

Minutes of a Meeting of the **Planning Committee** held in the Deben Conference Room, East Suffolk House, Riduna Park, Melton on **Thursday 21 February 2019 at 9.15am**

Members of the Committee present:

D McCallum (Chairman), S Harvey (Vice Chairman), S Bird, C Blundell, S Burroughes, A Cooper, M Deacon, D Dean, M Gower, G Holdcroft, M Jones, M Newton, A Smith.

Other Members present:

R Herring, C Hudson, J Kelso, P Mulcahy.

Officers present:

L Beighton (Planning Development Manager), J Berry (Economic Development Manager), C Bixby (Assistant Planning and Enforcement Officer), C Buck (Senior Planning Enforcement Officer), N Gould (Senior Energy Projects Officer), G Heal (Area Planning and Enforcement Officer), E Limmer (Design and Conservation Officer), M Makin (Democratic Services Business Manager), S Milligan (Area Planning and Enforcement Officer), I Robertson (Area Planning and Enforcement Officer), J Rodens (Area Planning and Enforcement Officer), K Scott (Development Management Team Leader – South), P Thompson (Assistant Planning and Enforcement Officer).

Others present:

B Chester (Suffolk County Council Highways Authority).

Before moving to the first item of business, the Chairman announced that she had re-ordered the agenda; items 9 and 10, would be heard before item 8.

1. Apologies for Absence and Substitutions

Apologies for absence were received from Councillors Fryatt and Hedgley. Councillor Bird acted as Substitute for Councillor Fryatt, and Councillor Gower acted as Substitute for Councillor Hedgley.

2. Declarations of Interest

Interests were declared in the following applications:

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| 1. | DC/18/3989/FUL | 48 High Street, Aldeburgh, IP15 5AB | Councillor Jones declared a Local Non-Pecuniary Interest as Ward Member for Aldeburgh. |
| 2. | DC/18/4866/FUL | Bank House, 177 High Street, IP15 5AN | Councillor Jones declared a Local Non-Pecuniary Interest as Ward Member for Aldeburgh. |

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| 3. | DC/18/4493/FUL | Land at Birds Farm, The Fens, Aldringham-cum-Thorpe, IP16 4QR | Councillor Jones declared a Local Non-Pecuniary Interest as Ward Member for Aldringham-cum-Thorpe. |
| 4. | DC/18/4448/LBC | Willow Farm, Chediston Green, IP19 0BB | Councillor Burroughes declared a Local Non-Pecuniary Interest as he was familiar with the property. |
| 5. | DC/17/3654/VOC | Land at Mount Pleasant, Framlingham | Councillor Burroughes declared a Local Non-Pecuniary Interest as the County Councillor for Framlingham. |
| 6. | DC/17/3654/VOC | Land at Mount Pleasant, Framlingham | Councillor Holdcroft declared a Local Non-Pecuniary Interest as Mr Beal, who lived adjacent to the site and had objected to the application, was known to him and they had worked together in the past. |
| 7. | DC/17/3681/VOC | Land at Mount Pleasant, Framlingham | Councillor Burroughes declared a Local Non-Pecuniary Interest as the County Councillor for Framlingham. |
| 8. | DC/17/3681/VOC | Land at Mount Pleasant, Framlingham | Councillor Holdcroft declared a Local Non-Pecuniary Interest as Mr Beal, who lived adjacent to the site and had objected to the application, was known to him and they had worked together in the past. |
| 9. | DC/18/2821/FUL | Land at Anson Rod, Martlesham Heath Business Park, Martlesham Heath, Martlesham | Councillor Blundell declared a Local Non-Pecuniary Interest as Ward Member for Martlesham. |
| 10. | DC/18/3456/FUL | Woodbridge Community Resource Centre, The Avenue, Woodbridge, IP12 4BA | <p>Councillor Holdcroft declared a Local Non-Pecuniary Interest for the following reasons:</p> <ul style="list-style-type: none"> • As a member of Woodbridge Town Council • As Ward Member for Woodbridge he had awarded Enabling Community Budgets grants to Just42 and to 1st Woodbridge Scouts both of which were set to be anchor tenants of the Jetty Lane Community, Youth & Arts Centre. • The Leader of 1st Woodbridge Scout Group, who was also a Director of the Jetty Lane Community Interest Company, served of the |

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| | | | <p>Woodbridge Regatta Association which he Chaired. Both Just42 and 1st Woodbridge Scouts had been recipients of donations of about £500 from the Woodbridge Regatta Association.</p> <ul style="list-style-type: none"> • As a Governor of the Seckford Foundation and the Chair its Community Benefits Committee. <ul style="list-style-type: none"> ○ The Seckford Foundation, through its Community Benefits Committee, had awarded several grants to Just42 in support of their work with young people in the community. ○ Just42 had also recently submitted a further grant application to the Community Benefits committee. ○ The Seckford Foundation was also the landlords of the current 1st Woodbridge Scout Hut and had pledged to support the Scouts to move to new purpose built premises if it is built. ○ The Seckford Foundation had helped Jetty Lane with pro bono advice and guidance on this project. |
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3. Minutes

RESOLVED

- a) That the Minutes of the Special Meeting held on 26 November 2018 be agreed as a correct record and signed by the Chairman, subject to the following amendment:
 - (i) Agenda Item 3, Applications for permission to carry out development or display advertisements, item 1 for Framlingham (DC/17/3654/VOC) to be amended to read:
 - Page 5, paragraph 5, first sentence to be replaced with: “Mr Beal referred to the case officer's letter to Persimmon of August 2017, which advised Persimmon that as the layout plans being used on site were not those approved, in particular plot 71 was in the wrong location, they (Persimmon) had 2 options – to demolish what had been built, or submit a variation.”
- b) That the Minutes of the Meeting held on 20 December 2018 be agreed as a correct record and signed by the Chairman.

- c) That the Minutes of the Meeting held on 17 January 2019 be agreed as a correct record and signed by the Chairman.

4. Appeals to the Ministry of Housing, Communities and Local Government

The Planning Committee received report **PC 04/19** of the Head of Planning and Coastal Management. The report provided information on appeals received and decided during the period 5 January 2019 and 4 February 2019.

The Planning Development Manager advised that confirmation had been received, on 20 February 2019, that the Public Inquiry for the application at Rendlesham had been withdrawn.

RESOLVED

That the contents of the report be noted.

5. Enforcement Performance Report – October to December 2018

The Planning Committee received report **PC 05/19** of the Head of Planning and Coastal Management. The report, which provided information on the performance of the Council's planning enforcement section, was presented by the Planning Development Manager.

RESOLVED

That the contents of the report be noted.

6. Authorised Enforcement Action - Case Update – From 17 January 2019

The Planning Committee received report **PC 06/19** of the Head of Planning and Coastal Management. The report provided a summary of the status of all outstanding planning enforcement cases where action had either been sanctioned under delegated powers or through the Planning Committee.

RESOLVED

That the contents of the report be noted.

7. Local Planning Enforcement Plan

The Planning Committee received report **PC 07/19** of the Cabinet Member with responsibility for Planning. The report provided Members with a copy of the draft Local Planning Enforcement Plan and highlighted the information and legislation available to members of the public on enforcement service functions at the Council.

The report was presented by the Senior Planning Enforcement Officer. She explained that the Council was required to ratify all policies prior to the creation of East Suffolk Council on 1 April 2019. The Planning Committee, as a consultee, was asked to comment on the plan prior to its consideration for approval by the Cabinet.

The proposed plan set out in the report had been drafted taking the most positive aspects from the two existing Local Planning Enforcement Plans for the existing councils. The Committee was advised that the NPPF suggested that councils had such a plan in place to proactively manage enforcement in a way that was appropriate to the area.

The proposed plan set out enforcement targets, which were not set out in any national guidance. The Senior Planning Enforcement Officer said that the plan would provide confidence to the public that the Council would deal with enforcement issues.

The Chairman invited questions to the Officer.

A member of the Committee suggested that a flow diagram be added to the document to make the plan easier to understand. He was of the opinion that the plan was greatly improved over what was currently in place.

There being no debate the Chairman moved to the recommendation. On the proposition of Councillor Deacon, seconded by Councillor Holdcroft it was by unanimous vote

RESOLVED

That the contents of the Local Planning Enforcement Plan be noted.

9. Enforcement of Planning Control – Seven Spar Hall, Sandy Lane, Letheringham, Suffolk, IP13 7QN

The Planning Committee received report **PC 09/19** of the Head of Planning and Coastal Management which related to the non-compliance with condition 7 of planning permission reference DC/14/3661/VOC.

The report considered the planning merits of the development against Government advice, Human Rights and the powers available to the local planning authority under the Town and Country Planning Act 1990, as amended, to determine the expediency of formal action against the unauthorised use.

The report advised the Committee that it was not considered expedient to take any further action in relation to this enforcement breach.

There being no questions or debate, the Chairman moved to the recommendation. On the proposition of Councillor Cooper, seconded by Councillor Jones it was by unanimous vote

RESOLVED

That the Head of Planning and Coastal Management be authorised to take no further action.

10. Enforcement of Planning Control – Land at Bridge Farm, Top Street, Martlesham, Suffolk, IP12 4RB

At this point in the meeting, Councillor Blundell declared a Local Non-Pecuniary Interest in the item as Ward Member for Martlesham.

The Planning Committee received report **PC 10/19** of the Head of Planning and Coastal Management which related to the unauthorised change of use of land from what had become (through the passage of time a mixed use of agriculture and, on two small areas of the land, storage of (1) cars and (2) containers) to use across the entire site for the storage of vehicles, containers, caravans, trailers, boats, digger buckets, lorry backs, bricks, building materials, pallets, wall installation, scrap metal, metal drums, lorry trailers, rubbish, tyres and other miscellaneous items not associated with agriculture and also items associated to Autofix (Martlesham) which is located on Bridge Business Centre.

The report considered the planning merits of the development against the development plan, Government advice, Human Rights and also the powers available to the Local Planning Authority under the Town and Country Planning Act 1990 (as amended), to determine the expediency of formal action against the alleged unauthorised development.

The report advised the Committee that it was considered expedient to serve an Enforcement Notice against the unauthorised use under section 171A of the Town and Country Planning Act 1990 (as amended) so as to secure the removal of vehicles, containers, caravans, trailers, boats, digger buckets, lorry backs, bricks, building materials, pallets, wall installation, scrap metal, metal drums, lorry trailers, rubbish, tyres and any other miscellaneous items not associated with agriculture, from the land, with the exception of the two small areas (identified on the plan) within which it is considered that certain non-agricultural storage use is now lawful.

The Planning Development Manager stated that she, the Senior Planning Enforcement Officer and Development Management Team Leader (South) had surveyed the site to establish the extent of the breaches, in order to put forward an Enforcement Notice that covered all the issues.

The Committee's attention was drawn to aerial photos of the site from 2007, 2011, 2015, and 2018, which showed the accumulation of vehicles on the site over a period of time. Areas of the site now having lawful use were outlined; it was explained to the Committee that the Enforcement Notice would not be applicable to those areas.

Site photos, demonstrating the number of vehicles and associated scrap material, were displayed to the Committee.

The Chairman invited questions to the Officer.

A member of the Committee asked what had brought some areas of the site into lawful use. The Senior Planning Enforcement Officer explained that further investigation and

research had shown that these areas of the site had lawful use through the passage of time.

There being no debate, the Chairman moved to the recommendation. On the proposition of Councillor Harvey, seconded by Councillor Blundell it was by unanimous vote

RESOLVED

That the Head of Planning and Coastal Management be authorised to take all necessary actions to secure the cessation of use of land for the storage of vehicles, containers, caravans, trailers, boats, digger buckets, lorry backs, bricks, building materials, pallets, wall installation, scrap metal, metal drums, lorry trailers, rubbish, tyres and any other miscellaneous items not associated with agriculture and any item associated to Autofix (Martlesham) which is located on Bridge Business Centre.

8. Applications for Permission to carry out development or display advertisements

Eleven applications for permission to carry out development or to display advertisements, as detailed in report **PC 08/19**, were considered and determined as follows:

The Chairman re-ordered the schedule to bring forward items with public speaking. She also advised that the two planning applications regarding Land at Mount Pleasant, Framlingham would be considered by the Committee after 1pm this afternoon, in order to allow time for full and detailed consideration of all the applications due to be heard at the meeting.

- 4. CHEDISTON – DC/18/4448/LBC– Replacement of two hardwood double glazed windows which SCDC has refused retrospectively to authorise on the grounds of a hardly visible double reflection that is deemed by SCDC to be detrimental to the character of the listed building, even though the windows are of no historic interest and the proposed single glazed replacements will be fitted with internal secondary glazing that will create a far more obvious double reflection - as can be seen on other windows in the house. The replacement windows will be of the same design as the earlier 20C windows, with a single six pane storm casement and a six pane fixed light. They will be made of white painted softwood, as were the earlier windows. Willow Farm, Chediston Green, Chediston, IP19 0BB for Mr Paul Ellis**

Willow Farm was a Grade II Listed Building. In 2011, two windows at first floor level were replaced with unauthorised double glazed replacements. The windows which were removed were circa 1970's single glazed windows.

These replacement windows were considered and refused Listed Building Consent retrospectively by the Local Planning Authority in 2014. The applicant subsequently appealed to the Planning Inspectorate, who dismissed the appeal.

Planning permission was now sought to establish suitable replacement windows in order that the unauthorised windows could be replaced.

The application was referred to the Planning Committee by the referral panel as it related to a controversial element around the replacement of windows at a listed property.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer.

The Committee was shown images of the property, taken in 2011, prior to the replacement of the windows.

The unauthorised windows were considered to be harmful to the significance of the Listed Building, due to the use of a single 24mm thick sealed double glazed unit across the whole casement, which had applied bars to the surface of the glass. This had resulted in a single plane of reflectivity, highlighting that the glazing bars were not structural. The deep black spacers inside the unit expressed the excessive depth of the glass, which is a non-traditional feature.

It was proposed to replace the unauthorised windows with single glazed windows that match the twentieth century windows that had been replaced.

The key issue of the application was the impact on the significance of the Listed Building.

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

The Chairman invited questions to the Officer.

It was confirmed that, if the application was to be refused, then enforcement action would be pursued.

Members of the Committee queried the harm caused by the unauthorised windows to the significance of the Listed Building. One Member noted the comments of the Parish Council, who considered that returning to single glazing would cause harm through condensation issues. The Area Planning and Enforcement Officer acknowledged the comments of the Parish Council, explaining that this issue was considered at appeal and was dismissed.

In response to a query on the benefit of a continuous glazing line over what was currently in place, the Design and Conservation Officer was invited to address the Committee. She advised that what was proposed was 'like for like' with what was in place prior to the installation of the unauthorised windows. Officers did not consider these details to be the best they could be, but would restore the building to its previous condition.

Another member of the Committee asked when the building had been listed and for what reason. The Design and Conservation Officer replied that it was listed in 1985 and referred to the Planning Inspector's comments at paragraph 5.5 of the report, which highlighted the contribution of the single glazed windows to the significance of the Listed Building.

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

Mr Ellis noted that he had owned Willow Farm since 1984 and it had been listed in 1985. He advised that the windows had been replaced without consent as he was not aware this was

required. He considered that he replaced 'like for like' and had done so to preserve the building by keeping it warmer.

He said that he had been required to make the application and asked for it to be refused, as he considered that the change would be disproportionate to the prevention of harm should they be kept.

Mr Ellis said that following a failed appeal in 2015 he was given notice to replace the windows with a single glaze form, or a double glaze form approved by Planning Officers. He declined to do so as he felt that it would be out of character with the building. He said that it was not until 2018 that he received notice to make the application before the Committee. He noted that there had been no third party responses and that the Parish Council was of the opinion that the windows were not detrimental to the character of the building.

He said that single glaze windows, with secondary glazing, would create a similar look to what was already in place.

The Chairman invited questions to Mr Ellis.

Mr Ellis confirmed that he was aware that enforcement action would be pursued should the application be refused.

A member of the Committee asked Mr Ellis if he considered that the visual effect of the unauthorised windows from the road was a significant issue. Mr Ellis said that any view of the windows from the road was negligible as Willow Farm was screened by a 6ft hedge and was 75m away from the road. He maintained that it would be detrimental to restore the windows to their previous state.

When asked about the option of installing another double glazed form that met with Planning Officer approval, Mr Ellis said that he could have negotiated this with Officers but only if a different pattern of window was adopted; he had considered that this would definitely change the character of the building and therefore declined the option.

Mr Ellis confirmed that the proposed windows would be what had been in place prior to 2011. He explained the variety of windows installed when he bought the property, ranging from nineteenth century to mid twentieth century. These had been metal and wooden casements using softwood, which had been prone to rotting.

The Chairman invited Councillor Burroughes, Ward Member for Chediston, to address the Committee.

Councillor Burroughes said that he had asked for the application to be reviewed by the Committee as he considered it an anomaly. He stated that the original listing did not relate to Willow Farm's original windows, which he suspected would have been floating glazing.

He considered that the application before the Committee confused the situation, noting Mr Ellis' comments about wanting to preserve the integrity of the building's internal environment. He considered what was already in place to contribute to this and would be minded to refuse the application on that basis. He urged the Committee to refuse the application.

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

Several members of the Committee supported the comments made by Councillor Burroughes. They felt that what was proposed was disproportionate to what was already in place and that Mr Ellis had acted to preserve the integrity of Willow Green's internal environment. One member of the Committee was concerned about the repeated upheaval that would be caused by restoring the windows and then replacing the wooden frames when required. Members were minded to refuse the application.

Another member of the Committee considered that the application was finely balanced but was minded to refuse noting that enforcement action and any appeal to the Planning Inspectorate could decide the final course of action.

The Vice-Chairman was minded to approve the application and stated that as Willow Green was a Listed Building, the windows should conform to what was required. She was concerned about the use of PVC frames in a Listed Building; at this point the Chairman clarified that the unauthorised windows were hardwood frames.

Another member of the Committee was of the opinion that the Officer recommendation should be supported.

It was clarified that should the application be refused, and enforcement action taken, the Committee would not be required to approve any enforcement notice as the case had already been considered by the Planning Inspectorate. Mr Ellis would also have the opportunity to appeal directly to the Inspectorate regarding any enforcement action, and in this scenario the court process would be followed.

There being no further debate, the Chairman moved to the recommendation to approve, which was proposed, seconded and by a majority vote **FAILED**.

The Chairman sought an alternative recommendation. It was suggested that the Committee could refuse the application as it was contrary to the NPPF, in that it failed to preserve the character and fabric of the listed building.

The Chairman moved to the alternative recommendation to refuse, which was proposed, seconded and determined by a majority vote as follows:

DETERMINATION:

REFUSED as the application was contrary to the NPPF, in that it failed to preserve the character and fabric of the listed building.

7. MARTLESHAM – DC/18/2821/FUL – Planning application for development of a General Employment Area comprising: Full: Erection of 1no. building for use as a builders' merchant (sui generis) for the display, sales, and storage of building, timber and plumbing supplies, plant and tool hire, including outside display and storage along with storage racking; access and servicing arrangements, car parking, landscaping and associated works.

The application proposed the erection of a builders' merchant and associated works on vacant land situated between Felixstowe Road and Hilton Road in Martlesham Heath. The site was to be occupied by Travis Perkins. The site lay within the General Employment Area where policies supported traditional employment uses. The development was defined as a sui generis use within the application; the use would operate in a similar way to a B8 (storage and distribution) use where the site is primarily used for the storage of goods with an ancillary sales counter.

The northern section of the application site formed part of Martlesham Common County Wildlife Site; the proposal would result in the development of this area and therefore a net loss to the land covered by the designation. The applicant had agreed to enter into a legal agreement in order to secure compensation for this loss.

The application drawings had been amended and additional supporting information submitted to seek improvements to the layout of the site, retain an existing pillbox, improve highway safety, address surface water drainage concerns and improve the relationship between the site and neighbouring uses.

The application was referred to the Planning Committee by the Referral Panel in order to allow the impacts on the infrastructure networks surrounding Martlesham Heath to be fully considered. Martlesham Parish Council objected to the planning application in addition to a significant number of objections being received from local residents.

The Transport Statement supported by Transport Notes provided sufficient evidence to demonstrate that the additional traffic generated as a result of the proposal would not have a significant adverse impact on the existing highway network. The Highway Authority had no objections to the application.

The Committee received a presentation on the application from the Senior Energy Projects Officer, who was acting as the case officer.

Images were displayed that demonstrated the outline of the General Employment Area, the Martlesham Common County Wildlife Site, and the application site's relationship to both. Photographs of the site from different approaches were shown. There were a number of trees on the site's boundary but the centre of the site was largely clear.

A public Right of Way ran across the eastern boundary of the site; some of the trees bordering this footpath would be lost to accommodate the development.

The site's layout was demonstrated to the Committee; it showed the main building, the retention of the pillbox, a buffer area between the development and the footpath, and where localised road widening and uncontrolled crossing points would be. The Committee was also apprised of the proposed landscaping, where vehicle servicing would take place, where customer parking would be, and where goods would be stored.

B1, B2, and B8 uses originally proposed at the south of the site had been removed from the application.

Elevations of the proposed building and a cross-section of the site were displayed.

The key issues were summarised as the principle of development, the design and character of the area/visual amenity, residential amenity, highway safety, the county wildlife site, drainage, and lighting.

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

The Chairman invited questions to the Officer.

It was confirmed that the public footpath was within the site's red line; it would not be removed but would be within the site boundary. It would be separated from the operational site by fencing.

The Senior Energy Projects Officer confirmed that the site's infrastructure would be wholly within the General Employment Area.

A member of the Committee directed a question to Mr Chester, who had attended the meeting on behalf of the Highways Authority. He asked what size of vehicle was anticipated to visit the site.

Mr Chester said that it was predicted that vehicle movements to and from the site would be a combination of private cars, contractor vehicles and HGVs. It was anticipated that the primary flow of traffic to and from the site would be from Anson Road, having accessed the site from the A12 and the Tesco mini roundabout. It had been calculated that the estimated traffic movements would increase the flow of traffic on the mini roundabout by 1%. The estimated number of HGV movements was estimated at fifteen per day.

Mr Chester, in response to a question from another member of the Committee, confirmed that Hilton Road was adopted up to the entrance to Falcon Park.

A member of the Committee questioned what sort of protection the County Wildlife Site (CWS) status gave to Martlesham Common. The Senior Energy Projects Officer stated that protection was provided in accordance with the relevant policies in the Development Plan; in this case it had not been established if the General Employment Area or the CWS came first. The protection afforded to the CWS was the reason for the compensation being paid by the applicant to improve the remainder of the site. It was noted that the lack of management of the site meant it was not meeting policy requirements to be a CWS.

Mr Chester, in response to a question from a member of the Committee, noted that the Highways Authority only now had concerns regarding lighting, as the applicant had addressed the concerns raised which had caused it to originally object to the application.

The meeting was adjourned for a short break at 10.45am. It was reconvened at 11am.

At this point in the meeting, Councillor Newton declared a Local Non-Pecuniary Interest as a member of Greenways Countryside Project Joint Advisory Panel, as the project maintained the footpath on the application site.

A member of the Committee asked why the application was considered sui generis use and not B8 use. The Senior Energy Projects Officer referred to paragraph 5.1 of the report, which detailed the reasons, and noted that the site's use would be similar to B8. It was confirmed that this could not be changed to B8 or any other retail class use without planning permission.

The Chairman invited Mr Cornish and Mr Padmore, acting as agents for the applicant, to address the Committee.

Mr Cornish explained that the applicant, Travis Perkins, held the freehold for the application site and a wider surrounding area. He cited that policies in the Council's Development Plan supported the proposed use of the site, and noted that the applicant had revised the application to address issues raised by Planning Officers. As a result of this, key consultees no longer objected to the application.

He continued to say that the building would be situated to minimise its visibility and would be screened, so that it was in keeping with the precedent set in the area. The site was located 20m from nearby residential areas.

Mr Cornish explained that Travis Perkins was a friendly neighbour and operated similar sites without a landscaping buffer. He said that opening hours would be amenable and stated that the land was allocated for employment use; he said that the site would deliver employment, wildlife protection, and highway improvements, as well as retain the pillbox.

Mr Padmore advised that he was the appointed highways consultant for the applicant. He confirmed that the Highway Authority did not object to the application and had recommended approval, subject to conditions.

He advised that the site's access was at a natural point and would be made safe through the highway improvements proposed. Traffic impact modelling was conducted alongside the Highway Authority and it had been felt that the site's traffic impact would be negligible. Mr Padmore acknowledged the traffic congestion in the area and agreed with Officer comments regarding a better management of the area being required.

The Chairman invited questions to Mr Cornish and Mr Padmore.

It was established that between fifteen to twenty people would be employed on the site. Mr Cornish acknowledged that this was lower than the initial number of forty-three.

Mr Padmore reiterated that traffic to and from the A12 was anticipated to flow through the Tesco mini-roundabout. He said that peak periods of HGV movements would be 8am to 9am and 5pm to 6pm, as well as 11am to 12pm on Saturdays. He said he could not guarantee that there would not be HGV movements outside of those times and estimated one HGV movement per hour.

Several Members of the Committee queried the traffic impact survey, noting the high volume of traffic already in the area. In response to several questions on the matter, Mr Padmore sympathised with the situation and confirmed that the modelling used was to industry standard; it had shown that the impact of additional movements on queueing and delay would be minimal. He considered fifteen HGV movements to be a good figure and considered that if the site was used, for instance, for B1 purposes the number of movements would be significantly higher.

The Chairman invited Mr Shipham, an objector to the application, to address the Committee.

Mr Shipham said that he was representing the Falcon Park Residents' Association. Its main concern was the access and egress of the site, maintaining a strong objection to the proposed access from Hilton Road. He said that it was not felt to be the most feasible form of entry, and was a view shared by Martlesham Parish Council.

Mr Shipham considered that the proposal met adequate needs. He acknowledged that Falcon Park bordered the General Employment Area but said that the Residents' Association could not support a development it felt would be of detriment to the area. He considered that the application had been judged on theoretical criteria and not real world issues.

The Chairman invited questions to Mr Shipham.

Mr Shipham advised that the Residents' Association was not against the development but wanted to mitigate its impact on Falcon Park.

The Chairman invited Mr Denton, representing Martlesham Parish Council, to address the Committee.

Mr Denton noted that the Parish Council maintained its concerns. He stated that Hilton Road currently only served residential needs and that its traffic was mostly pedestrians, mobility scooters and private vehicles travelling to the retail area.

He said that these views had been made clear, on site, to Mr Chester and was of the view that they should be considered more seriously, to mitigate the impact of the development on neighbouring residents. He considered that access to the site via Anson Road was feasible and that visibility would be improved at this location.

Mr Denton also requested that, should the application be approved, lighting complied with rural standards where appropriate and was dimmed in the evening. He also stated that clear signage and markings were needed to delineate the entrance. He stated that the Parish Council had hoped to have seen an alternative use for the site, to provide a transition between the rural and retail areas.

The Chairman invited questions to Mr Denton.

Mr Denton said that it was felt changing the access location to Anson Road would move traffic problems away from Hilton Road.

The Chairman invited Councillor Kelso, Ward Member for Martlesham, to address the Committee.

Councillor Kelso was of the opinion that the proposed building would result in a loss of visual amenity to neighbouring residents. He said that the applicant had made no effort to fit the building into its surroundings and intended to use storage racks some 5.5m in height. He stated that noise would be produced by vehicle movements and forklift use, particularly in the popular early morning slots. He considered the recommendation from Environmental Health to be inadequate.

Councillor Kelso was surprised that the site had been included in the General Employment Area, given its proximity to the CWS. He said that the development would have a detrimental impact on the public footpath and highlighted where trees had already been removed. He was also concerned about HGVs queuing to access the site; he acknowledged that the Highway Authority was not objecting to the application but said that this did not preclude highway issues occurring.

He noted the existing drainage and sewerage problems in the area, as well as traffic problems on Felixstowe Road and across the retail park in general. He was of the view that the development would exacerbate these problems. He also questioned if the traffic impact modelling had considered Brightwell Lakes, when completed.

He requested that the Committee refuse the application, suggesting that if it was minded to approve, a site visit be undertaken first.

There being no questions to Councillor Kelso, the Chairman invited Councillor Blundell, Ward Member for Martlesham, to address the Committee.

Councillor Blundell expressed concern that machinery would need an extra hour before and after trading hours to start up and shut down. It was confirmed to him by the Senior Energy Projects Officer that this related to air conditioning units which would not increase background noise.

He acknowledged that Travis Perkins was a respectable company. He noted that equipment hire was proposed on site, which would include noisy plant machinery. He wanted to see measures in place, should approval be given, to prevent early morning engine starts that would disturb neighbours.

Councillor Blundell spoke about the quality of life for neighbouring residents, which would be impacted by the HGV movements to and from the site. He considered that large vehicles in close proximity would engender fear and concern in older people and said that this was not acceptable. He added that the site would also destroy natural scenery and remove twenty-seven trees, on top of those already removed to open the site.

It was noted by Councillor Blundell that residential amenity would also be impacted by the site, and that the fence bordering the public footpath would be 5.5m in height. He maintained that the business was a good one, but proposed in the wrong area. He was also concerned that the parking provision would not accommodate employees and customers both, and would

contribute to the existing roadside parking issues in the area. He could not support the application.

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

A member of the Committee opened the debate, agreeing with the comments made by Councillor Blundell. She was familiar with the site and was concerned about the impact the development would have on the CWS and wider natural area. She was also concerned about its impact on parking in the area and a possible long-term impact once Brightwell Lakes was completed. She felt that a smaller, quieter, and less obtrusive development was more appropriate for the site and said that she would not be supporting the application.

The Chairman reminded the Committee that the site was in a designated employment area. She acknowledged the traffic congestion problems in the area, noting that the retail park had grown organically and therefore had not been led by a plan. She said that she remained open minded and wished to listen to the debate before making any decision.

Several members of the Committee focussed on the traffic congestion in the area, in particular the Tesco mini roundabout and the impact of congestion on neighbouring residents. It was noted that although sites individually only contributed minimally to congestion on the roundabout, cumulatively a significant problem had been created. One member of the Committee questioned why the Highway Authority was not highlighting the Parish Council's concerns in its consultation response.

A member of the Committee said that his concerns were not related to the business proposed on the site, but the impact on highways in the area. He suggested that there was a larger problem throughout the retail park that needed to be addressed. In response to a question from the Chairman, Mr Chester noted the significant highways improvements that would be delivered through the Brightwell Lakes development as it was built out.

Members of the Committee felt that the Highway Authority's approach to the retail park had been reactive rather than proactive and asked for this message to be passed to the Leader of Suffolk County Council as well as that council's relevant Cabinet Member for Highways.

A member of the Committee, who was also the Cabinet Member with responsibility for Economic Development, acknowledged the employment the proposed business would create but was concerned that the building would provide a hard edge to the site, when a softer edge was required. He reminded the Committee of his comments when the nearby Costa development was approved, that it was the "last straw" in this area, and said that on balance he had decided to vote against the application.

The Vice-Chairman noted that the site was within the General Employment Area. She considered that highway safety had not been considered in the application and that this tipped the balance. She was concerned with the loss of half of the existing CWS and the impact of the development on the public footpath. She noted that another "carbon eating" area of woodland would be lost and stated that she was not in favour of the application.

Another member of the Committee disagreed with the comments made by the Ward Members and the Vice-Chairman, noting that the Local Plan allocated the area as an employment site. He considered that the retention of tress would mitigate the impact of the development on the surrounding area and that the applicant had already made concessions on what had been originally proposed. He considered that the application was the best use of the site that could be expected, as B1, B2, or B8 use would have a more significant impact on traffic movements, parking, and traffic congestion. The Chairman said that she took these comments onboard; she was unhappy with the traffic congestion in the area but did not want to penalise the developer because of this.

Several other members of the Committee agreed with the comments made, noting that the site was within a General Employment Area and considered that it was the best use of the site that could be expected.

A member of the Committee, who was also Ward Member for Martlesham, was concerned about increasing the number of employees in the area, as it was already exceeding the population of Martlesham. He maintained his view that the nature of the business that was proposed would seriously affect the local amenity and the neighbouring residents.

There being no further debate, the Chairman moved to the recommendation to delegate authority to approve, which was proposed, seconded and determined by a majority vote as follows:

DETERMINATION:

AUTHORITY TO APPROVE subject to a legal agreement securing the sum of £24,250 to be paid over a period of five years to assist in improving the condition of the remaining Martlesham Common County Wildlife Site, consideration of a drainage and external lighting strategy if submitted and the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with the following drawings and documents:
 - 07650 03 001 P5 received 06.07.18
 - 07650 03 002 P5 received 06.07.18
 - 07650 03 003 P16 received 23.11.18
 - 07650 03 004 P5 received 20.11.18
 - 07650 03 005 P5 received 20.11.18
 - 07650 03 007 P6 received 31.01.19
 - 07650 03 008 P7 received 29.01.19
 - 07650 03 010 P4 received 06.07.18
 - 07650 03 012 P2 received 06.07.18
 - SK01D received 16.11.18

- Revised Arboricultural Impact Assessment received 31.11.18
- Noise Assessment received 03.10.18
- Highways Technical Notes 01, 02 and 03 received 16.11.18
- Transport Assessment received 16.11.18
- Ecological Briefing Note and Ecological Appraisal received 06.07.18
- Ground Investigation Report received 09.07.18
- Drainage Note received 17.12.18
- Archaeological Trial Trench Evaluation received 06.07.18
- Energy and Sustainability Statement received 06.07.18

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.

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 Numbers 7650-03-003 P16 and SK01 D (Hilton Road Access Layout); and made available for use prior to the occupation of the unit. 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. Prior to the occupation of the unit, the highway improvements shown on Drawing Numbers 7650-03-003 P16 and SK01 D (Hilton Road Access Layout) shall be completed and made available for use.

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

6. Before the access is first used visibility splays shall be provided as shown Drawing Number 7650-03-003 P16 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 in order to take avoiding action.

7. The use shall not commence until the area(s) within the site shown on 7650-03-003 P16 for the purposes of loading, unloading, manoeuvring and parking of vehicles and cycle storage 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.

8. Notwithstanding the submitted details, prior to the commencement of development, details of the following shall be submitted to and agreed in writing with the local planning authority.
 - Details of the strategy for the disposal of surface water on the site.
 - Details of how overland flow paths and exceedance routes will be managed through the site.

Only the approved details shall be implemented.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained and flood risk not increased elsewhere.

9. 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 in writing by the local planning authority. The approved 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.

10. The building hereby permitted shall not be occupied until details of all Sustainable Urban 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 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.

11. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) 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 in writing 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:

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 in line with the River Basin Management Plan.

12. Only the plant equipment specified within the Noise Impact Assessment received 3rd October 2018 shall be installed in the locations identified in the report on site. Prior to the installation of additional or different air conditioning, extract ventilation, refrigeration or any other fixed plant, details of the equipment, its location, acoustic housing and any vibration isolation measures, together with the projected noise levels at the boundary of the site shall be submitted to the Local Planning Authority and only approved plant shall be installed and retained in the approved from thereafter.

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

13. The plant equipment specified within the Noise Impact Assessment received 3rd October 2018 and any other plant subsequently approved under condition 12 and installed, shall only be in operation between the hours of 06:00 to 19:00 Mondays to Fridays, 07:00 to 13:00 Saturdays. The plant shall be fitted with a timer to ensure that it does not operate outside these hours.

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

14. All deliveries to the site and collections from the site and internal fork lift truck movements shall be restricted to weekdays between the hours of 07:00 to 19:00.

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

15. No outside activities which are audible beyond the site boundaries shall occur outside the following hours:

Monday - Friday: 07:00-18:00

Saturday – 08:00-12:00

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

16. The premises shall only be open to the public between 07:00 and 18:00 Monday to Friday, and between 08:00 and 12:00 on Saturdays, and the premises shall be closed to the public at all other times including on Sundays and Bank Holidays.

Reason: For the avoidance of doubt as to what was considered and approved, in the interests of amenity and protection of the local environment.

17. Within three months of commencement of development, satisfactory precise details of a tree planting scheme (which shall include species, size and numbers to be planted) shall be submitted to and approved in writing with the local planning authority.

Reason: To ensure the submission and implementation of a well laid out scheme of landscaping in the interests of visual amenity. The submitted landscape drawing was indicative and did not provide replacement planting for the loss of T1 and T9 trees.

18. 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.

19. Prior to the commencement of development a detailed Arboricultural method statement shall be submitted to and agreed in writing with the local planning authority. The statement shall include a specification for tree protection and a schedule of works within the root protection areas of the retained trees.

Reason: To protect the trees during the course of development in the interests of visual amenity.

20. None of the trees shown to be retained on the approved plan shall be lopped, topped, pruned, 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 hedges 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 or hedges of a size and species, which shall previously have been agreed in writing by the local planning authority.

Reason: To safeguard the contribution to the character of the locality provided by the trees and hedgerow.

21. The mitigation measures numbers MM1 to MM8 detailed in Section 6 of Ecological Appraisal (June 2018) received 6th July 2018 shall be implemented in full. The Ecological Enhancement measures set out in the same section shall also be implemented prior to the occupation of the unit with the exception of the additional planting which will be provided in accordance with condition 18.

Reason: In order to minimise the risk of harm to protected species, including bats, Hedgehog, nesting birds, and reptiles.

22. Notwithstanding the submitted external lighting strategy drawing number 3147/E/100 P2 (which has not been approved), prior to the installation of any external lighting, full details of an external lighting scheme (including position and height of mounting

features, height and angle of lights including aiming points, fixing type, size and appearance and the luminance levels) shall be submitted to and approved in writing with the local planning authority. The scheme shall thereafter be implemented and no additional external lighting shall be installed.

Reason: In the interests of amenity, protection of the ecological environment and highway safety. The scheme shown on drawing 3147/E/100 P2 resulted in excessive and unacceptable light spill onto the County Wildlife Site and highway.

23. Prior to the commencement of development, precise details of the existing and proposed site levels and finished floor level of the building in relation to the adjacent highways, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme.

Reason: In order to achieve a satisfactory form of development in the interests of visual amenity.

24. There shall be no storage of materials on any outdoor part of the site above the height of 5.5 metres.

Reason: In the interests of visual amenity.

11. WOODBRIDGE – DC/18/3456/FUL – Ground, Mezzanine and First floor Community centre and car parking. (Including accommodation for Art Studios/Art Exhibition Hall (Kingston Hall), Scout facilities (scout hall- Deben Hall and ancillary accommodation, Co-working office accommodation on the upper floor to generate revenue to sustain the other facilities offered to the community. Car parking, Vehicle crossover (existing location) Woodbridge Community Resource Youth Centre, The Avenue, Woodbridge, IP12 4BA for The Jetty Lane Community Interest Company (CIC)

Full Planning Permission was sought for a new Community Centre with on-site vehicle parking. The centre comprised two large halls, offices, meeting rooms, reception areas, storage space and accommodation for art studios.

This item had been referred to the Planning Committee by the Head of Planning and Coastal Management, due to a high level of public interest.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer.

The site's location and outline was demonstrated. The site was adjacent to Deben View and Kingston Playing Fields.

The Committee was shown pictures of the building that had formerly occupied the site, which had been demolished in 2017 due to its dilapidated state. The majority of the site lay within the Woodbridge settlement boundary; a small amount of the site sat outside the boundary. The site was currently occupied by containers being used as office space for Just42.

The existing access to the site, and its car park, would both be retained by the new development. The Committee was shown images of the site's relation to the recent extension of Jetty Lane carpark.

The proposed elevations of the building were displayed. The materials used would reflect the nearby Deben View building and the wider area. The Committee was also shown visualisations of the building in its surroundings; glazing facing residential properties would be of a restricted view, to prevent overlooking.

The presentation also detailed parking and cycling provision (including the inclusion of a drop-off point) and the proposed floor layouts. The ground floor was to include two double-height large halls, art studio accommodation, a kitchen, and WC facilities. A first floor mezzanine would provide office and storage space, and the second floor would provide further office space for public use and office space for Just42. The roof plan included photovoltaic cells.

The Area Planning and Enforcement Officer advised that Woodbridge Town Council's Planning Committee had recommended the application for approval, and that there had been no objections from statutory consultees. The Woodbridge Society was also supportive of the application.

Fifty-six letters of support had been received in relation to the application; twenty-four letters of objection, including three petitions, had also been received.

The key issues were summarised as the principle of development, highways, residential amenity, and visual impact. The Area Planning and Enforcement Officer was of the view that the development would not negatively impact on any of the key issues.

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

The Chairman invited questions to the Officer.

It was confirmed that a third of the site lay outside of the Woodbridge settlement boundary.

A member of the Committee queried paragraphs 5.11 to 5.14 of the report, asking what was meant about the necessity to develop outside of the settlement boundary. The Area Planning and Enforcement Officer said that this was taken from policy SP29 of the Local Plan, where development outside of the settlement boundary was limited to that which of necessity requires it to be located there and accords with other relevant policies. He considered that, proportionate to the whole scheme, a third of the site being in the countryside was a minority of the development.

The Area Planning and Enforcement Officer confirmed that, in his opinion, the design was functional of a high quality.

In response to a question asking the difference between the floor areas of the proposed building and the building formerly on the site, the Planning Development Manager advised that it had been difficult to obtain the plans of the former building; the Committee was given the opportunity to compare and contrast pictures of the former building and the proposed plans.

A member of the Committee queried the office space defined for public use. It was suggested that this question was directed to the applicant.

The Chairman invited Ms Mallett, the applicant, to address the Committee.

Ms Mallett spoke at length about the history of a youth centre on the application site, dating back to 1949. She noted how the space had broadened over the years to accommodate various groups, and wanted to provide a new facility to replace what had been on the site before. The Jetty Lane Community Interest Company (CiC) had been able to secure a 125-year lease on the site on a peppercorn rent.

Ms Mallett confirmed that the centre would be not-for-profit and would create a space for the whole community to enjoy various activities. Ms Mallett said that if built as planned the centre would be positively self-sustaining through letting space to artists and local businesses, and be of benefit to the community. She described Woodbridge as a growing town and that, as a result, more space to house community groups would be required.

The location of the site was described as being the only suitable one in Woodbridge. Ms Mallett said that residents at Deben View had been consulted and were supportive of the proposals, as was the wider community. She said that the centre would co-exist with other community facilities, such as the Fred Reynolds Centre, which did not have the capacity to make up for what had been lost when the former building was demolished.

Following the conclusion of Ms Mallett's speech, Councillor McCallum declared a Local Non-Pecuniary Interest in the application as she had been directly involved in the fundraising to create the Fred Reynolds Centre.

The Chairman invited questions to Ms Mallett.

In response to a question regarding the size of the building and the commercial office space required to sustain it, Ms Mallett explained that the size had been deemed necessary due to the level of demand from community groups in the future, plus planning for future increase in demand. She noted that the car parking at Jetty Lane was also being increased and when local residents were surveyed, 70% of respondents said they would travel to the site on foot.

A member of the Committee asked if the proposed level of commercial office space was necessary, and if the centre could be delivered on an alternative site. Ms Mallett replied that it was intended for the centre to be self sustaining and not a drain on the resources on Woodbridge. The commercial office space that was proposed would aid in the centre generating an income for itself and its employees.

Ms Mallett confirmed that the centre would be available to residents in the area surrounding Woodbridge. She noted its close proximity to public transport routes. She added that the community had been surveyed and a variety of activities had been identified for young people, similar to the site's original use.

The art studios were described as being aimed at supporting emerging local artists and offering space for artists to co-exist and collaborate.

Ms Mallett, in response to a request from the Vice-Chairman, said that should the application be approved swift boxes could be installed.

The Chairman invited Mr Burt, an objector to the application, to address the Committee.

Mr Burt said that he was representing the many neighbours that objected to the proposal. He stated that the objectors did not oppose a replacement youth club, and that he himself had served as treasurer of the original club. He stated that there had been shock at the size of the proposed building, and that the amount of commercial office space that had been proposed was inappropriate in a residential/recreational area.

The visual impact of the building was also of concern to the objectors. Mr Burt said that neighbouring residents had been expecting something similar to the size of the original building. He noted that a petition against the development had received in excess of seventy signatures and considered that there was no case to develop outside of the settlement boundary.

Mr Burt questioned the need for the size of the centre proposed, suggesting that a full audit was required to establish this need. He noted that other community assets in the town were underused. He was also concerned about noise nuisance, light pollution, parking issues, and traffic congestion, which would come from a centre of that size. He did not consider that the extension of the Jetty Lane carpark would sufficiently supplement the centre's parking.

The financial viability of such a large building was also a worry of the objectors and would result in the CiC fundraising by hiring the centre for commercial activity instead of community use, thus impact on the amenity of the local area.

Mr Burt urged the Committee to refuse the application, and encourage the applicants to submit a more modest and sustainable proposal that would meet the community's needs.

The Chairman invited questions to Mr Burt.

A member of the Committee asked Mr Burt if he considered that the centre would be of any use to the community if developed. He responded that it was not as simple an issue as that and reiterated that he did not object to a smaller youth centre on the site.

Another member of the Committee noted Mr Burt's comments on the size of the building, and asked if he was of the view that Deben View had a similar impact. Mr Burt said that he did not consider Deben View to impact on the local area as much as what was proposed would do.

Mr Burt considered that the cantilever approach of the building would have a negative impact on the area, and not allow the replacement of a tree that had been removed due to disease.

The Chairman then invited Ms Bale, a Woodbridge Town Councillor, to address the Committee. Following the conclusion of Ms Bale's speech, it was established that she had been speaking in a personal capacity to support the application and not on behalf of Woodbridge Town Council. The Chairman then stated that she would adjourn the meeting to seek legal advice from the Council's Monitoring Officer.

The meeting was adjourned at 12.58pm. It was reconvened at 1.21pm.

The Chairman announced that the advice she had received from Monitoring Officer had been that the Committee should disregard Ms Bale's statement, as she had been speaking in a personal capacity to support the application and not on behalf of Woodbridge Town Council.

The Code of Good Practice in Planning, contained within the Council's Constitution, set out how who could speak on planning applications at Committee meetings; as Ms Mallett had already addressed the Committee in support of the application, Ms Bale was unable to do so in a personal capacity and as she had not been asked to address the Committee on behalf of Woodbridge Town Council, her comments could not be taken into consideration when the Committee determined the application. The Chairman asked for this to be reflected in the Minutes.

The Chairman invited Councillor Mulcahy, Ward Member for Woodbridge, to address the Committee.

Before beginning her speech, Councillor Mulcahy declared a Local Non-Pecuniary Interest in the application as she had had awarded Enabling Community Budgets grants to Just42 and to 1st Woodbridge Scouts.

Councillor Mulcahy believed there was a great need for a youth facility in Woodbridge, and had hoped to support the application, but was concerned that was before the Committee was a proposal for the largest commercial development in Woodbridge for some time, which would be located in the countryside. She considered that policy SP29 was relevant in this case and that the transition from urban to country should be maintained. She did not believe that it had been sufficiently demonstrated that the benefits of the development outweighed the harm that it would cause.

It was Councillor Mulcahy's view that what was required could be achieved in half the space proposed. She noted that several other community assets were available for use in Woodbridge and some suffered from underuse. She also noted that commercial office space was being lost in the town as it was considered unviable, and questioned if the inclusion of such space in the centre made the project viable.

The proposal was larger in scale to the building that had previously been on the site; Councillor Mulcahy said that this was overdevelopment and therefore contrary to policy DM21. She also considered that the parking provision was inadequate and that the expansion of Jetty Lane carpark had been required for the existing parking needs of the town so would not mitigate the provision at the centre.

Councillor Mulcahy said that the sheer scale of the development to the neighbouring dwellings was not acceptable. She asked the Committee to reject the proposal.

There being no questions to Councillor Mulcahy, the Chairman invited Councillor Holdcroft, Ward Member for Woodbridge, to address the Committee.

Councillor Holdcroft said that the application had caused him a great deal of consternation. He referred to the declaration of a Local Non-Pecuniary Interest in the application at the beginning

of the meeting, and stated that he was a supporter of the need for a youth centre in Woodbridge. He said that this needed to be balanced against overdevelopment.

He noted that one of the proposed tenants for the buildings was 1st Woodbridge Scouts, who currently used facilities owned by the Seckford Foundation. The Foundation was willing to facilitate a move to a new build for the group; Councillor Holdcroft considered that the proposed centre was not the only possible location for a new Scout headquarters, which would then mean a smaller centre could be built on the application site.

Councillor Holdcroft gave regard to the number of letters he had received from residents concerned about the scale and massing of the building and its intrusion, and the divide in the local community that the application had caused. He considered that if such a building had been suggested for any other use, it would have been refused by Officers under delegated authority.

He also spoke at length about the need to consider the necessity of a centre of that size, including the need of the wider area and developments that had already taken place in the town which included community use, such as Whisstocks Boatyard. He suggested that it would have been prudent for the Committee to have seen the business case for the centre.

It was highlighted by Councillor Holdcroft that CIL funding had already been allocated to the project by the Council.

Councillor Holdcroft said he remained open minded and would listen to the debate before making any decision on how to vote on the application.

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

The Chairman opened debate by reiterating the CiC's desire to be self-sufficient. She suggested that a smaller centre would not aid in achieving this status. She outlined her own experience of a lack of youth provision in Woodbridge in the recent past, which had necessitated creating the Fred Reynolds Centre to provide facilities in the town. She remained open minded but understood the intentions of the CiC and considered its idea to be a good one.

Several members of the Committee supported the application and expressed enthusiasm for the development, noting that it was clearly needed in the area. It was noted that the CiC was making provision for future use in the design of the centre and considered that it would provide opportunities for a mix of art, culture, youth activity, and community activity. The design was complemented and said to be in keeping with its surroundings.

One member of the Committee noted that reference had been made, on several occasions, to the number of petition signatures opposing the development. He reminded the Committee that it had been advised in the past that planning decisions were not made on referenda and considered that this advice applied to the application.

Another member of the Committee, who was Ward Member for Woodbridge, noted the comments made during debate and said that, on balance, he would be supporting the

application. He wished the applicants well and hoped that the project would be a viable one. He stressed that it was important that there wasn't a creep towards commercial use of the site.

There being no further debate, the Chairman moved to the recommendation to approve, which was proposed, seconded and determined by a unanimous vote as follows:

DETERMINATION:

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.
Reason: This condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby permitted shall not be carried out other than in complete accordance with the following approved documents
 - Drawing B3-PLN-10 (Roof plan);
 - Drawing B3-PLN-09 (First floor plan);
 - Drawing B3-PLN-08 (Mezz floor plan);
 - Drawing B3-PLN-06 (Ground floor plan);
 - Drawing B3-PLN-04 (Roof plan);
 - Drawing B3-PLN-03 (First floor plan);
 - Drawing B3-PLN-02 (Mezzanine floor plan);
 - Drawing B3-PLN-01 (Ground floor plan);
 - Drawing B5-ELE-07 (N-E Elevation);
 - Drawing B5-ELE-06 (S-E Elevation);
 - Drawing B4-SEC-03 (Building cross section BB);
 - Drawing B4-SEC-06 (Section BB);
 - Drawing B5-ELE-01 (Site elevations);
 - Drawing B5-ELE-05 (N-W Elevation);
 - Drawing B2-SIT-01 (Site layout);
 - Drawing B5-ELE-04 (S-W Elevation);
 - Drawing B4-SEC-02 (Section AA);
 - and
 - Noise Impact Assessment Ref: 102571-MLM-ZZ-XX-RP-U-0001.Reason: For avoidance of doubt as to what has been considered and approved.
3. No building work shall commence until samples of all external finishing materials to be used for the approved development's roofs and walls, including cladding, doors, fenestration and exposed structural elements, have been submitted to and approved in writing by the local planning authority. All work must be carried out using materials that conform to the approved samples.
Reason: To ensure that any new materials will not harm the character of the surrounding area as the approved application does not confirm the final choice of materials.
4. No development shall commence until a detailed Construction Method Statement has been submitted to and approved by the Local Planning Authority. This statement shall

set out hours of construction/activity on site, the location of parking areas for construction vehicles and delivery hours for materials and equipment to the site before and during construction. Thereafter the approved construction statement shall be adhered to throughout the construction of the development.

Reason: To reduce the potential impacts of noise pollution and additional vehicular movements in this area of The Avenue and adjoining highways during the construction phase of the development.

5. No development shall commence until a plan identifying all means of enclosure and boundary treatments (i.e. hedgerows, fences, gates etc.) to be erected have been submitted to and approved by the local planning authority. Each approved element shall be erected prior to the occupation of the development and thereafter retained in their approved form.

Reason: In the interests of visual and residential amenity.

6. Prior to the installation of air conditioning, extract ventilation, refrigeration or any other externally fixed plant, details of the equipment, its location, acoustic housing and any vibration isolation measures, together with the projected noise levels at the boundary of the property shall be submitted to the Local Planning Authority and only approved plant shall be installed and retained in the approved form thereafter.

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

7. No development shall commence until a detailed surface water strategy for the site, including run-off from roofs and the means to prevent the discharge of surface water from the development onto the highway, have been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in its entirety and maintained in proper functioning order for the lifetime of the development thereafter.

Reason: To prevent an increase in the risk of flooding to the proposed development and elsewhere, and ensure a suitable SUDS approach is adopted for the management of surface water.

8. The premises shall only be open to the public between 8am and 11pm Monday to Sunday, and the premises shall be closed to the public at all other times.

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

9. No development shall commence until 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, have been 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.

10. The approved scheme of landscape works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for the lifetime of the development. 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.

11. At no time during or after the construction of the hereby approved development shall there be any materials, plant or equipment stored, or excavation works other than those approved, beneath the canopies of the trees which overhang the application site.

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

12. Prior to the installation of any external lighting, details of an external lighting scheme (including position and height of mounting features, height and angle of lights including aiming points, light fixing type, size and appearance, and the luminance levels) shall be submitted to and approved by the Local Planning Authority. This scheme shall thereafter be implemented and no additional external lighting shall be installed.

Reason: In the interests of amenity, and protection of the local rural environment, including the ecological environment.

13. No development shall commence until, full details of the position of any services required, which shall, wherever possible, be routed outside the canopy of all trees within and adjacent to the site and their means of installation shall be submitted to and approved to the Local Planning Authority. All services shall thereafter be installed and retained in such approved positions.

Reason: To protect the trees during the course of development in the interests of visual amenity.

14. No development shall commence or any materials, plant or machinery be brought on to the site until full details showing the position of fencing to protect all trees shown to be retained on the approved plan E18855-TLP-602, have been submitted to and approved by the Local Planning Authority. Thereafter, the protective fencing shall comply with BS.5837 and shall erect and retained throughout the period of construction unless otherwise agreed by the local planning authority.

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

15. The use shall not commence until the building has been soundproofed in accordance with a scheme informed by the approved Noise Impact Assessment (Ref: 102571-MLM-ZZ-XX-RP-U-0001) which shall be submitted to and approved by the Local Planning Authority.

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

16. The premises herein referred to, shall be used for a combination of Class B1, D1 and D2 (as defined on the hereby approved floorplans) only and for no other purpose (including any other purpose in of the Schedule to the Town and Country Planning [Use Classes] Order 1987) (or any Order revoking or re-enacting the said Order).

Reasons: In order that the local planning authority may retain control over this development/site in the interests of amenity and the protection of the local environment.

17. Works to the Sycamore tree to be removed as part of the approved development, shall only be undertaken outside of the bird nesting season, which includes the months from February to August.
Reasons: In order to protect the interests of nesting birds.
18. The new pedestrian accesses shall be laid out and completed as indicatively shown Drawing No. B2-SIT-01 and made available for use prior to first occupation. Thereafter the pedestrian accesses shall be retained in their specified form.
Reason: To ensure that the pedestrian accesses are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.
19. The use shall not commence until the area(s) within the site on Drawing Number B2-SIT-01 for the purposes of Loading, Unloading, manoeuvring and parking of vehicles has been provided in its entirety. Such areas shall be retained thereafter 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.
20. No development shall take place until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:
- a. The programme and methodology of site investigation and recording;
 - b. The programme for post investigation assessment;
 - c. Provision to be made for analysis of the site investigation and recording;
 - d. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - e. Provision to be made for archive deposition of the analysis and records of the site investigation;
 - f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation;
 - g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.
- Reason: To record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.
21. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 21 and the provision made for analysis, publication and dissemination of results and archive deposition.
Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Policies

1. ALDEBURGH – DC/18/3989/FUL – Change of use from A2 to C3 for Ground Floor only: 48 High Street, Aldeburgh, Suffolk, IP15 5AB for Mr Richard Ellis

Full Planning Permission was sought for the change of use of the ground floor of 48 High Street, Aldeburgh from A2 use to C3 use.

The site premises lay within Aldeburgh Town Centre but outside both the Primary and Secondary Shopping Frontages as defined within the Suffolk Coastal District Local Plan Site Allocations and Area Specific Planning Policies Development Plan Document.

The application had come before the Planning Committee following consideration of the application by the Scheme of Delegation Panel. The application was deferred from the Committee's meeting on 17 December 2018 to enable comments to be made by the Economic Development Team.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer. It was shown photographs of the site and informed that the most recent commercial use was as the offices of Suffolk Secrets, who had merged with another company and moved to different premises in Aldeburgh.

The site shared access with a holiday let at the first floor level, also sharing a heating system and mains services. The advice received from the Economic Development Team was that the marketing of the site undertaken had not been sufficiently robust to test the suitability of the site for long term commercial use; the Economic Development Team had recommended that the property be marketed for a further period. On the basis of this information, the Officer was now recommending that the application be refused, as set out within the report.

At this point, the Chairman invited the Economic Development Manager to address the Committee regarding his team's recommendation. He advised that his expectation would be for the property to have been marketed for twelve months using all available methods, including using an agent, and press and online advertising. The method used to market the site was not felt to have been sufficient.

The Chairman invited questions to the Officer.

It was confirmed by the Economic Development Manager that if the full marketing had been undertaken for three months, then another nine months was required. He also advised that his team's recommendation was based solely on marketing over a period of time. Guidelines on marketing were available.

The Chairman invited Mr Price, acting as agent for the applicant, to address the Committee.

Mr Price said that the outcome of the application should be if the Committee considered that there was a reasonable prospect of attracting a commercial user. SP28 of the Local Plan permitted flexibility of use outside of primary and secondary frontages.

He stated that given the site's location and its relationship with the first floor holiday let, it was unlikely that the applicant would be able to find a commercial user. This assessment had been corroborated by three experienced consultants. Mr Price said that a further period of marketing would demonstrate this, leaving the property empty for a longer period of time.

Mr Price was of the opinion that incorporating the property with the first floor holiday let would improve a local independent business. The ground floor had previously been occupied by the management company operating the holiday let, which had since moved. He informed the Committee that it appeared the change in recommendation was based on policy alone and considered that common sense should form the basis of the Committee's decision.

There being no questions to Mr Price, the Chairman invited Councillor Jones, Ward Member for Aldeburgh, to address the Committee.

Councillor Jones explained that the site's location in the town contained several businesses and considered that more should be encouraged, to create a more even spread of commercial use across the high street. She was of the opinion that the site's continued commercial use would not preclude the continued use of the first floor as a holiday let.

She noted that the ground floor had been converted from residential to commercial use in the past and suggested that the shared heating and other systems could have been separated at that point.

Councillor Jones was of the view that the site was viable for commercial use, and should be fully marketed to confirm this.

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

The Chairman opened the debate. She expressed concern that the property had not been marketed in line with policy. She agreed with Councillor Jones' comments to a degree, expressing some sympathy for the applicant but stating that she considered that the advice from the Economic Development Team should be followed.

During the debate, members of the Committee acknowledged the advice from the Economic Development Team and were of the opinion that the property had not been marketed for long enough or in a thorough manner. One member of the Committee, who was also the Cabinet Member with responsibility for Economic Development, spoke about the need for the modern high street to evolve and have a more diverse range of retail opportunities i.e. entertainment and catering.

Another member of the Committee supported the policy in principle but noted that the unit had previously been residential. He considered that it was not viable as a commercial unit and was, in his view, a rare exception to the rule. This view was echoed by another Member, who was undecided on the application as he supported the policy but was concerned about the practicalities of the ground floor remaining commercial in relation to the holiday let above.

There being no further debate, the Chairman moved to the recommendation to refuse, which was proposed, seconded and determined by a majority vote as follows:

DETERMINATION:

REFUSED as the marketing of the property has not satisfactorily followed the adopted Commercial Property Marketing Best Practice Guide. The proposal to convert the ground floor commercial space to residential, of 48 High Street, Aldeburgh, is therefore contrary to Policy DM10 of the Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document, and Paragraph 83 d) of the NPPF, as the applicant has not clearly demonstrated there is no current or long term demand for the retention of all or part of the site for employment use.

2. **ALDEBURGH – DC/18/4886/FUL – Demolition of existing outbuilding and garage. Erection of new dwelling (comprising basement and room-in-roof levels) with integral parking and widened vehicle access crossover: Land to rear of Barclays Bank, 177 High Street, Aldeburgh, IP15 5AN for Mr Richard Buss.**

Full Planning Permission was sought for the erection of a dwelling to the rear of 177 High Street, Aldeburgh.

The development lay within Aldeburgh Conservation Area, within the physical limits of Aldeburgh as defined within the Local Plan, within Aldeburgh Town Centre and within the Suffolk Coasts and Heaths Area of Outstanding Natural Beauty.

The application had come before the Planning Committee as it was a resubmission following the refusal of application DC/18/0086/FUL, which was refused by the Committee at its meeting on 16 August 2018.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer. He explained that the design had changed considerably from that which had been considered and refused by the Committee. The proposed materials were similar to the previous application.

Aldeburgh Town Council maintained its objection to the proposal due to inadequate car parking, as did the Highway Authority. Policy regarding parking in town centres contained flexibility, which had a bearing on the Officer recommendation.

The key issues were summarised as the impact on the conservation area, parking provision, highway safety, and residential amenity.

There being no questions to the Officer, the Chairman invited Mr Bovill, who objected to the application, to address the Committee.

Mr Bovill advised the Committee that since the previous application had been refused a bakery had been developed nearby to the site, which had exacerbated the parking problem in the area.

He explained that he was the resident and owner of nearby Gallery House; traffic movements from his garage involved reversing out on to a T-junction, and this would be the same for the proposed development which would increase the dangers of that junction, and cause a nasty accident.

The Chairman invited questions to Mr Bovill.

Mr Bovill confirmed that he had lived at Gallery House for the last three years.

A member of the Committee asked Mr Bovill what the daily usage of the road was. He was unable to give an exact figure but advised the Committee that there was regular traffic moving up and down the hill and parking near to the T-junction. He added that this was worse during the summer months.

The Chairman invited Councillor Jones, Ward Member for Aldeburgh, to address the Committee.

Councillor Jones said that in her experience, traffic in the area was significant, as drivers often used the route to loop around the town centre. Parking on the road also made it difficult to navigate.

She considered that the new design was an improvement on what had been refused by the Committee but remained concerned about the garage parking and its relationship with the T-junction. She was of the view that the addition of another dwelling would increase the risk of an accident at the junction.

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

The Chairman opened the debate and stated that she was in favour of the design. She considered that the applicant was aware of the parking situation and the addition of the bakery showed that the area was a vibrant one. She was in support of the application.

During the debate, several members of the Committee were of the opinion that the traffic concerns, including the disregard for the yellow lines when parking, were not a sufficient reason to refuse the application. One member of the Committee noted that Aldeburgh had not been built with cars in mind.

Another member of the Committee said that the application was finely balanced and after some deliberation said that he would not be supporting the application.

There being no further debate, the Chairman moved to the recommendation to approve, which was proposed, seconded and determined by a majority vote as follows:

DETERMINATION:

AUTHORITY TO APPROVE subject to the receipt of RAMS contributions or UU/S106 and subject to the following conditions:

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

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

2. The development hereby permitted shall not be carried out other than in complete accordance with Drawing Nos 212 16; 17; 18; 19; 20; and 21 received on 26.11.2018.

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

3. No development shall commence until details of the roof, wall materials and finishes to be used have been submitted to and approved by the local planning authority.

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

4. The use shall not commence until the area within the site shown on Dwg No 20 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.

5. The areas to be provided for storage of Refuse/Recycling bins as shown on Dwg No 20 shall be provided 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.

6. No development shall commence until an Arboricultural Method Statement (AMS); which term shall include:

- i) methods of tree protection in accordance with BS 5837:1991 and a plan submitted to the Local Planning Authority,
- ii) method of construction within 10m radius of the trees to be retained including details of excavation, service trenches, building foundations and tree protective fencing and
- iii) a schedule of proposed remedial tree surgery works to be undertaken),

has been submitted to and approved by the local planning authority. Work shall thereafter be carried out in accordance with the approved AMS.

Reason: To ensure that the works undertaken in the vicinity of the adjacent tree protected by Conservation Area legislation are carried out in a way that minimises/prevents damage to it.

7. No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to and approved the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- a. The proposed route for access to the site by plant, operatives and delivery vehicles;
 - b. Loading and unloading of plant and materials;
 - c. Storage of plant and materials used in the construction of the development;
 - d. Materials/plant delivery times;
 - e. Construction times;
 - f. Parking for construction workers and visitors;
 - g. Wheel washing facilities; measures to control the emission of dust and dirt during construction;
 - h. A scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of amenity, highway safety and the protection of the local environment, given the restricted nature of the site, close proximity of neighbours.

5. FRAMLINGHAM – DC/17/3654/VOC – Variation of condition No. 2 of DC/15/2759/FUL - Development of 95 new dwelling units together with associated access, open space and landscaping (resubmission of DC/14/2276/FUL), Land At Mount Pleasant, Framlingham, Suffolk, (multiple postcodes) for Persimmon Homes

The application sought to vary condition 2 of Planning Permission DC/15/2759/FUL, in order to amend the layout of the development of 95 dwellings and associated works on land east of Mount Pleasant, Framlingham.

There was also an associated report on the schedule for application DC/17/3681/VOC, which also sought to vary condition 2 of Planning Permission DC/15/2759/FUL, seeking consent for amended detailing on the dwellings.

Both applications, and the associated enforcement cases, were the subject of a report to the Planning Committee on 20 September 2018, recommending members undertook a site visit. The Committee undertook a site visit on 1 October 2018.

Both applications and the associated enforcement cases were also the subject of reports to the Planning Committee on 26 November 2018. They were deferred “subject to further clarification of the juxtaposition of Plot 71 to Mount Pleasant Farm and the proposed screening to mitigate impact and to investigate the establishment of a liaison group to oversee development.” A copy of the report of the 26 November 2018 was attached to the report as Appendix 1, and the Update sheet to that meeting was included as Appendix 2. A copy of the Minutes of that meeting was included within the Agenda.

Since the meeting a Liaison Group had been set up involving the Town Council, Local Residents, Persimmon Homes and Planning Officers. This group had met twice, and notes of those meetings are attached as Appendices 3 and 4.

The Committee received a presentation on the application from the Development Management Team Leader (South). She advised the Committee that the presentation was to provide an update of the situation since the application had last been before the Committee. The applicant had submitted a set of overlaid plans and two meetings of the liaison group had taken place.

The Committee was shown the overlaid plans, which contained the current layout, a topographical survey of the site, the Ordnance Survey map of the site, the title plan, and a satellite image. Officers were confident that this demonstrated that plot 71 was in the same place each time and were satisfied that it was in the correction location.

With regard to the northern boundary, it had been established that there was limited room for further planting to mitigate the impact of the development on Mount Pleasant Farm. The Development Management Team Leader (South) was aware that discussions had taken place between the applicant and Mr Beal, the owner of Mount Pleasant Farm, in relation to additional planting within Mount Pleasant Farm, advising the Committee that this was a civil issue and outside of the scope of planning law.

The other key change was demonstrated to be the parking and garaging at the northern end of the site; overall there had been a net gain of one parking space across the site.

The key issues were summarised as the principle of the scale and form of development, highway safety, visual amenity, and residential amenity.

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

The Chairman invited questions to the Officer.

A member of the Committee queried what the cross marks on the overlaid plans denoted. It was suggested by Officers that the applicant would be best placed to answer this question.

The Chairman invited Ms McMahon, Head of Land for Persimmon Homes in Suffolk, to address the Committee.

Ms McMahon recapped the reasons that the application had been requested by the Council, to vary condition 2 of the approved application to regularise differences between the permission and what had been built out. She hoped that the process would be a straightforward one.

The press reports regarding the development were addressed by Ms McMahon; she considered that the reports that houses had been built in incorrect locations were incorreced. She noted that, following the deferment of the application, a liaison group with the local community had been set up. It had also been confirmed, through the overlaid plans, that plot 71 had been built in the correct location. Ms McMahon noted that one of the objectors had questioned this assertion but considered the overlaid plans made the matter clear.

It was confirmed that the applicant was working with Mr Beal to increase planting on the northern boundary. Ms McMahon also acknowledged the comments regarding a bus shelter at the Planning Committee meeting on 26 November 2018, and that Persimmon Homes was

working to see if it was possible to restore this to the site. She hoped that the Committee approved the application.

The Chairman invited questions to Ms McMahon.

The Committee was advised that the cross marks on the overlaid plans appeared to be from the topographical survey; it was stated that this did not impact on the accuracy of the plans.

Ms McMahon reiterated that Persimmon Homes was investigating the inclusion of a bus shelter and doing all it could to facilitate this, but could not guarantee it would happen. She advised that if a feasible location was agreed with the Highway Authority, then it would be built.

The Chairman invited Mr Beal, an objector to the application, to address the Committee.

Mr Beal revisited the original findings by Planning Officers that, after considering evidence for over a year, houses on Mount Pleasant had been built in the wrong location. He considered it incredulous that in the weeks since the application had been deferred by the Committee that this view had changed. He noted that the overlaid plans had been submitted in September 2018 and presumed that they had not been considered before.

Mr Beal did not have confidence in the overlaid plans produced by Persimmon Homes and suggested that what had been produced was not accurate; he noted that Persimmon Homes' position on the site boundary not lining up was that it was subject to licence. He maintained that houses had not been built in accordance with the approved plans.

The Committee was advised by Mr Beal that no discussion had taken place regarding mitigation via additional planting. He said that at the first liaison meeting he had been asked by the Head of Planning and Coastal Management to sum up his views and he had listed mitigation actions, and that this had not been followed up at the second meeting. He challenged the statement in the report that said mitigation discussions were current; a meeting had been scheduled but not taken place.

Mr Beal was of the view that nothing had changed since the last meeting on 26 November 2018 and considered that if the application was approved then mitigation would take place. He said that the new scheme needed to be judged against the approved plans rather than whether it was considered acceptable. He noted that plot 71 looked more into his garden and that his hedge would slowly die. He urged the Committee to refuse the application.

The Chairman invited questions to Mr Beal.

Mr Beal confirmed that he was stating that the position of plot 71 had not been checked against approved plans.

It was established by the Development Management Team Leader (South) that the plans included in the overlaid plans had been drawn on 30 November 2018. She said that the overlaid plans contained information that had been available earlier but in this format showed how the currently proposed layout, approved layout, and topographical survey lined up. She explained that all the plans aligned at the correct scale and had demonstrated that plot 71 had been built in the correct location. In response to a question from a member of the Committee regarding

using Mount Pleasant Farm as the fixed point, she said that this would not provide a guaranteed fixed point; curbstones had been used as they were low enough to the ground to eliminate any variation.

The Chairman invited Mr Garrett, representing Framlingham Town Council, to address the Committee.

At this point in the meeting, Councillor Holdcroft declared a Local Non-Pecuniary Interest in the application as he had worked with Mr Garrett in the past.

Mr Garrett advised that Framlingham Town Council requested that the Committee either defer or refuse the application. He did not accept the revised findings of the Officer in the report regarding the location of plots and considered that what had been provided accorded with the applicant's own drawings and not the submitted drawings. He said it was clear from the original drawings that plot 71 was not in the correct location.

It was acknowledged that the liaison meetings had taken place and Mr Garrett reiterated Mr Beal's statement that Persimmon Homes had yet to meet with him regarding mitigation on the northern boundary. Mr Garrett was of the opinion that if the application was approved that there would be no pressure on Persimmon Homes to co-operate with the community. He suggested that the application be deferred until all outstanding issues had been addressed, or be enshrined in additional conditions. He expressed surprise that a suitable location had not been found for the bus shelter.

Mr Garrett concluded by urging the Council to address reported deviations promptly in future, noting that numerous deviations on this site had been reported two years ago, before any dwellings had been occupied.

There being no questions to Mr Garrett, the Chairman invited Councillor Hudson, Ward Member for Framlingham, to address the Committee.

Councillor Hudson said that he supported both the Town Council and the residents of Mount Pleasant. He considered that the situation was a mess and was unsure what could be done to mitigate the situation. He suggested that guidance on enforcement was required to resolve the outstanding issues.

The Chairman invited questions to Councillor Hudson.

When asked by a member of the Committee what, in his view, would be the best way to progress the situation, Councillor Hudson suggested that a goodwill financial gesture could be made by Persimmon Homes to the Town Council towards the Town Hall.

In response to Councillor Hudson's request for enforcement guidance, the Planning Development reiterated the conclusion of Officers regarding plot 71 being built in the correct position. She acknowledged that other plots had not been built in the correct position but that the variances were so minor that enforcement action was not warranted. She advised the Committee that the issues around landscaping on the northern boundary were a civil issue.

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

A member of the Committee opened the debate by stating that the situation needed to be progressed. He noted that in terms of mitigation, the entire situation had been an embarrassment for both the Council and the developer. He acknowledged that the development had not been wanted in Framlingham originally and said that there was a real need for liaison meetings to continue. The Member referred to the suggestion that the developer remunerate the Town Council and was advised by the Chairman that this was outside of the Committee's scope. The Member concluded by saying that he was unable to support the application, due to the issues that remained outstanding.

Several members of the Committee acknowledged the Officer conclusion that plot 71 had been built in the correct place, and that the variances on other plots did not warrant enforcement action. One member of the Committee sympathised with the views of the aggrieved parties, but noted that other routes remained open to them and suggested that the Committee accepted the Officer recommendation to approve.

Another member of the Committee was disappointed that the developer had not heeded the steer given at the meeting on 26 November 2018 and that the Council should not diminish the negotiating position on the application. The Planning Development Manager reminded the Committee that two liaison meetings had taken place in accordance with the Committee's recommendation in November 2018. She reiterated that the landscaping issues on the northern boundary were a civil issue and not a matter for the Council as the Planning Authority.

There being no further debate, the Chairman moved to the recommendation to approve, which was proposed, seconded and determined by a majority vote as follows:

DETERMINATION:

APPROVE subject to the variation of the associated legal agreement and subject to the following conditions:

(condition numbers are as per condition numbers on DC/15/2759/FUL)

2. The development hereby permitted shall be carried out in all respects strictly in accordance with following documents, drawings and Plans, for which permission is hereby granted or which are subsequently submitted to and approved in writing by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

- Plans/document received in connection with DC/15/2759/FUL:
 - Woodland Management Plan -----
 - Landscape Masterplan 7576-LM-01-A
 - Affordable Homes Plan 052D03
 - Streetscene Views 7576
 - Site Elevations 080 080D01
 - Site Elevations 081 081D01
 - Materials Schedule 7576 2015.09.18
 - Materials Schedule Plan 053D04

- House Types and Elevations FRA-EL 01C, 02A, 04A, 05A, 06C, 07C, 08A, 10A, 11A, 12A, 13A, 14, 15A, 16A, 17A, 18A, 19A, 20A, 21C, 23B, 24E, 25E, 26A, 27, 28.
 - Sub Station 0012_R1-5_1_of_1
 - Topographical Survey 011A00
 - Great Crested Newt Survey
 - Ground Conditions Report
 - Archaeology Report
 - Design and Access Statement
 - FRA and Drainage Strategy
 - LVIA
 - Landscape Strategy
 - Phase 1 Habitat Survey
 - Planning Statement
 - Sustainability Statement of Community Involvement
 - Transport Assessment
 - Travel Plan
 - Socioeconomic Report
 - Schedule of Areas and Accommodation
 - Air Quality Assessment
- Plans/documents received in connection with DC/16/2905/DRC:
- Condition 3 of DC/15/2759/FUL - Foul water strategy - on plans numbered IP16-001-01/10, IP16-001-01/11, IP16-001-01/14, IP16-001-01/15, IP16-001-01/16, IP16-001-01/17.
 - Condition 6 of DC/15/2759/FUL - Construction management plan - schedule and plan numbered MPF-CPM-01 submitted 20/7/16; 150202 Tree protection plan and AIA submitted 16 Nov 2016 ; FRM-FENCE-AK_A submitted 16 Nov 2016.
 - Condition 8 of DC/15/2759/FUL - Pumping station - on plan numbered PR10086-004.
 - Condition 9 of DC/15/2759/FUL - Surface Water Drainage - Details as shown on plans numbered 0703-EDP(18-11-16) L1 REVH; 0703-EDP(18-11-16)-L3 REVJ; 0703-EDP(18-11-16) EDP-site plan; FRM-BUND SK; IP16_001_01_006C; IP16_001_01_025A; sangle.mfd16112415240; SuDS Mount Pleasant Framlingham; SW S104 1 in 30 100+ 30%ccRCUB received 24 Nov 2016.
 - Condition 15 of DC/15/2759/FUL - Estate Roads - plans numbered IP16_001_01_002;- IP16_001_01_003; IP16_001_01_004 submitted 20 July 2016 and 11 Oct 2016.
 - Condition 20 of DC/15/2759/FUL - Hard and soft landscaping - plans numbered 0703 - EDP (14-11-16) EDP - siteplan Rev K; 0703 - EDP (14-11-16) - L1 Rev G; 0703 - EDP (14-11-16) - L2 Rev F; 0703 - EDP (14-11-16) - L3 Rev H submitted 16 Nov 16.
- Plans/documents received in connection with DC/16/4135/DRC:
- Condition 4 of DC/15/2759/FUL - Landscape management plan, design objectives, management responsibilities, maintenance schedules, SuDS - Plans numbered 0703 - EDP (14-11-16) EDP - siteplan Rev K; 0703 - EDP (14-11-16) - L1 Rev G; 0703 - EDP (14-11-16) - L2 Rev F; 0703 - EDP (14-11-16) - L3 Rev H; (TBS)0703- MAINTENANCE SCHEDULE a 27916 submitted 16 Nov 2016

- Condition 5 of DC/15/2759/FUL - Fire Hydrants - Plans numbered 10811_400_RevC_Persimmon Grange Mount Pleasant Framlingham _Water Layout submitted 11 October 2016.
 - Condition 7 of DC/15/2759/FUL - Lighting - Proposed Lighting Design Layout - R0 MMA13470/001 RO submitted 3rd November 2016.
- Plans/documents received in connection with DC/17/1197/DRC:
 - Condition 12 of DC/15/2759/FUL - Drawings IP16_001_01/278 Rev D, IP16_001_01/279, IP16_001_01/280, and IP16_001_01/281 Rev B
 - Plans/documents received in connection with DC/16/4826/AME:
 - 0703-EDP-L1 Rev G
 - 0703-EDP-L2 Rev F
 - 0703-EDP-L3 Rev H
 - 0703-EDP/Site Plan Rev K
 - Plans/documents received in connection with DC/17/1995/AME:
 - MPF-WOR 20D S53F-S58F ES3
 - Plans/documents received in connection with DC/17/3654/VOC:
 - Masterplan MPF- PL01 Rev D received 24 August 2018.

Reason: To secure a properly planned development, and for avoidance of doubt as to what has been considered and approved.

3. The hard and soft landscaping scheme shall be implemented in its entirety, as approved under DC/16/2905/DRC, as shown on plans numbered 0703 - EDP (14-11-16) EDP - siteplan Rev K; 0703 - EDP (14-11-16) - L1 Rev G; 0703 - EDP (14-11-16) - L2 Rev F; 0703 - EDP (14-11-16) - L3 Rev H submitted 16 Nov 16, unless otherwise agreed by the Local Planning Authority,

Reason: To ensure management of landscape spaces in the interests of amenity and the landscape.

4. The landscape management plan (including an implementation programme, long term design objectives, management responsibilities and maintenance schedules for all trees, landscape areas, SUDs and play areas within the site, other than the domestic gardens) shall be carried out as approved under DC/16/4135/DRC, unless otherwise agreed by the Local Planning Authority.

Reason: To ensure management of landscape spaces in the interests of amenity and the landscape.

5. The fire hydrants approved under DC/16/4135/DRC (drawings 10811_400_RevC_Persimmon Grange Mount Pleasant Framlingham _Water Layout submitted 11 October 2016) shall be installed prior to the occupation of dwellings within the part of the development to which they relate to the satisfaction of the Fire and

Rescue Service and the Local Planning Authority unless otherwise agreed by the Local Planning Authority.

Reason: In the interests of fire safety.

6. The Construction Management Plan, approved under DC/16/2905/DRC, in documents construction management plan schedule and plan numbered MPF-CPM-01 submitted 20/7/16; 150202 Tree protection plan and AIA submitted 16 Nov 2016 ; FRM-FENCE-AK_A submitted 16 Nov 2016, shall be implemented and accorded with throughout the construction of the hereby approved development.

Reason: In the interests of the amenity of the area and highway safety.

7. The external lighting shall be installed in accordance with the details approved under DC/16/4135/DRC (Proposed Lighting Design Layout - R0 MMA13470/001 RO submitted 3rd November 2016).

Reason: To protect the visual amenity of the site and its surrounding area and the in the interest of protected species.

8. The sewage plant, and associated features, (including wet wells, pumps and any other associated fixed plant, its equipment, its location, acoustic housing and any vibration isolation measures) approved under DC/16/2015/DRC shall be installed and retained in the approved form thereafter.

Reason: In the interests of the amenity of the area.

9. The surface water disposal/management works for both the construction phase, and occupation phase, shall be undertaken, maintained and managed in accordance with the details as shown on plans numbered 0703-EDP(18-11-16) L1 REVH;0703-EDP(18-11-16)-L3 REVJ;0703-EDP(18-11-16) EDP-site plan; FRM-BUND SK; IP16_001_01_006C;I P16_001_01_025A;s angle.mfd16112415240; SuDSMountPleasantFramlingham; and SW S104 1 in 30 100+ 30%ccRCUB received 24 Nov 2016, and approved under DC/16/2905/DRC.

Reason: To prevent the development from causing increased flood risk off site over the lifetime of the development, to ensure the development is adequately protected from flooding, to ensure the development does not cause increased pollution of watercourse (specify) in line with the River Basin Management Plan, and to ensure clear arrangements are in place for ongoing operation and maintenance

10. Throughout the construction of the hereby approved development, the protective fences of the heights, size and positions agreed under DC/16/4135/DRC, to protect the existing trees on and adjacent to the site agreed to be retained as part of the approved landscaping scheme (agreed under DC/16/2905/DRC) shall be retained throughout the duration of building and engineering works in the vicinity of the trees 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.

11. The woodland belt indicated in blue on the site location plan Drawing No. 13.603/002 shall be retained and managed in accordance with the Management Objectives and Strategy and Management Prescription within the Woodland Management Plan received 07/07/15.

Reason: In the interests of the landscape and character of the area.

12. The highway improvement works to Mount Pleasant as approved under DC/17/1197/DRC (drawings IP16_001_01/278 Rev D, IP16_001_01/279, IP16_001_01/280, and IP16_001_01/281 Rev B) shall be implemented in their entirety, with the final dressing of the road and pavements taking place prior to the occupation of the last dwelling.

Reason: In the interests of sustainability and road safety.

13. Estate Road junction with Mount Pleasant:
Clear visibility at a height of 0.6 metres above the carriageway level shall be permanently maintained in that area between the nearside edge of the metalled carriageway and a line 4.5 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 70 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension).

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.

14. Private Drives onto Mount Pleasant:
Clear visibility at a height of 0.6 metres above the carriageway level shall be permanently maintained in that area between the nearside edge of the metalled carriageway and a line 4.5 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 70 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension).

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.

15. The estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be implemented as approved via DC/16/2905/DRC, unless otherwise agreed by the Local Planning Authority.

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

16. 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.

17. No dwelling shall be occupied until the areas within the site shown on Drawing MPF-PL01 Rev D (received 24 August 2018), for the purposes of manoeuvring and parking of vehicles relating to that dwelling have been provided and thereafter those areas 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.

18. Facilities for the storage of Refuse/Recycling bins as shown on Drawing Number 050 Rev D21 shall be provided for each dwelling prior to its occupation and shall thereafter be retained.

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

19. All windows on the side elevations at first floor level and above on plots 14, 15, 83, 84, 85 shall be fitted and remain fitted with obscured glass and shall be non-opening below 1.7 metres high from floor level. They shall be retained in that form.

Reason: In the interest of residential amenity.

20. The foul water strategy approved under DC/16/2905/DRC, on plans numbered IP16-001-01/10, IP16-001-01/11, IP16-001-01/14, IP16-001-01/15, IP16-001-01/16, IP16-001-01/17, shall be implemented in its entirety.

Reason: To prevent environmental and amenity problems arising from flooding.

6. FRAMLINGHAM – DC/17/3681/VOC – Variation of Condition 2 of Planning Consent DC/15/2759/FUL - Development of 95 new dwelling units together with associated access, open space and landscaping (resubmission of DC/14/2276/FUL) at Land At Mount Pleasant, Framlingham, Suffolk, (multiple postcodes) for Persimmon Homes

The application sought to vary condition 2 of Planning Permission DC/15/2759/FUL, in order to replace the approved drawings in relation to amended detailing on the dwellings of the development of 95 dwellings and associated works on land east of Mount Pleasant, Framlingham.

There was also an associated report on the schedule for application DC/17/3654/VOC, which also sought to vary condition 2 of Planning Permission DC/15/2759/FUL. That application sought to vary the approved layout.

Both applications, and the associated enforcement cases, were the subject of a report to Planning Committee on 20 September 2018, recommending that Members undertook a site visit. The Committee undertook a site visit on 1 October 2018.

Both applications and the associated enforcement cases were also the subject of reports to the Committee on 26 November 2018. They were deferred “subject to further clarification of the juxtaposition of Plot 71 to Mount Pleasant Farm and the proposed screening to mitigate impact and to investigate the establishment of a liaison group to oversee development.” A copy of the report of 26 November 2018 was attached to the report as Appendix 1. A copy of the Minutes of that meeting was included within the Agenda.

Since the meeting a Liaison Group had been set up involving the Town Council, Local Residents, Persimmon Homes and Planning Officers. The group had met twice. Notes of these meetings were attached as appendices to the report on DC/17/3654/VOC, which preceded the item on the agenda.

The Committee received a presentation on the application from the Development Management Team Leader (South). She advised that, since the meeting on 26 November 2018, a majority of the outstanding issues had been resolved to a satisfactory standard. Expansion joints required painting but it was acknowledged that this work was pending, awaiting improved weather.

The key issues were summarised as the principle of the scale and form of the development, design issues related to visual amenity, and residential amenity.

There being no questions to the Officer, the Chairman invited Ms McMahon, Head of Land for Persimmon in Suffolk, to address the Committee.

Ms McMahon recapped the reason for the retrospective works. She believed that the required works had been completed and had brought the dwellings in line with what had been approved. She confirmed that the expansion joints would be painted once the weather had improved, and was anticipated to be completed by the end of March 2019. She referred to comments regarding the white meter boxes, noting that these were not normally included on drawings, and hoped that these could be retained as is, as per the Officer recommendation.

Following the liaison meetings, an audit of the landscaping on the site had been undertaken. This was earmarked for completion by the end of March 2019, and had been delayed by recent frosts. Ms McMahon highlighted enhancements on the boundary planting and said that once agreed, would be over and above what was required.

Some fenestration work remained outstanding, and was waiting confirmation from tenants on convenient times for this to be undertaken.

The Chairman invited questions to Ms McMahon.

The Vice-Chairman asked Ms McMahon if she considered that mistakes had been made and if the development could have proceeded in a better way with more due diligence from the Building Inspector. Ms McMahon said that she did not wish to comment on the Building Inspector, and stated that Persimmon Homes had stated on several occasions that things could have been done differently and had worked hard to rectify outstanding matters.

The Chairman invited Mr Sharpe, Chairman of Framlingham Residents' Association and an objector to the application, to address the Committee.

Mr Sharpe asked the Committee to either defer or refuse the application. He noted that at its meeting on 26 November 2018 the Committee had been unanimous in not approving the application and deferring it so that the liaison group could be created. He considered that Persimmon Homes was not willing to make changes to soil pipes on the houses yet to be built, and had planted non-native species which did not provide any apparent benefit.

It was Mr Sharpe's view that Persimmon Homes would not have any incentive to work with the community should the application be approved, and that its attitude to the soil pipes was telling. He considered that a decision to refuse or defer would show that the Committee was not satisfied with the progress made since the meeting on 26 November 2018, and had been surprised with the recommendation to approve. He was concerned that the decision was being rushed and would allow the developer to carry on doing as they pleased.

The Chairman invited questions to Mr Sharpe.

Mr Sharpe confirmed that he considered that the soil pipes on the unbuilt houses should be amended, and the barriers and boundary improved, to progress the site.

It was confirmed by the Planning Development Manager that, with the exception of the painting of the expansion joints, all other works had been undertaken to a satisfactory conclusion. The Development Management Team Leader (South) advised the Committee that the drainage and foundations for all dwellings had been built and it would therefore be difficult to move the location of the soil pipes.

The Chairman invited Mr Garrett, representing Framlingham Town Council, to address the Committee.

Mr Garrett noted the refusal of the original application for a development on the site, and the improvements in visual amenity in the approved application which had not been adhered to. He

considered that the houses built were inferior in a number of aspects, and that this was contrary to the NPPF as they were of a lower quality than what had been approved.

The improvements instituted by Persimmon Homes were acknowledged by Mr Garrett but he was unclear if this fully resolved the issues to an adequate standards. He suggested that the Principal Design and Conservation Officer review the improvements to ascertain if they met what had been approved.

The Chairman invited questions to Mr Garrett.

The Chairman asked if Mr Garrett would be reassured by regular checks on the site's development and he replied that he would be. The Planning Development Manager advised the Committee that the case officer could monitor the development's progress during her visits to the area, but said that it would be unreasonable to set a formal enforcement visit process.

A member of the Committee directed a question to Officers regarding enforcement action. The Chairman advised Members that the Committee had been told by Officers that the work requested had been undertaken and that it was not for the Council as the Planning Authority to enforce the liaison meetings.

The Chairman invited Councillor Hudson, Ward Member for Framlingham, to address the Committee.

Councillor Hudson said that his overriding concern was for the residents in the houses that had been built. He noted the litany of mistakes in the building of the development and said it had tarnished the image on how enforcement action was undertaken into the district. He considered that people had been allowed to move into houses that were not compliant with planning permission and that the situation had been allowed to continue for too long.

It was the view of Councillor Hudson that the truth of what had happened should be established as the situation brought the Council in disrepute. He invited Persimmon Homes to apologise and suggested those responsible consider their positions.

Councillor Hudson began to talk about remuneration in the region of £100,000 being paid as a goodwill gesture by Persimmon. Councillor Hudson was advised by the Chairman that this subject was not appropriate for the Committee. He acknowledged this and concluded that he wished to see the situation resolved.

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

During the debate, several members of the Committee reflected that the situation needed to be resolved. It was noted that it was disappointing that many of the original features had not been delivered and that it appeared that building control had been ineffective during the development. These Members were of the opinion that the advice of the Officers should be followed and supported the recommendation.

One member of the Committee noted that it would be inappropriate for Planning Officers to visit the site on a regular basis.

Another member of the Committee was given assurances by the Development Management Team Leader (South) that those dwellings still under construction were being built to what was approved and with the betterments applied to the existing dwellings.

Several members of the Committee were not satisfied with how the development had been delivered by Persimmon Homes and considered that the Committee was firm on this to ensure that it was not “taken for a ride” in the future.

The Chairman said that she hoped that Persimmon Homes had acknowledged the Committee’s concerns and would apply any learning to future developments.

There being no further debate, the Chairman moved to the recommendation to approve, which was proposed, seconded and determined by a majority vote as follows:

DETERMINATION:

APPROVED subject to the variation of the associated legal agreement and subject to the following conditions: (*condition numbers are as per condition numbers on DC/15/2759/FUL*)

Conditions amended from DC/15/2759/FUL & DC/17/3681/VOC:

2. The development hereby permitted shall be carried out in all respects strictly in accordance with following documents, drawings and Plans, for which permission is hereby granted or which are subsequently submitted to and approved in writing by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.
 - Plans/document received in connection with DC/15/2759/FUL:
 - Woodland Management Plan -----
 - Landscape Masterplan 7576-LM-01-A
 - Affordable Homes Plan 052D03
 - Sub Station 0012_R1-5_1_of_1
 - Topographical Survey 011A00
 - Great Crested Newt Survey
 - Ground Conditions Report
 - Archaeology Report
 - Design and Access Statement
 - FRA and Drainage Strategy
 - LVIA
 - Landscape Strategy
 - Phase 1 Habitat Survey
 - Planning Statement
 - Sustainability Statement of Community Involvement
 - Transport Assessment
 - Travel Plan
 - Socioeconomic Report
 - Schedule of Areas and Accommodation
 - Air Quality Assessment

- Plans/documents received in connection with DC/16/2905/DRC:
 - Condition 3 of DC/15/2759/FUL - Foul water strategy - on plans numbered IP16-001-01/10, IP16-001-01/11, IP16-001-01/14, IP16-001-01/15, IP16-001-01/16, IP16-001-01/17.
 - Condition 6 of DC/15/2759/FUL - Construction management plan - schedule and plan numbered MPF-CPM-01 submitted 20/7/16; 150202 Tree protection plan and AIA submitted 16 Nov 2016 ; FRM-FENCE-AK_A submitted 16 Nov 2016.
 - Condition 8 of DC/15/2759/FUL - Pumping station - on plan numbered PR10086-004.
 - Condition 9 of DC/15/2759/FUL - Surface Water Drainage - Details as shown on plans numbered 0703-EDP(18-11-16) L1 REVH; 0703-EDP(18-11-16)-L3 REVJ; 0703-EDP(18-11-16) EDP-site plan; FRM-BUND SK; IP16_001_01_006C; IP16_001_01_025A; sangle.mfd16112415240; SuDS Mount Pleasant Framlingham; SW S104 1 in 30 100+ 30%ccRCUB received 24 Nov 2016.
 - Condition 15 of DC/15/2759/FUL - Estate Roads - plans numbered IP16_001_01_002;- IP16_001_01_003;
IP16_001_01_004 submitted 20 July 2016 and 11 Oct 2016.
 - Condition 20 of DC/15/2759/FUL - Hard and soft landscaping - plans numbered 0703 - EDP (14-11-16) EDP - siteplan Rev K; 0703 - EDP (14-11-16) - L1 Rev G; 0703 - EDP (14-11-16) - L2 Rev F; 0703 - EDP (14-11-16) - L3 Rev H submitted 16 Nov 16.
- Plans/documents received in connection with DC/16/4135/DRC:
 - Condition 4 of DC/15/2759/FUL - Landscape management plan, design objectives, management responsibilities, maintenance schedules, SuDS - Plans numbered 0703 - EDP (14-11-16) EDP - siteplan Rev K; 0703 - EDP (14-11-16) - L1 Rev G; 0703 - EDP (14-11-16) - L2 Rev F; 0703 - EDP (14-11-16) - L3 Rev H; (TBS)0703- MAINTENANCE SCHEDULE a 27916 submitted 16 Nov 2016
 - Condition 5 of DC/15/2759/FUL - Fire Hydrants - Plans numbered 10811_400_RevC_Persimmon Grange Mount Pleasant Framlingham _Water Layout submitted 11 October 2016.
 - Condition 7 of DC/15/2759/FUL - Lighting - Proposed Lighting Design Layout - R0 MMA13470/001 RO submitted 3rd November 2016.
- Plans/documents received in connection with DC/17/1197/DRC:
 - Condition 12 of DC/15/2759/FUL - Drawings IP16_001_01/278 Rev D, IP16_001_01/279, IP16_001_01/280, and IP16_001_01/281 Rev B
- Plans/documents received in connection with DC/16/4826/AME:
 - 0703-EDP-L1 Rev G
 - 0703-EDP-L2 Rev F
 - 0703-EDP-L3 Rev H
 - 0703-EDP/Site Plan Rev K
- Plans/documents received in connection with DC/17/1995/AME:
 - MPF-WOR 20D S53F-S58F ES3
- Plans/documents received in connection with DC/17/3654/VOC:

- Masterplan MPF- PL01 Rev D received 24 August 2018.
- Plans/documents received in connection with DC/17/3681/VOC:
 - Drawing MPF-WOR 225 (plot 1, as proposed) received electronically 19 September 2018,
 - Drawing MPF-WOR 227 (plot 2, as proposed) received electronically 19 September 2018,
 - Drawing MPF-WOR 228 (Plot 3, as proposed) received electronically 19 September 2018,
 - Drawing MPF-WOR 229 (Plot 4, as proposed) received electronically 19 September 2018,
 - Drawing MPF-WOR 201 (Plots 5, 6, 7, 59, 60 & 61, as proposed) received electronically 19 September 2018,
 - Drawing MPF-WOR 219 (Plot 8, as proposed) received electronically 19 September 2018,
 - Drawing MPF-WOR 239 (Plots 9, 10, 11, 20, 21, 33, 34, 74, 75, 76, 91, 92 and 93, as proposed) received electronically 19 September 2018,
 - Drawing MPF-WOR 238 (Plots 12, 13, 14, 15, 16, 17, 18 and 19, as proposed) received electronically 19 September 2018,
 - Drawing MPF-WOR 203 (Plots 22, 23, 44 and 45, as proposed) received electronically 19 September 2018,
 - Drawing MPF-WOR 208 (Plots 24, 25, 26, 27, 28 and 29, as proposed) received electronically 19 September 2018,
 - Drawing MPF-WOR 204 (Plots 30 and 31, as proposed) received electronically 19 September 2018,
 - Drawing MPF-WOR 205 (Plots 32 and 35, as proposed) received electronically 19 September 2018,
 - Drawing MPF-WOR 206 Rev A (Plots 36 and 55, as proposed) received electronically 19 September 2018,
 - Drawing MPF-WOR 218 (Plot 37, as proposed) received electronically 19 September 2018,
 - Drawing MPF-WOR 222 (Plot 38, as proposed) received electronically 19 September 2018,
 - Drawing MPF-WOR 214 (Plot 39, as proposed) received electronically 19 September 2018,
 - Drawing MPF-WOR 207 (Plot 40, 41, 42 and 43, as proposed) received electronically 19 September 2018,
 - Drawing MPF-WOR 217 (Plot 46, as proposed) received electronically 19 September 2018,
 - Drawing MPF-WOR 213 (Plot 47, as proposed) received electronically 19 September 2018,
 - Drawing MPF-WOR 212 (Plot 48, as proposed) received electronically 19 September 2018,
 - Drawing MPF-WOR 210 (Plot 49, as proposed) received electronically 19 September 2018,
 - Drawing MPF-WOR 211 (Plots 50, 54 and 56, as proposed) received electronically 19 September 2018,
 - Drawing MPF-WOR 216 (Plot 51, as proposed) received electronically 19 September 2018,

- Drawing MPF-WOR 215 (Plot 52, as proposed) received electronically 19 September 2018,
- Drawing MPF-WOR 224 (Plot 53, as proposed) received electronically 19 September 2018,
- Drawing MPF-WOR 221 (Plot 57, as proposed) received electronically 19 September 2018,
- Drawing MPF-WOR 220 (Plot 58, as proposed) received electronically 19 September 2018,
- Drawing MPF-WOR 133 (Plot 63, as proposed) received electronically 19 September 2018,
- Drawing MPF-WOR 235 (Plot 66, as proposed) received electronically 19 September 2018,
- Drawing MPF-WOR 234 (Plot 67, as proposed) received electronically 19 September 2018,
- Drawing MPF-WOR 209 (Plot 68, as proposed) received electronically 19 September 2018,
- Drawing MPF-WOR 223 (Plot 69, as proposed) received electronically 19 September 2018,
- Drawing MDF-WOR 237 (Plots 72, 73, 77 and 78, as proposed) received electronically 19 September 2018,
- Drawing MDF-WOR 202 (Plots 79, 83, 85, 86 and 87, as proposed) received electronically 19 September 2018,
- Drawing MDF-WOR 200 (Plots 80, 81, 82, 84 and 88, as proposed) received electronically 19 September 2018,
- Drawing MDF-WOR 236 (Plots 89, 90, 94 and 95, as proposed) received electronically 19 September 2018,
- Drawing MPF-WOR 226 Rev A (Plots 62 and 64, as proposed) received in paper form 19 October 2018,
- Drawing MPF-WOR 232 Rev A (Plot 65, as proposed) received electronically 19 October 2018,
- Drawing MPF-WOR 231 Rev A (Plot 70, as proposed) received electronically 19 October 2018,
- Materials Schedule Revision J received 19 October 2018
- Drawing MPF-WOR 230 (Plot 71, as proposed) received electronically 23 October 2018,
- Letter and attached table received from Persimmon 30 October 2018, and
- Letter received from Persimmon 2 November 2018.

Reason: To secure a properly planned development, and for avoidance of doubt as to what has been considered and approved.

3. The hard and soft landscaping scheme shall be implemented in its entirety, as approved under DC/16/2905/DRC, as shown on plans numbered 0703 - EDP (14-11-16) EDP - siteplan Rev K; 0703 - EDP (14-11-16) - L1 Rev G; 0703 - EDP (14-11-16) - L2 Rev F; 0703 - EDP (14-11-16) - L3 Rev H submitted 16 Nov 16, unless otherwise agreed by the Local Planning Authority,

Reason: To ensure management of landscape spaces in the interests of amenity and the landscape.

4. The landscape management plan (including an implementation programme, long term design objectives, management responsibilities and maintenance schedules for all trees, landscape areas, SUDs and play areas within the site, other than the domestic gardens) shall be carried out as approved under DC/16/4135/DRC, unless otherwise agreed by the Local Planning Authority.
Reason: To ensure management of landscape spaces in the interests of amenity and the landscape.
5. The fire hydrants approved under DC/16/4135/DRC (drawings 10811_400_RevC_Persimmon Grange Mount Pleasant Framlingham _Water Layout submitted 11 October 2016) shall be installed prior to the occupation of dwellings within the part of the development to which they relate to the satisfaction of the Fire and Rescue Service and the Local Planning Authority unless otherwise agreed by the Local Planning Authority.
Reason: In the interests of fire safety.
6. The Construction Management Plan, approved under DC/16/2905/DRC, in documents construction management plan schedule and plan numbered MPF-CPM-01 submitted 20/7/16; 150202 Tree protection plan and AIA submitted 16 Nov 2016 ; FRM-FENCE-AK_A submitted 16 Nov 2016, shall be implemented and accorded with throughout the construction of the hereby approved development.
Reason: In the interests of the amenity of the area and highway safety.
7. The external lighting shall be installed in accordance with the details approved under DC/16/4135/DRC (Proposed Lighting Design Layout - R0 MMA13470/001 RO submitted 3rd November 2016).
Reason: To protect the visual amenity of the site and its surrounding area and the in the interest of protected species.
8. The sewage plant, and associated features, (including wet wells, pumps and any other associated fixed plant, its equipment, its location, acoustic housing and any vibration isolation measures) approved under DC/16/2015/DRC shall be installed and retained in the approved form thereafter.
Reason: In the interests of the amenity of the area.
9. The surface water disposal/management works for both the construction phase, and occupation phase, shall be undertaken, maintained and managed in accordance with the details as shown on plans numbered 0703-EDP(18-11-16) L1 REVH;0703-EDP(18-11-16)-L3 REVJ;0703-EDP(18-11-16) EDP-site plan; FRM-BUND SK; IP16_001_01_006C;I P16_001_01_025A;s angle.mfd16112415240; SuDSMountPleasantFramlingham; and SW S104 1 in 30 100+ 30%ccRCUB received 24 Nov 2016, and approved under DC/16/2905/DRC.
Reasons: To prevent the development from causing increased flood risk off site over the lifetime of the development, to ensure the development is adequately protected from flooding, to ensure the development does not cause increased pollution of watercourse (specify) in line with the River Basin Management Plan, and to ensure clear arrangements are in place for ongoing operation and maintenance

10. Throughout the construction of the hereby approved development, the protective fences of the heights, size and positions agreed under DC/16/4135/DRC, to protect the existing trees on and adjacent to the site agreed to be retained as part of the approved landscaping scheme (agreed under DC/16/2905/DRC) shall be retained throughout the duration of building and engineering works in the vicinity of the trees 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.
11. The woodland belt indicated in blue on the site location plan Drawing No. 13.603/002 shall be retained and managed in accordance with the Management Objectives and Strategy and Management Prescription within the Woodland Management Plan received 07/07/15.
- Reason: In the interests of the landscape and character of the area.
12. The highway improvement works to Mount Pleasant as approved under DC/17/1197/DRC (drawings IP16_001_01/278 Rev D, IP16_001_01/279, IP16_001_01/280, and IP16_001_01/281 Rev B) shall be implemented in their entirety, with the final dressing of the road and pavements taking place prior to the occupation of the last dwelling.
- Reason: In the interests of sustainability and road safety.
13. Estate Road junction with Mount Pleasant:
- Clear visibility at a height of 0.6 metres above the carriageway level shall be permanently maintained in that area between the nearside edge of the metalled carriageway and a line 4.5 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 70 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension).
- 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.
14. Private Drives onto Mount Pleasant:
- Clear visibility at a height of 0.6 metres above the carriageway level shall be permanently maintained in that area between the nearside edge of the metalled carriageway and a line 4.5 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 70 metres in each

direction along the edge of the metalled carriageway from the centre of the access (Y dimension).

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.

15. The estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be implemented as approved via DC/16/2905/DRC, unless otherwise agreed by the Local Planning Authority.

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

16. 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.

17. No dwelling shall be occupied until the areas within the site shown on Drawing MPF-PL01 Rev D (received 24 August 2018), for the purposes of manoeuvring and parking of vehicles relating to that dwelling have been provided and thereafter those areas 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.

18. Facilities for the storage of Refuse/Recycling bins as shown on Drawing Number 050 Rev D21 shall be provided for each dwelling prior to its occupation and shall thereafter be retained.

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

19. All windows on the side elevations at first floor level and above on plots 14, 15, 83, 84, 85 shall be fitted and remain fitted with obscured glass and shall be non-opening below 1.7 metres high from floor level. They shall be retained in that form.

Reason: In the interest of residential amenity.

20. The foul water strategy approved under DC/16/2905/DRC, on plans numbered IP16-001-01/10, IP16-001-01/11, IP16-001-01/14, IP16-001-01/15, IP16-001-01/16, IP16-001-01/17, shall be implemented in its entirety.

Reason: To prevent environmental and amenity problems arising from flooding.

Condition in addition to those on DC/15/2759/FUL

22. Notwithstanding the timescale information on any of the hereby approved documents, the remaining retrospective works to the completed dwellings/walls shall be completed in accordance with the details set out on the hereby approved proposed drawings by 31 March 2019.

a) Painting/application of colour to of all expansion joints on rendered plots with a colour to match the existing adjacent,

Reason: To ensure a satisfactory external appearance, in the interests of visual amenity.

(Condition 22 to be omitted or amended, if any of the works are completed prior to completion of variation to legal agreement and decision notice being issued)

Following the determination of the item, the meeting was adjourned for a short break at 3.44pm. The meeting was reconvened at 3.53pm.

3. ALDRINGHAM CUM THORPE – DC/18/4493/FUL – Installation of Septic tank and soakaway; water borehole and concrete base for mobile home in connection with certificate of lawfulness of existing use DC/16/0500/CLE: Land At Birds Farm, The Fens, Aldringham Cum Thorpe, IP16 4QR for Mr Richard Janes

Full Planning Permission was sought for the installation of a Septic tank, soakaway, water borehole and a concrete base for an existing lawful mobile home.

The site had an existing approved certificate of lawfulness for a caravan to be sited (DC/16/0500/CLE) and for its use as holiday accommodation.

The application had come before Committee because it was referred by the referral panel to enable the Committee to consider and debate the issues of the case.

The Committee received a presentation on the application from the Assistant Planning and Enforcement Officer. The application site was a large field, with the existing caravan location at the top left of the field. A small public right of way existed to the north of the site, and the site was surrounded by a SSSI and Special Protection Area.

The new mobile home was proposed to be in the same location as the existing caravan, and the borehole would be located in the centre of the plot. The current access to the site was an unmade track.

The key issues were summarised as visual impact, the SSSI, the Special Protection Area, and the AONB.

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

The Chairman invited questions to the Officer.

A member of the Committee queried paragraph 2.2 of the report regarding no inclusion of additional or replacement caravans in the proposals. The Development Management Team

Leader (South) confirmed that this was correct, as there was a lawful use certificate for a caravan to be sited in the field.

It was confirmed that Officers were satisfied that the development would not impact on the SSSI.

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

Mr Bracey said that he acquired the site in 2018 and that the lawful use certificate was already in place. He was of the understanding that the application for the certificate had been supported by the Parish Council.

He confirmed that he would not be adding further caravans to the site. All the works proposed were ancillary to a caravan on the site and to make the site more environmentally sustainable. Mr Bracey considered that the development would not have a significant impact on neighbouring residents, Parish Council, or the surrounding highways. He was acutely aware of the sensitivities of the area, which was why he and his family enjoyed the area so much.

Mr Bracey was happy with the conditions proposed and would conform to them should planning permission be granted.

The Chairman invited questions to Mr Bracey.

Mr Bracey confirmed that he would be replacing the existing caravan and would conform to the Caravan Act 1967 and the lawful use certificate.

The Chairman invited Ms Newson, an objector to the application, to address the Committee.

Ms Newson highlighted several points in the report that the local community was not satisfied with. She considered the title misleading as the application site was some distance from Birds Farm, which would have impacted the responses of consultees. She added that the proposed hard-standing was for something larger than the caravan on the site, noting that Mr Bracey had confirmed that he was intending to replace the existing caravan.

Ms Newson displayed a picture of site plans sent to local residents by the applicant, which suggested two dwellings on the site. She considered that the views of neighbouring residents and the RSPB had not been fairly reflected in the report and that the site abutted a neighbour's garden.

The existing site was described as not being well screened. Ms Newson felt that a caravan on a hard-standing would have a significant impact on the surrounding area and not be modest. She referred to the need for a bat, badger and reptile survey and the RSPB comments supporting the number of retreat homes. She noted that access to the site was through the SSSI and she considered that the development would alter the feel of the area.

Following the conclusion of Ms Newson's speech, a member of the Committee asked the Officers what size of caravan was permitted on the site. The Planning Development Manager advised that a caravan of up to 20m in length, 6m in width, and 3.5m in height was permitted. She said it was important to note the lawful use certificate that allowed a caravan of that size

without planning permission, and that the application before the Committee was for ancillary development.

There being no questions to Ms Newson, the Chairman invited Councillor Jones, Ward Member for Aldringham-cum-Thorpe, to address the Committee.

Councillor Jones acknowledged that there had been a caravan on the site for a number of years. She explained that it had originally been there to store food for grazing animals but in recent years had been used for accommodation.

She stated that the site was located in a beautiful area comprising of an AONB, SSSI and was in close proximity to an RSPB site, and should not be an area for the permanent siting of a caravan. She considered that the proposed ancillary development would create such a permanent site and did not support encouraging this.

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

A member of the Committee opened the debate and suggested that the application set a trajectory for a new dwelling in the countryside. He said that this should be developed and paid particular mind to the comments of Councillor Jones.

During debate it was noted by a member of the Committee that the hard-standing proposed was shorter in length than the maximum permitted length of a caravan. The debate also established that the development was adjacent to the SSSI and that planning permission was required for the borehole as it was for tourism purposes.

The Planning Development Manager confirmed to Members that separate planning permission would be required for a permanent dwelling on the site.

The Vice-Chairman noted that the recent AONB management plan required all members to protect and enhance the AONB; she was of the view that the development did not do so. The Chairman, in contract, considered that it would enhance the AONB as the older caravan would be replaced.

There being no further debate, the Chairman moved to the recommendation to approve, which was proposed, seconded and determined by a majority vote as follows:

DETERMINATION:

APPROVED subject to the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Proposed Site Layout, Drawing 1 and Hardstanding Plan; received 30/10/20148; 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 mitigation measures outlined in the hereby approved Preliminary Ecological Appraisal received 30 October 2018, shall be implemented in their entirety throughout the construction phase and occupation of the site for holiday purposes. These mitigation measures are:

- Mitigation of potential impacts on the site:
- The areas proposed to be cleared shall be checked for reptiles before and during site clearance. If any are found, the measures outlined in 7.1 of the Ecological Appraisal shall be implemented.
- During construction, all plant/materials shall be stored at least 10m from northern site boundary,
- Native species shall be planted along eastern site boundary, during the first planting season, following installation of the bore hole and/or septic tank, in accordance with paragraph 7.2 of the Ecological Appraisal.
- The existing bamboo clump shall be prevented from expanding and there shall be no planting of addition bamboo, anywhere on site at anytime.
- Mitigation of potential impacts on the adjacent SSSI/SPA:
- Retention of stock fencing around site to contain dogs,
- All visitors shall be advised that when accessing local footpaths they will be subject to the same responsibilities regarding responsible dog ownership visitors or local dog walkers,
- All visitors of the caravan/site will be provided with information in the caravan about the sensitivity of habitats for breeding birds, and advised to take responsibility for their dogs when using public rights of way. They shall also be provided with maps showing potential dog walking routes away from the Special Protection Area habitat.

Reason: To safeguard biodiversity and protected species in accordance with SP14 and DM27 of the Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (2013) and the National Planning Policy Framework (2012).

8. **ORFORD – DC/18/4844/FUL – Construction of new dwelling in the grounds for use as short term holiday let: The Great House, Church Street, Orford, IP12 2NT for Mr and Mrs Gerard**
9. **ORFORD – DC/18/4845/LBC – Creation of pedestrian access in boundary wall: Great House, Church Street, Orford, IP12 2NT for Mr and Mrs Gerard**

Planning Permission was sought through application DC/18/4844/FUL for the erection of a detached building within the curtilage of The Great House to be used as holiday accommodation, and Listed Building Consent was sought through application DC/18/4845/LBC for the creation of a pedestrian access in an existing boundary wall and the insertion of a gate within the wall. The Great House was a Grade II Listed building and the site lay within the Orford Conservation Area and was a designated Area to be Protected from Development.

The applications had come before the Committee following a meeting of the Referral Panel.

The Committee received a presentation from the Planning Development Manager, on behalf of the case officer. The two applications were presented together, with separate recommendations for each one.

The proposed new dwelling and its position on the site was outlined to the Committee, along with the pedestrian gate. The Committee was also shown photographs of the site.

The key issues were summarised as the principle of development, the setting of the listed building, the Conservation Area, the Area to be Protected from Development, design, residential amenity, trees, and parking.

The applicant had agreed to put in a legal agreement to prevent converting the new dwelling to residential use, and had made a RAMS payment.

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

The Acting Chairman invited questions to the Officer.

It was confirmed that condition relating to unexpected contamination was recommended.

The Planning Development Manager advised that the statement in paragraph 5.4 was correct, in that the outer wall was not part of The Great House's listing.

The Acting Chairman invited Ms Barnwell and Ms Iliff, representing Orford and Gedgrave Parish Council, to address the Committee. As the applications were being presented together, Ms Barnwell and Ms Iliff were allocated three minutes each to speak.

Ms Barnwell advised that the Parish Council objected to the applications as they would undermine important protections. She noted that The Great House had been protected from development for the last twenty years.

Ms Barnwell referred to paragraph 5.12 of the report regarding holiday use and suggested that the main dwelling appeared to be operating as a Class C1 use and the new unit would be Class C3, which was a change of use. She also considered that the proposed gate would make the

new dwelling an independent entity and that occupants would park on Broad Street, harming the area.

It was Ms Barnwell's view that if the applications were approved it could be considered sub-division of the curtilage and recommended refusal.

Ms Iliff noted that parking during the last Christmas period had been an issue when The Great House had been occupied and that the Parish Council was concerned about the impact of this on the village green.

The Chairman invited questions to Ms Barnwell and Ms Iliff.

A member of the Committee sought clarification that there had been an assertion that The Great House was being used as a holiday let instead of as a residential dwelling. Ms Barnwell confirmed that this was the case and referred to the Officer's report for confirmation. Ms Iliff said that this had been raised as a possible contravention; it was clarified by the Planning Development Manager that this contravention had been alluded to in consultation responses objecting to the application, but had not been logged as an enforcement matter.

A member of the Committee directed a question to the Planning Development Manager. She noted that page 187 showed that The Great House was an area to be protected from development, and asked what weight this should be given.

The Planning Development Manager referred to paragraphs 5.6 and 5.7 of the report; the policy restricted but did not preclude development. The proposed dwelling was not larger than an ancillary building that could be expected on such a site and the Principal Design and Conservation Officer was content with the application.

The Chairman invited Councillor Herring, Ward Member for Orford, to address the Committee.

Councillor Herring confirmed that he was in agreement with the comments of the Parish Council. He considered that there were a number of issues to be further looked at. He acknowledged that the size of the new dwelling would not be intrusive on the site but was unhappy with its design.

The Chairman invited questions to Councillor Herring.

Councillor Herring confirmed that he would like to see a design that was more in keeping with the setting.

The Chairman invited the Committee to debate the applications that were before it.

During debate it was identified by several Members that The Great House appeared to be operating as a holiday let. It was suggested that both applications be deferred so that further information on this matter could be sought.

On the proposition of Councillor Smith, seconded by Councillor Harvey it was by unanimous vote

RESOLVED

That applications *DC/18/4844/FUL* and *DC/18/4845/LBC* be **DEFERRED**, so that further information could be sought regarding the possibility that that The Great House was operating as a holiday let.

Councillors McCallum and Burroughes left the meeting at this point (4.45pm). Councillor Harvey, the Vice-Chairman, took the Chair for the remainder of the meeting.

10. WENHASTON – DC/18/3899/FUL – Proposed Residential Development Comprising of 6 new Dwellings - Land off Blackheath Road, Wenhaston. Part Of Former Nursery, Blackheath Road, Wenhaston With Mells Hamlet, Suffolk

Full Planning Permission was sought for the erection of two open market dwellings and four affordable dwellings together with associated works.

The application was deferred at the Committee's meeting on the 20 December 2018, to enable further information to be presented in connection with the need for the affordable units. This information had been received and was included within this report. The Committee was directed to note that the affordable units were to be managed by Hastoe Homes, a registered social provider, and the Council's Head of Housing acknowledged that there was a waiting list in the local area and that the scheme would assist the Council in meeting its rural housing needs.

It was also noted that the Highway Authority did not object to the application. Whilst they wished for more information to assess application, they had accepted that the application could proceed with appropriate conditions. Officers had considered this response in light of the fallback permission and lawful use of the site and believed that conditions are appropriate in this instance.

Wenhaston had adopted a Neighbourhood Plan, however that plan was silent on exception housing sites and therefore the proposal had to be tested against the Local Plan and it was evident that the proposal was compliant, in all regards, with Policy DM1 which positively supported such proposals.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer. She revisited the site outline and proposed site location plan that had been demonstrated at the Committee's meeting on 20 December 2018.

The Committee's attention was drawn to the comments of the Head of Housing in paragraph 3.2 of the report, regarding the need from surrounding parishes that have a connection with the local area.

The key issue was summarised as compliance with policy.

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

The Acting Chairman invited questions to the Officer.

Several Members of the Committee queried housing need. One member of the Committee asked if a survey of housing needs had been completed, noting that DM1 stated that exception sites should be promoted by the Parish Council. The Planning Development Manager stated that it was important to note that the need for affordable housing does not stop at the parish boundary and advice from Housing had been sought regarding need in the wider local area. She reiterated that as the Wenhaston with Mells Hamlet Neighbourhood Plan was silent on exception sites that default fall-back position was to the Local Plan, in this case Policy DM1. A robust need had been identified by a Housing Provider and this was in accordance with policy.

The Chairman invited Councillor Gower, Ward Member for Wenhaston, to address the Committee.

Councillor Gower said that the issue had been discussed by Wenhaston with Mells Hamlet Parish Council at its meeting the previous evening. No-one from the Parish Council had been prepared to attend the Committee's meeting as they considered that their views would not be heard and did not have confidence in the proceedings.

Councillor Gower read out the statement made by the Chairman of the Parish Council at the Committee's meeting of 20 December 2018, which was summarised in the Minutes of that meeting.

He advised that having pursued exception sites in the past, the proposed site was not one the Parish Council wished to pursue in this instance, as it was outside of the settlement boundary and in the SLA. The Parish Council considered that policy should be upheld.

Councillor Gower advised that he knew the applicant. He did not declare an interest as he said he had become acquainted with them over a period of time.

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

Several members of the Committee made reference to the Head of Housing's comments in the report. Two Members considered that it did not demonstrate a convincing housing need and suggested that greater evidence was required, with one querying if the ratio of affordable to market housing was policy compliant.

The Planning Development Manager advised that the ratio of affordable to market housing was permitted in order to make the site viable. The Development Management Team Leader (South) advised that she and the case officer had met with Hastoe Homes and had been satisfied that a housing need in the area had been identified. A full breakdown could not be given due to the risk of breaching data protection rules and identifying individuals.

Councillor Dean left the room at 5.13pm. She returned at 5.14pm.

Another member of the Committee considered that due process had been followed, that the application was in accordance with policy, and that the ratio was acceptable. He was satisfied that he could support the application.

Concern was raised by members of the Committee that the application had been driven by a desire to build houses rather than to satisfy a need for housing. The Committee was advised that this was, to a degree, irrelevant, as a development had been proposed that met a housing need.

A member of the Committee, who was Ward Member for Wenhaston with Mells Hamlet, reiterated a point made at the Committee's meeting on 20 December 2018 regarding the refusal of a larger application, which appeared to have been split. He said that the Parish Council deemed this to be riding roughshod over the Development Plan.

There being no further debate, the Acting Chairman moved to the recommendation to approve, which was proposed, seconded and determined by a majority vote as follows:

DETERMINATION:

APPROVE subject to the following conditions and the payment of the RAMS contribution

- 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 constructed in all respects strictly in accordance with drawing 1001, 1002 A, 1003, 1004, 1005, 1006 and 1007 received 19 September 2018, 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: To secure a properly planned development.

- 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 The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it and shall be retained in perpetuity. The scheme shall include:
 - i. the tenure of the affordable housing provision to be made, which shall consist of not less than 4 affordable dwellings;
 - ii. the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing;
 - iii. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

- iv. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: In accordance with Policy DM2 of the Core Strategy to secure the appropriate provision of affordable housing on the site

- 5 No other part of the development hereby permitted shall be occupied until the existing vehicular access has been improved, laid out and completed in all respects in accordance with DM01; and with an entrance width of 4.5 metres. Thereafter the access shall be retained in the specified form.

Reason: In the interests of highway safety to ensure that the layout of the access is properly designed, constructed and provided before the development is commenced.

- 6 Prior to the development hereby permitted being first occupied, the vehicular access onto the highway shall be properly surfaced with a bound material for a minimum distance of five 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 constructed above ground level, 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. 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.

- 8 The use shall not commence until the area(s) within the site shown on Drawing No. 1002 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 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.

- 9 No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation

- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved by the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

- 10 No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved by, the LPA. The RMS must include, but is not limited to:
- details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
 - an explanation, including justification, for the selection of the proposed remediation methodology(ies);
 - proposed remediation objectives and remediation criteria; and
 - proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

The RMS must be prepared by a competent person and conform to current guidance and best practice, including CLR11.

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.

- 11 No operations (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) shall commence on site in connection with the development hereby approved until the branch structure and trunks of all trees shown to be retained and all other trees not indicated as to be removed and their root systems have been protected from any damage during site works, in accordance with a scheme to be submitted to and approved by the Local Planning Authority.

The protective measures, including fencing, shall be undertaken in accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being

fenced off or otherwise protected in the approved scheme.

Reason: This condition is a pre commencement condition to prevent damage to trees during construction

- 12 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development.

All hard landscaping works required by the approved scheme shall be carried out and completed prior to the first occupation of the development hereby permitted. All soft landscaping works required by the approved scheme shall be carried out in accordance with a programme to be agreed before development commences and shall be maintained including the replacement of any trees or plants which die are removed or become seriously damaged or diseased in the next planting season with others of a similar size or species, for a period for five years from the date of the approved scheme was completed.

Reason: This condition is a pre commencement condition in the interests of visual amenity

- 13 No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to, and approved by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

- 14 Prior to any occupation or use of the approved development the RMS approved under condition 8 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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.

- 15 A validation report must be submitted to and approved by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:
- results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;

- evidence that any RMS approved in pursuance of conditions appended to this consent has been carried out competently, effectively and in its entirety; and
- evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

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.

- 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 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.

- 17 Immediately following the implementation of this permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification) no development within the following Classes of Schedule 2 of the Order shall take place.

Part 1

Class A - enlargement, improvement or other alteration to the dwelling

Class B - enlargement consisting of an addition to the roof
Class C - alteration to the roof
Class D - erection of a porch
Class E - provision of any building or enclosure
Class F - any hard surface
Class G - provision of a chimney, flue, soil or vent pipe
Class H - installation, alteration or replacement of an antenna

Part 2

Class A - erection, construction, maintenance or alteration of a gate, fence, wall or other means of enclosure

No development of any of the above classes shall be constructed or placed on any part of the land subject of this permission.

Reason: To ensure adequate planning control over further development having regard to the limitations of the site and neighbouring properties and in the interests of the visual amenities of the site and the area in general.

- 18 No external lighting shall be installed on the site or affixed to any buildings on the site unless the Local Planning Authority has first approved details of the position, height, design and intensity. The lighting shall be installed in accordance with the approved details before the use commences.

Reason: In the interests of visual amenity and biodiversity

The meeting concluded at 5.24pm.