

**Confirmed**



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room,  
Riverside, on **Tuesday, 14 March 2023 at 2.00pm**

**Members of the Committee present:**

Councillor Norman Brooks, Councillor Jenny Ceresa, Councillor Linda Coulam, Councillor Andree Gee, Councillor Sarah Plummer, Councillor Craig Rivett

**Other Members present:**

Councillor Judy Cloke, Councillor David Ritchie

**Officers present:**

Ben Bix (Democratic Services Officer), Matthew Gee (Senior Planner), Matt Makin (Democratic Services Officer (Regulatory)), Ben Woolnough (Planning Manager (Development Management, Major Sites and Infrastructure))

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**1 Apologies for Absence and Substitutions**

Apologies were received from Councillors Ashdown and Cooper. Councillor Cloke attended the meeting as substitute for Councillor Cooper. Councillor Goldson had also given his apologies having been unable to attend as substitute for Councillor Ashdown.

Councillor Jenny Ceresa, Vice-Chairman of the Committee, chaired the meeting due to the absence of Councillor Ashdown, the Chairman of the Committee.

**2 Declarations of Interest**

Councillor Cloke declared a Non-Registerable Interest of no direct affect in Agenda item 5 - 11 Wharton Street Bungay due to being known to the property owner. Councillors Brooks and Rivett declared an Other Registrable Interest as Cabinet Members in Agenda Item 7.

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

There were no Declarations of Lobbying.

**4 Minutes**

Upon the proposition of Councillor Coulam, seconded by Councillor Gee it was unanimously

## **RESOLVED**

That the Minutes of the Meeting held on 14 February 2023 be confirmed as a correct record and signed by the Chairman.

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

The Committee considered report **ES/1507** of the Head of Planning and Coastal Management, which was a summary of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 23 February 2023. At that time there were 18 such cases.

The Planning Manager - Development Management, Major Sites and Infrastructure advised the committee of two updates since the publication of the report. Firstly, the High Court injunction relating to Land Adjacent to Oak Spring, Darsham had not been complied with, and the matter had been referred to the Council's legal department. Secondly, the notice at 28 Brick Kiln Avenue, Beccles had not been complied with and the matter had also been referred to the Council's legal department.

There being no questions, upon the proposition of Councillor Coulam, seconded by Councillor Gee, it was by a unanimous vote

## **RESOLVED**

That the outstanding enforcement matters up to 23 February 2023 be noted.

### **6 DC/22/4432/FUL - 9 Glebe Close, Lowestoft, NR32 4NU**

The Committee considered report **ES/1505** which related to planning application DC/22/4432/FUL and sought permission for the construction of two single storey dwellings and associated works. The layout and design of the dwellings was identical to that of a previous appeal in which the Inspector concluded would not result in harm to the character and appearance of the surrounding area, nor the living conditions of neighbouring occupiers; and would provide a suitable standard of living accommodation for future occupiers. The application was referred to the Committee by the Referral Panel due to the contrary Town Council recommendation.

The Committee received a presentation from the Planner, who was the case officer for the application. The Committee viewed the site location plan along with a series of photographs of the site and associated 3D visualisations. The previously refused block plan was shown side-by-side with the proposed block plan, together with elevations and floor plans. The Planner explained that the only difference between the refused and appealed scheme and the proposed scheme was a marginal difference in the location of the red line boundary. A contribution to the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) had been received which had resolved the sole issue from the previous appeal.

The key issues and material planning considerations were summarised as:

- Site History
- Previous Inspectors' assessment
- Principle
- Visual Amenity
- Residential Amenity
- Highways
- Biodiversity
- Other Matters

The Vice-Chairman noted the history of the site including the poor provision of amenity space along with the existence of a potential plot marked SITE on the location plan and queried whether anything could be done to prevent a further application for 3 dwellings. The Planner cautioned that only the application before Members was for consideration, that the potential plot was not as far as Officers were aware in the ownership of the applicant, and that any future application would be fully assessed if received.

The Vice-Chairman called upon Mr Graham Nourse, agent to the applicant to address the Committee. Mr Nourse welcomed the content of the Officer report and the recommendation for approval of the application. Members were reminded of the history of the site, which included a prior approval and refusal for 2 bungalows, and also included an extant permission for a single bungalow. The Inspector at appeal had established the principle that two bungalows were suitable for the site, the appeal had only been dismissed due to the technicality of the method and location for the RAMS contribution. The Inspector had commented that the existing site comprised of a residential garden, which was very large in comparison to neighbouring gardens and was uncharacteristic of the surrounding area. The appellant had provided evidence to indicate that the density of the development would be lower than that of surrounding dwellings and that the plot sizes would also be comparable, with which the Inspector concurred. The Inspector had added that the site was capable of adequately accommodating the proposed development, such that it would not appear as cramped when viewed from the surrounding area. In conclusion, Mr Nourse again surmised the Inspector's view that the prevailing character of the area was not predominantly free from development. The single storey scale of the proposed dwellings would further limit their visual impact, such that they would not significantly impinge on any sense of openness. In addition, only limited views of the dwellings would be possible from Glebe Close, such that there would not be a harmful urbanising impact. Mr Nourse emphasised that the matter of the RAMS payment had been resolved; that there would be ample turning and parking provision, and that the application was compliant with the Local Plan.

The Vice-Chairman asked Mr Nourse whether the proposal would be the final proposal made by the applicant for the site. Mr Nourse indicated that his understanding was that the applicant was eager to progress the proposal. There being no further questions to Mr Nourse, the Vice-Chairman invited Members to debate the proposal.

Councillor Brooks was mindful that the comments of the Inspector on the previously refused scheme, coupled with the previously approved scheme, indicated that the proposal could not be refused due to the impact of the proposal on the character and appearance of the area. Councillor Rivett was dissatisfied with the proposal but

acknowledged that there were no planning reasons for refusal. Likewise, Councillor Gee was dissatisfied by the perceived overdevelopment of the site. As Ward Member, Councillor Coulam was concerned about parking along Glebe Close and around the bend to Georgian Grove but was cognisant that no objection had been received from Suffolk Highways.

There being no further debate; upon the proposition of Councillor Brooks, seconded by Councillor Rivett a vote was taken and the Committee by a majority

## **RESOLVED**

That planning permission be **GRANTED** subject to 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:

- Site Location and Proposed Block Plan, 18/112/07 Rev A, received 23/01/2023;
- Proposed Elevation and Floor plans, 18/112/06, received 09/11/2022;

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

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

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

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

4. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include; means of enclosure; car parking layouts; hard surfacing materials. Soft landscape works shall include planting plans; schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation programme.

The approved landscaping scheme shall then be completed prior to first occupation of the dwelling, hereby approved. Any trees or plants which die during the first 5 years shall be replaced during the next planting season.

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

5. No development shall take place until the existing trees on site, agreed with the Local Planning Authority for inclusion in the scheme of landscaping, have been protected by the erection of temporary protective fences of a height, size and in positions which shall previously have been agreed, in writing, with the Local Planning Authority. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the tree to be protected. Any trees dying or becoming severely damaged as a result of any failure to comply with these requirements shall be replaced with trees of appropriate size and species during the first planting season, or in accordance with such other arrangement as may be agreed in writing with the Local Planning Authority, following the death of, or severe damage to the trees.

*Reason: For the avoidance of damage to protected trees included within the landscaping scheme in the interests of visual amenity and the character and appearance of the area.*

6. Prior to the dwelling hereby permitted being first occupied, the vehicular access onto the highways 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.*

7. Before the development is commenced, details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway including any system to dispose of the water. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

*Reason: To prevent hazards caused by flowing water or ice on the highway. This is a pre-commencement condition because insufficient details have been submitted at planning stage.*

8. The use shall not commence until the area(s) within the site on dwg. no. 18/112/07 Rev A 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 enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety*

9. Before the development is commenced details of the areas to be provided for storage and presentation 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.*

10. Details of the areas to be provided for electric vehicle infrastructure 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 promote sustainable transport options*

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) (with or without modification), no alteration or extension shall be carried out at first floor level, or higher, to any dwelling hereby permitted which materially affects the appearance of the dwelling, unless the prior written consent of the Local Planning Authority has been obtained.

*Reason: To ensure the satisfactory appearance of the area as a whole, and protect the amenity of neighbouring residents.*

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

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

*Reason: To ensure the development is safe for future occupants and to ensure that any contamination is dealt with correctly.*

13. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the

construction period. The Statement shall provide for:

- i. The parking of vehicles of site operatives and visitors
- ii. Loading and unloading of plant and materials
- iii. Storage of plant and materials used in constructing the development
- iv. Wheel washing facilities
- v. Construction and working hours
- vi. Measures to control the emission of dust and dirt during construction
- vii. Measures to limit noise disruption during construction

*Reason: to avoid unacceptable impact upon residential development during the construction phases*

## **7 DC/22/4881/FUL - Rotterdam Road Depot, Rotterdam Road, Lowestoft, NR32 2EF**

The Committee considered report **ES/1506** which related to planning application DC/22/4881/FUL and sought permission to raise the existing part of the roof at the Rotterdam Road Depot to allow over-cladding of the existing roof construction including fascias and bargeboards, to improve the thermal performance and integrity of the building. The application was referred to the Committee due to the applicant being East Suffolk Council.

The Committee received a presentation from the Planning Manager - Development Management, Major Sites and Infrastructure, who was representing the case officer for the application. The Committee viewed the site location and block plan along with photographs of the site. The existing and proposed site elevations were shown together with a materials colour palette. The Planning Manager advised that the proposed works would not extend the building and the proposal was recommended for approval.

The Vice-Chairman invited questions from Members. Councillor Plummer noted the scale of the roof and asked whether solar panels had been included in the proposal. The Planning Manager responded that whilst solar panels had not been included in the proposal, they could be installed in the future, subject to feasibility, without further planning permission.

There being no registered speakers, the Vice-Chairman invited Members to debate the proposal. There being no debate, upon the proposition of Councillor Rivett to approve the application, seconded by Councillor Coulam, it was by a unanimous vote

### **RESOLVED**

That the application be **APPROVED** subject to 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 3024.22.1 & 3024.22.2 received 14/12/2022, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

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

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

The meeting concluded at 2.25pm

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Chairman