth

SCLP3.2 - Settlement Hierarchy

SCLP3.3 - Settlement Boundaries

SCLP5.1 - Housing Development in Large Villages

SCLP5.7 - Infill and Garden Development

SCLP11.1 - Design Quality

SCLP11.2 - Residential Amenity

SCLP10.1 - Biodiversity and Geodiversity

SCLP7.2 - Parking Proposals and Standards

- 6.5. The Melton Neighbourhood Plan, was ‘Made’ January 2018. The following policies are considered relevant:

MEL1 - Physical Limits Boundaries

MEL17 - Character Areas

MEL13 - Protection of Trees and Rural Character)

7. Planning considerations

Principle of Development

- 7.1. The principle of additional dwellings within settlement boundaries is well established, where policy SCLP5.7 Infill and Garden Development sets out the particular parameters set for ensuring development in these instances is suitable. Firstly where the scale, design and materials would not result in harm to the street scene or character of the area; 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; would not cause significant harm to residential amenity; have sufficient curtilage; and are within accordance with local housing policies. This approach is further supported under the Melton Neighbourhood Plan.
- 7.2. The site falls within character area (MEL17) Bury Hill and Fernhill. That plan does raise particular concern that infill development could serve to inappropriately increase the density of development and harm the character of the neighbourhood plan area. It is considered important that infill development, whilst generally acceptable within settlement boundaries, must be designed so that it sits appropriately within its surroundings. The objectives of this policy are to ensure that: infill development respects the existing street scene; and safe and attractive residential layouts are promoted. MEL17 seeks to ensure that all development protects the amenity of neighbours, and reflect the scale, mass, height and form of neighbouring properties. Development proposals must demonstrate how they contribute positively to the features of the respective character areas, as described in the Melton Character Area Assessment; these are noted as Plot widths; Building lines; visual separate; building heights; Daylight and sunlight; Parking and access arrangements; and Boundary treatment.
- 7.3. SCLP11.1 seeks to ensure that new development meets the council's high standard of design, this further supports the principle set out in SCLP5.7 in relation to scale; layout; massing and relationship between buildings. The proposed property is a detached two storey building of similar proportions to those along Bury Hill in height. The design accords with the pattern of development, where the property sits in line with neighbouring terrace block. The width of the plot matches those in the estate. The property would sit well within the street scene without causing harm; the host dwelling has significant curtilage space and retained its parking provisions. New parking provisions have been made for the additional dwelling.
- 7.4. The boundary tree line protecting the properties along Bury Hill from the noise on Woods Lane, is a key consideration. This boundary treatment helps separate the built-up areas and provides a pleasant backdrop for users of Woods Lane. The building designed is detached and reflects the style of the existing development. It is in line with the existing building line and seeks to extend the vehicular access further into the residential garden. The overall appearance of the lane will not be dramatically changed as a result of this additional property, albeit with a new parking area on the end, rather than fencing. There is currently a low-level fence in this area with a mature garden beyond. The tree line will still be visible beyond the proposed development, and those along Woods Lane will not be impacted by the development. A few smaller trees within the site would be removed, however these are located within the existing residential garden and are not protected as such could be removed at any stage without permission.

- 7.5. The design of the new dwelling has paid attention to the requirements of SCLP5.7; SCLP11.1 and MEL17 where the scale and design is appropriate and attention has been paid to the existing pattern of development. As such the principle of development is acceptable in this instance.

Amenity

- 7.6. There would be adequate amenity space for both the proposed and host dwelling. Consideration has been given to the impact to the property opposite as the new dwelling would be directly in front of their side garden. However, the existing property has a private amenity space out to the rear and the position of the access and parking area in front of the dwelling will ensure a suitable distance is retained to avoid unacceptable loss of privacy from the first floor level windows on the front elevation in this instance. There are no other first-floor windows which would cause overlooking to the neighbouring dwellings.

Landscaping

- 7.7. The submitted tree survey shows that the proposed development can be built without any direct impact on trees and their root zones, provided that protective fencing is provided as described during the construction period, which can be conditioned as part of any approval.
- 7.8. The risk of future pressure to fell trees because of the sheer proximity of them to the house and the degree of shading and falling leaf debris, has been considered. Given that the majority of these are to the north of the plot and not on land owned by the site, this pressure will be limited, not least because the trees will provide the occupants with the necessary screening and noise protection from Melton Road. However, there is an Oak to the west which would be a concern in this respect, it may be necessary to ensure that this tree is protected by condition.

Parking

- 7.9. There is a new access and parking area proposed. The parking area for the host dwelling will be retained as existing with one parking space and a single garage. The proposed dwelling will have two parking spaces and a shed is proposed for cycle storage. The Local Highway Authority has not raised any concern over the development and it is considered that the relevant parking standards have been met.
- 7.10. In terms of third-party comments in relation to on street parking, the drive is accessed from the corner of the cul-de-sac, the host dwellings drive is located to the side, where access would have need to be retained in order for the host dwelling to use their drive as such it is not considered that there will be a loss of on-street parking.

RAMS

- 7.11. Local plan policy SCLP10.1: Biodiversity and Geodiversity, seek to protect and enhance the biodiversity and geodiversity of land and buildings, ensuring new developments will not cause a direct or indirect adverse effect to the integrity of internationally and nationally designated environmental sites or other designated areas, priority habitats or protected/priority species.

- 7.12. The development site is within the recreational disturbance Zone of Influence for the following Habitats Sites (European Sites) in East Suffolk, as set out in the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). 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.
- 7.13. The Suffolk Coast RAMS provides strategic mitigation measures to address this impact. To fund this mitigation financial contributions are collected from new developments. 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 would be required to be secured prior to determination. An Appropriate Assessment has been undertaken and the mitigation fee has been paid by the applicants.

CIL

- 7.14. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority. The proposed development is chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended) because it is for the erection of a new building.

Other matters

- 7.15. Third party representations have raised concern over disruption during construction. The development of one house will cause a limited amount of disruption where there is adequate space of site to park machinery and vans.
- 7.16. In terms of the existing services, the planning process cannot be used to rectify existing problems, any new development will be responsible for ensuring that adequate services can be provided.
- 7.17. Water and Sewage connections are dealt with by Anglian Water and they have their own guidance for connection and provisions.

8. Conclusion

- 8.1. The design of the new dwelling has paid attention to the requirements of SCLP5.7; SCLP11.1 and MEL17 where the scale and design is appropriate and attention has been paid to the existing pattern of development. As such the principle of development is acceptable in this instance.
- 8.2. The matters on amenity, parking and landscaping have been addressed and can be mitigated against through conditions. RAMs payment has been received.

9. Recommendation

- 9.1. This application is recommended for Approval subject to the conditions set out below:

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:

received 16.11.2020

Design and Access Statement

6273 - 2A Proposed Plans and Elevations and Block Plan

6273 - 1 Site Plan

received 22.12.2020

LSDP 1608.01 Tree survey and landscape report

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 new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. DM03; and with an entrance width of 3 metres and made available for use prior to commencement of the development. Thereafter the access shall be retained in the specified form.

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

5. The gradient of the vehicular access shall not be steeper than 1 in 20 for the first five metres measured from the nearside edge of the adjacent metalled carriageway.

Reason: To ensure that vehicles can enter and leave the public highway in a safe manner.

6. The access driveway shall be constructed at a gradient not steeper than 1 in 8.

Reason: To ensure that vehicles can enter and leave the public highway in a safe manner.

7. Prior to the dwelling hereby permitted being first occupied, the vehicular access onto the plot shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.

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

8. The use shall not commence until the area(s) within the site on drawing no. 6273/1 for the purposes of Loading, Unloading, manoeuvring and parking of vehicles and secure cycle storage has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

9. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety. An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.

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

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

10. No development shall commence or any materials, plant or machinery be brought on to the site until fencing to protect the retained trees shown on drawing LSDP 1608.01 has been erected 1 metre beyond the canopy of the tree(s). The protective fencing shall comply with BS.5837 and be retained throughout the period of construction unless otherwise agreed in writing by the local planning authority.

Reason: To protect the trees/hedgerow during the course of development in the interest of visual amenity.

Informatives:

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

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

The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

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

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

CIL forms can be downloaded direct from the planning portal:

https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5

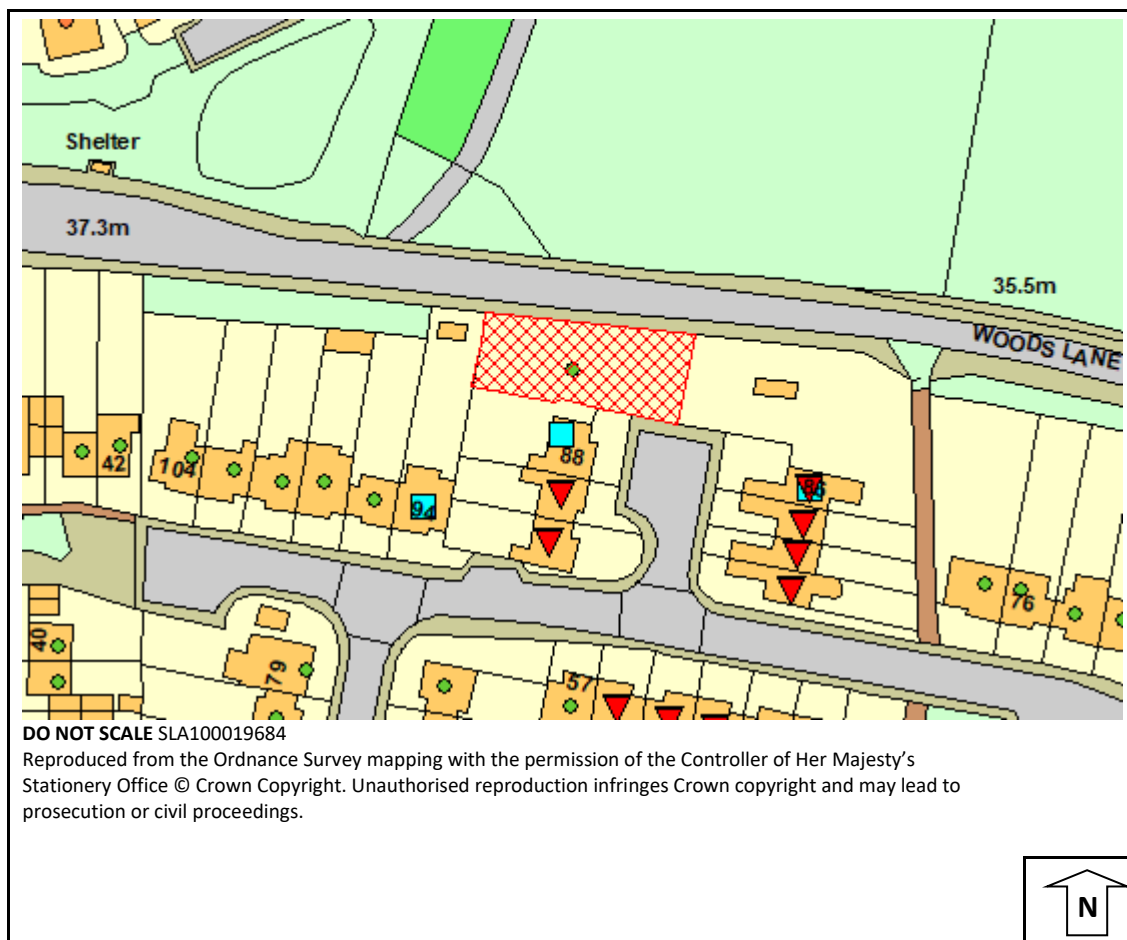
Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

3. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. The County Council's East Area Manager must be contacted on Telephone: 0345 6066171. Further information can be found at: <https://www.suffolk.gov.uk/roads-and-transport/parking/apply-for-a-dropped-kerb/>
A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.





Background information

See application reference DC/20/4630/FUL on [Public Access](#)

Map



Key

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

Committee Report

Planning Committee South - 23 February 2021

Application no DC/20/2540/FUL

Location

28 Harvesters Way
Martlesham Heath
Martlesham
Suffolk
IP5 3UR

Expiry date 20 September 2020

Application type Full Application

Applicant Mr Darren Thomas

Parish Martlesham

Proposal Proposed new garden and cycle store structure

Case Officer Alexis Bruns
07766 473252
alexis.bruns@eastssuffolk.gov.uk

1. Summary

- 1.1. The application seeks permission for a single-storey shed to be used as a garden and cycle store. It will be located adjacent to the front elevation, front north corner of the site and has dimensions of 3.1m height, 2.2m at eaves, 3m length and 3.5m width. The application site is located at 28 Harvester Way and is a detached two storey dwelling, that is within the settlement boundaries of Martlesham Heath. There are no additional site constraints however, Martlesham Heath does have a Neighbourhood Plan.
- 1.2. The application was heard by the referral panel on 15 December 2020 and it has been referred to the Committee to allow members to discuss the impact the development would have on the streetscene due to comments received that the proposed shed would be over development on the front of the site.
- 1.3. Following the receipt of revised plans, it is considered that the revised lowered height and slight orientation of the outbuilding is acceptable and would not harm the character of the

streetscene or the wider landscape. It is noted that this application is an improvement on previous application DC/19/2359/FUL. The application is therefore recommended for approval subject to appropriate conditions.

2. Site description

- 2.1. The brick and cladding, two storey, detached property is located on a corner plot within the settlement boundaries of Martlesham Heath. It has off road parking and a garage and was one of several built under application C7763/287 (Erection of 122 dwellings with associated garages, construction of roads, sewers and other site works, Hamlet A, Martlesham Heath).
- 2.2. The dwelling has undergone several renovations over the years which include:
 - C/07/1484 - Retention of rear conservatory.
 - C/13/0200 - Erection of first-floor extension over existing adjoining garage.

3. Proposal

- 3.1. The proposal looks to add a garden and cycle store. It will be located on the front north corner of the site and is a single storey design that has a pitched roof. The materials used for the proposal will be cream horizontal 'hard-i-plank' cladding, brickwork and concrete roof tiles. The proposal requires permission as it will sit forward of the front elevation of the property. The dimensions of the structure are proposed to be 3.1m overall height, 2.2m at eaves, 3m length and 3.5m width.

4. Consultations/comments

- 4.1. Two letters of objection have been received from neighbouring properties and concerns include:
 - The proposal is too large and will be out of character on the streetscene, it is also considered to be over development.
 - The use of the cycle store could be used as a business from this residential location.
 - Parking would reduce the provision of parking within the site.

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Martlesham Parish Council	28 July 2020	17 August 2020
<p>“The Parish Council notes that this planning application is an improvement over the previous application which was withdrawn, but it still considers that this development is inappropriate in its front garden location due to its impact on the street scene. The block diagram shows that there is room down the side of the house for this structure.</p> <p>The Council therefore continues to object to this planning application as it fails to comply with</p>		

Martlesham Neighbourhood Plan Policy MAR4: Residential Design and Amenity, points 1, 2, and 3, by virtue of its height, design and location on the plot. The proposed structure would extend significantly beyond the building line in a conspicuous corner position.

If ESC is minded to approve this application then a suitable planting scheme should be required. The revised position creates the opportunity for some planting between the structure's north and east elevations and the fence - thus moderating the visual impact when viewed from the street and No 22 in particular."

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County Council Archaeological Unit	28 July 2020	No response
Summary of comments: No response received		

Publicity

None

Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted:

Expiry date:

5. Planning policy

5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that "where in making any determination under the planning Acts, if regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise".

5.2. National Planning Policy Framework (NPPF) (2019)

5.3. National Planning Policy Guidance (NPPG)

5.4. The East Suffolk Council – Suffolk Coastal Local Plan was adopted on 23 September 2020 and the following policies are considered relevant: National Planning Policy Framework 2019

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)

6. Planning considerations

Visual Amenity and streetscene

- 6.1. The dwelling is located on a prominent corner plot that can be seen from multiple view points. A key material planning consideration in this instance is visual amenity and the impact on streetscene where policy SCLP 11.1 - Design Quality, seeks to ensure that all new development responds to local context and the form of the surrounding buildings in relation to the following criteria:
- "i. the overall scale and character should clearly demonstrate consideration of the component parts of the buildings and the development as a whole in relation to its surroundings;
 - ii. the layout should fit in well with the existing neighbourhood layout and respond to the ways people and vehicles move around both internal and external to existing and proposed buildings;
 - iii. the height and massing of developments should be well related to that of their surroundings;
 - iv. there should be a clear relationship between buildings and spaces and the wider street scene or townscape; and
 - v. high quality materials appropriate to the local context should be used;"
- 6.2. The size and scale of the proposal are considered acceptable in relation to the size of the dwelling. It is recognised that proposals that are forward of the building line can have an impact on the streetscene but given that the proposal would be partially screened by the retained laurel hedges on the northern boundary means that in this instance the building is suitable in terms of its scale and position and will not have a negative impact on the street scene. There is not a strong building line in this area which could otherwise be important to retain. The retention of the Laurel hedgerow should be retained to softened the appearance of the built form and will be conditioned.
- 6.3. It is acknowledged that a change will occur in the streetscene but overall the change is not considered to be one that will have a substantial detrimental impact to the character of the area. This is because the proposal is considered to be of a height, depth and width that will not be overly dominant on the streetscene or to the host dwelling.
- 6.4. The proposal will be viewable from certain view points however this will not significantly alter the character of the area as the materials used on the cycle storage are complimentary in nature to the main dwelling. Within the surrounding streetscene, there are multiple designs of properties along this road that include, render of various colours, brickwork and cladded designs. Some are partially obscured by foliage as the proposal will be. The building appears clearly ancillary to the host dwelling in a simple form and has minimal detailing which includes a pitched roof. On balance the scheme is considered acceptable and would not significantly harm the visual amenity of the area and therefore complies with policy SCLP11.1

Residential Amenity

- 6.5. The building will be on the northern boundary which is not shared with a neighbouring property. The nearest adjacent neighbours would be situated over the road from the cycle storage and set back several metres away from the highway. Therefore, it is judged that

the development would not cause any loss of light or overshadowing due to its height (3.1m), its location and modest footprint. It is not considered to be an overbearing structure and its appearance will be reduced by the soft landscaping of the laurel hedge. A Third party comment has raised concern over outlook for a neighbouring property, however the aforementioned property is on the opposite side of the highway and is set back with its own boundary foliage, therefore it is deemed that the proposal would not block the outlook of this property or any other. On consideration of the above, the proposals are considered to conform with policy SCLP.11.2 in regards to Residential Amenity.

Highway Safety

- 6.6. The property has a garage and at least two off road parking spaces, this is considered a sufficient amount of parking for the dwelling. Parking is in line with the County Council guidance.
- 6.7. In regards to concerns raised around the usage of the cycle store, the applicant has stated that the structure will be used for the storage of bicycles and not for business purposes. If the building is proposed to be used for a business purpose that would go beyond normal working from home type activities, i.e. generating the need for significant numbers of customers to visit the property, a planning application for a change of use would need to be submitted and assessed.
- 6.8. The design, appearance, parking and amenity issues have been considered in light of policies SCLP11.1: Design Quality and SCLP11.2: Residential Amenity of the local plan and are considered compliant.

7. Conclusion

- 7.1. The revisions to the proposed scheme for the new garden and cycle store structure see the proposal set back from the road, with lower ridge and eaves heights and a slight change in orientation, is considered acceptable and accords with local plan policies SCLP11.1 and SCLP11.2, in terms of visual and residential amenity. The scheme is also acceptable in terms of parking considerations.

8. Recommendation

- 8.1. Approve subject to the following conditions.

Conditions:

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

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

- 2. The development hereby permitted shall be completed in all respects strictly in accordance with drawings:

o Site plan - 4019.01, received 09 July 2020

o Existing plan - 4019.02B, received 10 December 2020

o Proposed plan - 4019.03E received 10 December 2020

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 with the local planning authority.

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

4. None of the existing hedgerow on the Northern site boundary as shown on plan 4019.03E shall be uprooted, felled, wilfully damaged or in any other way destroyed or removed without the prior written consent of the local planning authority. Any trees or hedgerow removed, dying, being severely damaged or becoming seriously diseased within five years of the completion of the development shall be replaced during the first available planting season with trees and/or shrubs of a size and species which have previously been agreed by the local planning authority.

Reason: To safeguard the visual amenity provided by the trees and hedgerows.

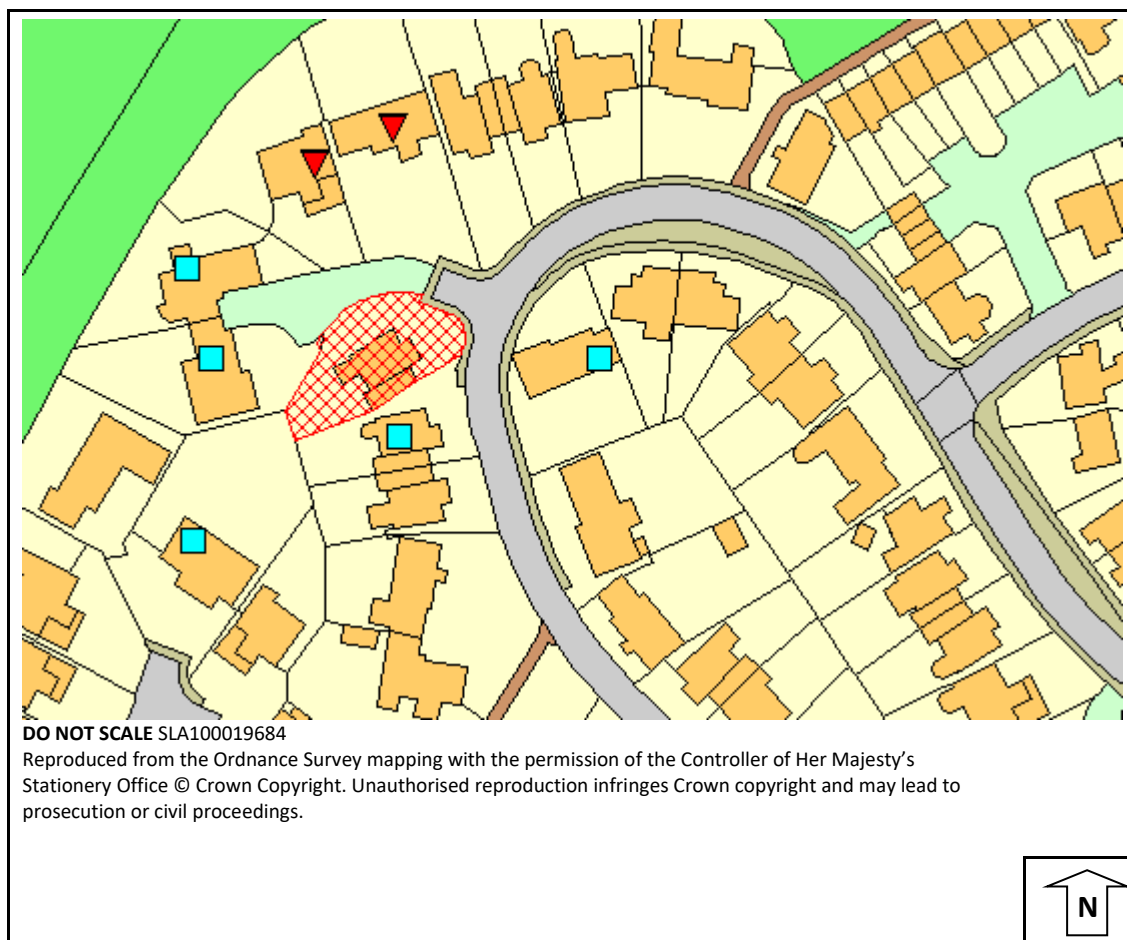
Informatives:

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

Background information

See application reference DC/20/2540/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee South - 23 February 2021

Application no DC/20/4198/OUT

Location

Blackstock Cottage
Blackstock Crossing Road
Campsea Ashe
Woodbridge
Suffolk
IP13 0QL

Expiry date 29 December 2020
Application type Outline Application
Applicant East Suffolk Council

Parish Campsea Ashe

Proposal Outline Application (All Matters Reserved) - Demolition of existing dwelling and erection of replacement dwelling and additional cart lodge.

Case Officer Danielle Miller
07799 071744
Danielle.miller@eastsuffolk.gov.uk

1. Summary

- 1.1. This application is before the Planning Committee as the site is owned by East Suffolk Council, who have made the application.
- 1.2. The site is located at Blackstock Cottage, Blackstock Crossing Road, Campsea Ashe - located on the junction of the railway track and Station Road, with an overall site area of approximately 750 sq. metres.
- 1.3. The site at Blackstock Cottage is a single storey redundant Gate-Keeper's cottage of buff brick under black pan-tiles.
- 1.4. This is an outline application with all matters reserved for the demolition of the existing dwelling, Blackstock Cottage

- 1.5. Blackstock Crossing Road, Campsea Ashe; and erection of replacement dwelling and additional cart lodge.
- 1.6. This outline application seeks to secure the principle of redevelopment for a replacement dwelling on this site. The application has been considered in accordance with local policy SCLP5_3. The proposals accord with policy where there are no objections from statutory consultees. As such the application is recommended for approval.

2. Site description

- 2.1. The site is located at Blackstock Cottage, Blackstock Crossing Road, Campsea Ashe - located on the junction of the railway track and Station Road, with an overall site area of approximately 750 sq. metres.
- 2.2. The site at Blackstock Cottage is a single storey redundant Gate-Keeper's cottage of buff brick under black pan-tiles.
- 2.3. The site is accessed via a track and surrounded by countryside, there are no other dwellings in the vicinity. The site is well screened from public rights of way, with extensive woodland to the east on the opposite side of the train track.
- 2.4. The site lies within the countryside.

3. Proposal

- 3.1. This is an outline application with all matters reserved for the demolition of the existing dwelling, Blackstock Cottage.
- 3.2. This application seeks to demolish Blackstock Crossing Road, Campsea Ashe, and to then erect a replacement dwelling and additional cart lodge. The application seeks to establish the principle of a replacement residential property on this site.

4. Consultations/comments

- 4.1. No third party objections have been received.

5. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Campsea Ashe Parish Council	4 November 2020	23 November 2020
<p>“Campsea Ashe PC notes that no detailed plans have been submitted. The PC has in principle no objections to renovation or rebuilt of the current building, The current house is of solid brick build, in traditional yellow/white Suffolk brick and situated in a picturesque rural setting. However, as the building is outside the village boundaries, the footprint of the original building should be adhered to.”</p>		

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	N/A	12 November 2020
Summary of comments: Standard advice given including information on sprinklers.		

Consultee	Date consulted	Date reply received
Suffolk County Council - Highways Department	4 November 2020	23 November 2020
Summary of comments: No Objections raised, requesting conditions on the layout of the access to meet existing guidance.		

Consultee	Date consulted	Date reply received
Head of Environmental Services	4 November 2020	5 November 2020
<p>Summary of comments:</p> <p>The railway does not currently cause a problem and there are no changes in the area that could cause a noise problem to the future residents, however - there will be a significant increase in rail noise during the construction and operation of Sizewell C including noise all through the night. A noise survey was requested to mitigate against future noise concerns.</p> <p>This property is served by a Private Water Supply. It is unclear whether the development will involve a connection to the mains, or the existing private water supply. If the development involves connecting to an existing private water supply, or the creation of a new private water supply advice should be sought from the Environmental Protection Team prior to commencing works. All works undertaken must comply with the Private Water Supplies Regulations 2016 (as amended).</p>		

6. Publicity

6.1. None

7. Site notices

General Site Notice

Reason for site notice: New Dwelling
Date posted: 5 November 2020
Expiry date: 26 November 2020

8. Planning policy

8.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “where *in making any determination under the planning Acts, if regard is to be had to the*

development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise”.

- 8.2. National Planning Policy Framework (NPPF) (2019)
- 8.3. National Planning Policy Guidance (NPPG)
- 8.4. The East Suffolk Council – Suffolk Coastal Local Plan was adopted on 23 September 2020 and the following policies are considered relevant:

SCLP3.2 - Settlement Hierarchy

SCLP3.3 - Settlement Boundaries

SCLP5.3 - Housing Development in the Countryside

SCLP10.1 - Biodiversity and Geodiversity

SCLP11.1 - Design Quality

SCLP11.2 - Residential Amenity

9. Planning considerations

- 9.1. This application seeks permission for the principle of development where all matters are reserved.

Principle

- 9.2. The application site lies outside the settlement boundary for Campsea Ashe as such is classified as countryside where Policy SCLP5.3: Housing Development in the Countryside allows for certain types of residential properties to be built under point c) Replacement dwellings on a one to one basis where these are no more visually intrusive in the countryside than the building to be replaced will be acceptable.
- 9.3. Whilst it is acknowledged that this dwelling is currently not occupied, the use of the site as a C3 residential property is established and the property could effectively be refurbished and occupied again without the need for planning permission. As such the principle of development in this instance to replace the existing building is established under SCLP5.3, providing matters on Design, Amenity and Landscape are addressed accordingly.

Landscape

- 9.4. Under the previous Local Plan, the site was located within a special landscape area, however these designations were not carried through to the adoption of the new Local Plan as such the site is not within a specially designated land.
- 9.5. The design and access statement includes an indicative scheme for planting, which would include the 4 metres buffer between the house and the railway line and a front and rear garden. Given the nature of the site, a landscaping scheme should be submitted as part of

the reserved matters to ensure adequate planting and also help mitigate against noise from the railway line which is likely to increase in use in the coming years.

Design and visual amenity

- 9.6. Matters of design and potential impacts to visual and residential amenity cannot be fully considered at this stage and will be considered at reserved matters.
- 9.7. Good design is concerned not only with how development looks but how it feels and functions. Incorporating both the enhancement of local character and distinctiveness. Policy SCLP11.1 Design Quality sets out East Suffolk's design principles, where scale, form and massing are key considerations. The existing building is single storey and small in scale, the proposal does not include details on design however a block plan showing a suggested house footprint of 100sqm and a detached cartlodge of 45sqm, this would be a 50% increase in the footprint from the original dwelling, given the small scale of the existing building the increase is considered suitable where the site can accommodate that scale of dwelling without it having an adverse impact on the surrounding area.
- 9.8. The existing eaves for the bungalow are just over three metres and the existing ridge is just under six metres high. This gives scope for the potential of a 1.5 storey house to replace it. At this stage it is considered that a maximum ridge height of 7.5 metres should be the maximum accomplished on site.

Residential Amenity

- 9.9. Due to the location of the property it is considered that the development would have little impact on the amenity of the surrounding users. However, due to the close proximity of the dwelling in relation to the railway line, this would need to be taken into consideration when finalising the detail of the proposed dwelling.
- 9.10. The design and access states that a 4 metre buffer is to be applied by repositing the building away from the railway line, officers consider this a sensible approach and allows for the erection of sound reducing fencing which can be considered at the reserved matters stage.
- 9.11. A noise survey has been submitted on advice on the Environmental Protection team given the sites close proximity to the railway line.

Network Rail

- 9.12. Any restrictions on building next to the railway line are mostly included in a property's title deed, and these restrictions are usually to keep occupants safe - for example, due to the dangers of working near buried cables, electrified tracks or high-voltage overhead cables.
- 9.13. It is important to note that occupiers of the site have no legal right of access to enter the railway, although Network Rail might be able to consent to access as long as railway services and worker safety is not compromised, doing so without consent is a criminal act.
- 9.14. This needs to be considered as part of the construction management plan, where access is gained to the site without the need to cross the railway it is important that these points are highlighted to contractors to ensure their safety.

Flood risk

- 9.15. The subject site is located within Flood Risk 1 zone, which the Environment Agency defines as having a low probability of flooding. Due to the associated low risk, no further assessment is required.
- 9.16. Surface water drainage best practice should be taken into account in the required landscape planting scheme.

Highway Safety

- 9.17. The design and access statement notes that vehicular access to the site is on the southern boundary 5m from the south western corner. Matters of access are to be considered at reserved matters stage. There is an existing access down Station Road into the site. Given there is no intensification of use officers see no reason to restrict permission based on access requirements.
- 9.18. The Local Highway Authority has not objected to the principle of development but have requested a number of conditions to ensure the correct and proper parking and access requirements are met.

Ecology

- 9.19. The site lies within the recreational disturbance Zone of Influence for the following Habitats Sites (European Sites) in East Suffolk, as set out in the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS), however given this is a replacement dwelling one for one, there is no increase on recreational disturbance on Habitats Sites.

CIL

- 9.20. This application seeks Proposed demolition of existing single storey dwelling and erection of detached one and a half storey dwelling and if approved, will be liable for CIL for the whole of the permitted Gross Internal Area (GIA), chargeable at the High rate. Rates can be found at <http://www.eastsuffolk.gov.uk/planning/developer-contributions/community-infrastructure-levy/>
- 9.21. The GIA of any existing buildings that have been in lawful use for a continuous period of 6 months in the 3 years preceding the day planning permission first permits development may be deductible where they are to be re-used, demolished or where the use is a use that can lawfully continue without a further planning permission.
- 9.22. The owner must ensure CIL Form 2: Assumption of Liability and CIL Form 6: Commencement Notice are submitted and acknowledged at least one day prior to commencement in order to benefit from the Council's instalment policy and avoid potential surcharges. If the owner intends to apply for relief or exemption, it must be granted prior to commencement of the development. Forms can be found at www.planningportal.co.uk/cil

10. Conclusion

- 10.1. This outline application seeks to secure the principle of redevelopment for a replacement dwelling on this site. The application has been considered in accordance with local policy SCLP5.3, and the other relevant policies of the Local Plan. It is therefore recommended for approval subject to appropriate conditions.

11. Recommendation

- 11.1. Approve subject to the following conditions:

Conditions:

1. Details relating to the layout, scale, appearance, access and landscaping of the site (the "reserved matters"), shall be submitted to and approved by the Local Planning Authority before any development is commenced.

Reason: To comply with Sections 91 and 92 of the 1990 Act.

2. a) Application for approval of any reserved matters must be made within three years of the date of this outline permission and then

b) The development hereby permitted must be begun within either three years from the date of this outline permission or within two years from the final approval of the reserved matters, whichever is the later date.

Reason: To comply with section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be begun on or before the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such reserved matter to be approved.

Reason: This condition is imposed in accordance with Section 92 of the Town and Country Planning Act 1990 (as amended).

4. The development hereby permitted shall be completed in all respects strictly in accordance with 6123-001 Site Plan and Statement of Design Parameters received 3rd November 2020, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

5. Before the access is first used visibility splays shall be provided in accordance with details previously approved in writing by the Local Planning Authority and thereafter shall be retained in the approved form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.

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

Reason: To ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with Suffolk Guidance for Parking (2015) where on-street parking and manoeuvring would be detrimental to highway safety.

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which 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 that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

8. Within 3 month(s) of commencement of development, precise details of a scheme of landscape works (which term shall include tree and shrub planting, grass, earthworks, driveway construction, parking areas patios, hard surfaces etc, and other operations as appropriate) at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.

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

9. The approved landscaping scheme 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 5 years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

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

10. Commensurate with the first reserved matters application, an Ecological Impact Assessment (EclA) shall be submitted to and approved by the Local Planning Authority. The EclA will include up to date ecological surveys of the site, assessment of the likely impacts of the proposed development on biodiversity, details of any mitigation and/or compensation measures necessary to address these impacts, and details of ecological enhancement measures to be incorporated into the development. The works shall be

carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

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

11. Commensurate with the first reserved matters application full and specific details of measures to minimise water and energy consumption and to provide for recycling waste shall be submitted to and approved by the Local Planning Authority. Thereafter the approved measures shall be incorporated in to the hereby approved development in their entirety and be in place prior to the first occupation of the hereby approved dwelling.

Reason: To ensure appropriate sustainable construction measures are incorporated in to the scheme in the interests of mitigating against further climate change.

Informatives:

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

The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

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

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

CIL forms can be downloaded direct from the planning portal:

https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5

Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

3. Our records indicate that this property is served by a Private Water Supply. It is unclear whether the development will involve a connection to the mains, or the existing private water supply. If the development involves connecting to an existing private water supply, or

the creation of a new private water supply advice should be sought from the Environmental Protection Team prior to commencing works.

All works undertaken must comply with the Private Water Supplies Regulations 2016 (as amended).

4. Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2019 Edition, incorporating 2010 and 2013 amendments Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for fire fighting, in which case those standards should be quoted in correspondence.

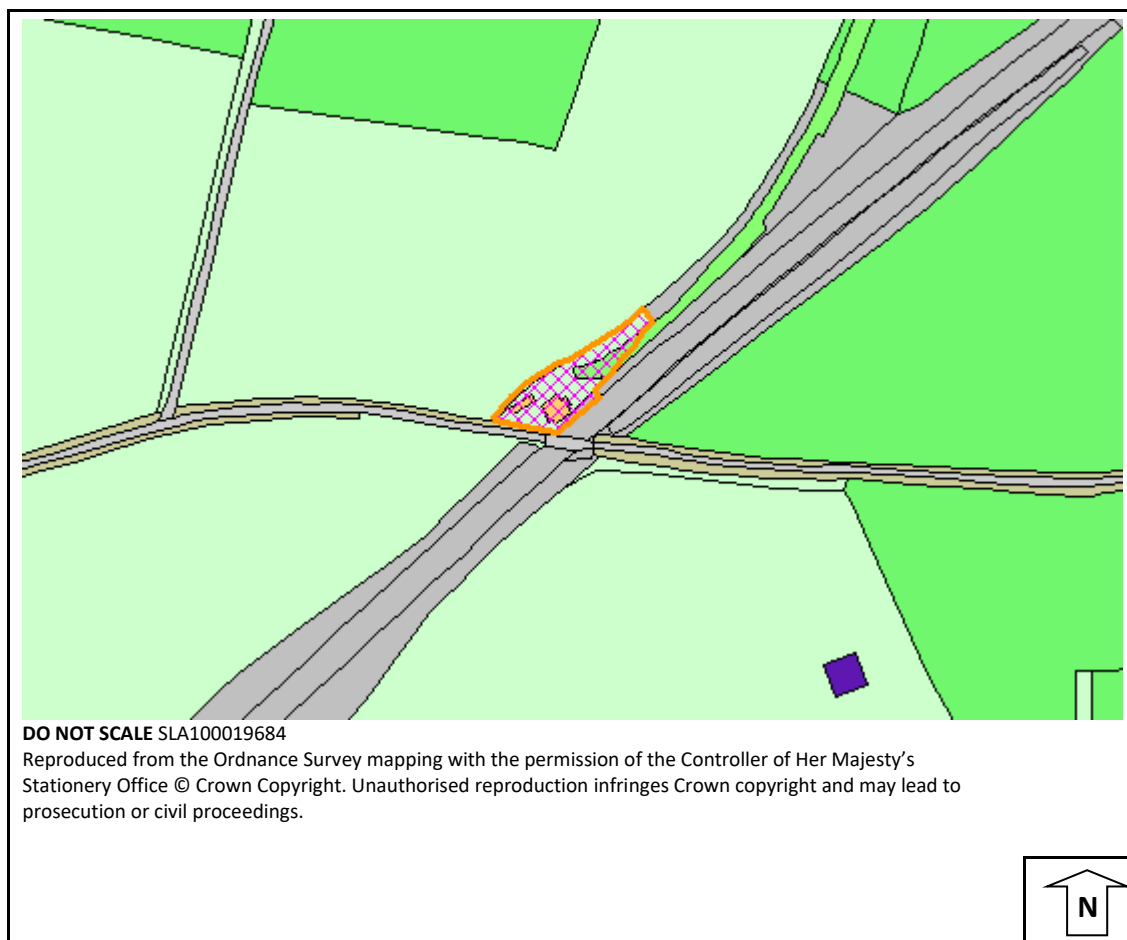
Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2019 Edition, incorporating 2010 and 2013 amendments.

5. Suffolk Fire and Rescue Service records show that the nearest fire hydrant in this location is over 900m from the proposed build site and we therefore recommend that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system. (Please see sprinkler information enclosed with this letter). Consultation should be made with the Water Authorities to determine flow rates in all cases.
6. Protected species may be present at the site (bats, slow worms, newts). It is an offence to deliberately capture, injure or kill any such creature or to damage or destroy a breeding or resting place. A licence may need to be obtained from Natural England before any work is commenced, including demolition work, site clearance, timber treatment etc.
7. All bats are protected by the Wildlife & Countryside Act 1981 & the European Community Habitats Directive. It is an offence to disturb a bat when roosting or damage or destroy breeding sites or resting places.





Background information

See application reference DC/20/4198/OUT on [Public Access](#)

Map



Key

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