

Unconfirmed



Minutes of a Meeting of the **Strategic Planning Committee** held in the Deben Conference Room, East Suffolk House, Melton, on **Monday, 8 January 2024** at **10.30am**.

Members of the Committee present:

Councillor Paul Ashdown, Councillor Paul Ashton, Councillor Tom Daly, Councillor Mike Deacon, Councillor Julia Ewart, Councillor John Fisher, Councillor Andree Gee, Councillor Katie Graham, Councillor Colin Hedgley, Councillor Mike Ninnmey, Councillor Mark Packard, Councillor Graham Parker, Councillor Malcolm Pitchers, Councillor Sarah Plummer, Councillor Rosie Smithson, Councillor Kay Yule

Other Members present:

Councillor Deborah Dean

Officers present:

Cate Buck (Senior Enforcement Officer), Eloise Limmer (Senior Design and Heritage Officer), Matt Makin (Democratic Services Officer (Regulatory)), Andrea McMillan (Planning Manager (Policy, Delivery and Specialist Services)), Adam Nicholls (Principal Planner (Policy and Delivery)), Agnes Ogundiran (Conservative Political Group Support Officer), Bethany Rance (Senior Planner - Energy Projects), Philip Ridley (Head of Planning and Coastal Management), Katherine Scott (Principal Planner (Development Management, Technical Lead)), Robert Scrimgeour (Principal Design and Heritage Officer), Ben Woolnough (Planning Manager (Development Management, Major Sites and Infrastructure)), Karolien Yperman (Design and Heritage Officer).

Note

The start of the meeting was delayed due to a technical issue, and began at 10.36am.

1 Apologies for Absence and Substitutions

Apologies were received from Councillors Toby Hammond, Debbie McCallum and Geoff Wakeling. Councillor Deborah Dean attended as Councillor McCallum's substitute.

2 Declarations of Interest

No declarations of interest were made.

3a Minutes - October 2023

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

RESOLVED

That the minutes of the meeting held on 2 October 2023 be agreed as a correct record and signed by the Chair.

3b Minutes - November 2023

On the proposition of Councillor Packard, seconded by Councillor Graham, it was by a unanimous vote

RESOLVED

That the minutes of the extraordinary meeting held on 2 November 2023 be agreed as a correct record and signed by the Chair, subject to the following amendment:

Item 1, first paragraph, second line - insert text in bold "[...] Malcolm Pitchers, **Sarah Plummer**, Rosie [...]".

4 Energy Projects Update

The Committee received a presentation on energy projects in East Suffolk from the Cabinet Member with responsibility for Energy and Climate Change.

The Cabinet Member advised there had been several planning policy updates since the last update, including new National Policy Statements (NPS) expected to come into force in early 2024 as part of wider planning reform. The Cabinet Member noted the absence of a new nuclear NPS, and noted government intention to designate a new nuclear NPS with consultation anticipated soon.

The Cabinet Member provided an update on the Offshore Coordination Support Scheme (OCSS): Sea Link, North Falls, and Five Estuaries received grant funding in early December 2023. The OCSS sought to explore potential offshore coordination.

The Cabinet Member provided an update on SeaLink, noting a draft response was submitted during the consultation and followed by a response presented to and approved by Cabinet on 2 January 2024. The Cabinet Member also noted the Council is considering a number of ground investigation Town and Country Planning Act applications.

The Cabinet Member noted the letter sent by the Council to the Secretary of State for Energy Security and Net Zero on 20 October 2023, and that a response had not yet been received.

The Cabinet Member provided an update on Sizewell C, noting the Court of Appeal had recently dismissed a legal challenge and that construction was anticipated to commence in Q1 2024, and discharge of requirements was ongoing. The Cabinet Member also noted several forums were being held soon.

The Cabinet Member provided a high level update on other projects; East Anglia One North, East Anglia Two, East Anglia Three, and LionLink.

The Cabinet Member concluded his presentation by noting that the grant of a DCO was not the end of the planning process, and that a significant amount of work was required afterwards.

The Chair invited questions to the Cabinet Member. When asked on the need to transport water by road from Levington to the main development site, and if there had been any study of the requirements for offshore energy landfall, the Cabinet Member said that water extraction facilities in Levington were in place however the plans to transport water to Sizewell were still pending.

The Cabinet Member added that the Council was in discussions with the applicant regarding the proposed lorry park being moved to the Orwell Bridge site but this had not progressed yet. The Cabinet Member acknowledged there had been a lack of a strategic approach and planning for connecting offshore energy sources to land.

There being no further questions, the Chair thanked the Cabinet Member for his presentation.

5 Planning Policy and Delivery Update

The Committee received report **ES/1806** of the Cabinet Member with responsibility for Planning and Coastal Management, which provided an update on key elements of the current work programme, including the preparation of Supplementary Planning Documents and Neighbourhood Plans, and on housing delivery. Updates, as appropriate, were also included for Specialist Services (Design and Heritage, Arboriculture and Landscape (including Rights of Way) and Ecology) that form part of the Planning Policy and Delivery Team. An update was also provided on the delivery of infrastructure to support growth through the Community Infrastructure Levy (CIL).

The Cabinet Member, introducing the report, noted that one of the Specialist Services teams had been renamed and was now known as the Design and Heritage team (formerly Design and Conservation). The Cabinet Member invited the Planning Manager (Planning, Policy, Delivery and Specialist Services) to comment on the report.

The Planning Manager referred to the update sheet that was circulated prior to the meeting, which had stated that the closing dates for the consultations on the Easton Neighbourhood Plan and the Playford Neighbourhood Plan had been extended to 19 January 2024, following the publication of the revised National Planning Policy Framework (NPPF) in December 2023.

The Planning Manager gave a short presentation on the revised NPPF which had been published following a consultation undertaken between December 2022 and March 2023. The presentation outlined the changes made to the following areas:

- Planning system
- Delivering a sufficient supply of homes
- Affordable housing
- Neighbourhood plans
- Design
- Climate change
- Other topics/chapters

The Chair invited questions to the Cabinet Member. In response to a query regarding if anything negative had arisen from the revision of the NPPF, the Planning Manager, at the Cabinet Member's invitation, explained that some changes would not be immediately relevant to the Council and would have more impact when preparing a Local Plan; the Committee was advised that the changes in relation to housing land supply would need to be taken into consideration the next time the Council's housing land supply is calculated.

In response to a query on the update to the Planning Policy for Travellers Sites, the Planning Manager explained that the definition of a traveller had been updated to include those who had ceased permanently travelling.

In response to a query on the definition of a "beautiful building", the Head of Planning and Coastal Management responded that this was difficult to define; the Cabinet Member added that the Specialist Services team will be concentrating on promoting good design to encourage "beautiful buildings" in the district.

In response to a question on the amendment to paragraph 63 of the NPPF, in respect to retirement housing, housing with care, and care homes, the Planning Manager said that the two Local Plans covering the district had both assessed the needs for this type of accommodation and that appropriate policies had been created as a result.

Regarding the impact of the revised NPPF on planning applications and the Council's Local Plans, the Planning Manager explained that the NPPF was a material consideration for planning decision-making, separate to the relevant Local Plan. The Committee was advised that the current version of the NPPF should be taken into account at the point a decision is made, and that further changes to the NPPF were anticipated in 2024.

Councillor Yule moved the recommendation in the report, which was seconded by Councillor Pitchers, and the Chair invited the Committee to debate the proposal. A member of the Committee highlighted a reluctance of parish councils in his ward to make neighbourhood plans, citing concerns about time, cost, and insufficient weight being given to them in decision-making. The Member queried if there was a tabulation on the time and cost to make existing neighbourhood plans and suggested that the Committee receive an update on neighbourhood plans in the future.

In response, the Cabinet Member outlined an upcoming town and parish forum, on 17 January 2024, and suggested that the Member encourage the parishes in his ward to engage with the event. In respect of the information requested, the Cabinet Member said she would ensure this was provided to the Member outside of the meeting.

In response to concerns raised regarding risk, the Cabinet Member noted this was set out in the report and stated that Council needed to be mindful of development coming in the future and the capacity of its Planning service. The Head of Planning and Coastal Management added that further briefings would be provided to elected members to promote wider discussion and noted that a number of neighbourhood plans had been made, with more in the process of being made.

There being no further debate the Chair proceeded to the vote and it was unanimously

RESOLVED

That the content of the report be noted.

6 Authority Monitoring Report 2022/23

The Committee received report **ES/1807** of the Cabinet Member with responsibility for Planning and Coastal Management, which presented the Authority Monitoring Report (AMR) for the monitoring period 1 April 2022 to 31 March 2023.

The Cabinet Member introduced the report and invited the Principal Planner (Policy and Delivery) to give a presentation on the AMR. The Principal Planner explained that following the production of the 2021/22 AMR there had been a review of the process, concentrating on the presentation of the AMR. For 2022/23, a shorter regulatory report had been produced that met the legislative requirements and in addition a planning delivery dashboard had been created to make the information easier to consume and more accessible.

The presentation covered the following areas:

- A summary of the planning delivery dashboard
- Data on new homes completed in 2022/23
 - 812 new homes - 452 in the Suffolk Coastal Local Plan (SCLP) area and 360 in the Waveney Local Plan (WLP) area
- Data on affordable homes completed in 2022/23
 - 155 affordable homes - 113 in the SCLP area, 42 in the WLP area
- New homes in the pipeline
- Town centre vacancy rates over the past five years
- Retail and town centre survey
- Climate change including coastal erosion, flood risk, renewable energy, and sustainable construction
- Employment development including site allocations

The Principal Planner noted that if approved, the AMR for 2022/23 would be published in mid-January 2024.

The Chair invited questions to the Cabinet Member. A member of the Committee asked for more clarity on the process for measuring town centre vacancies; the Principal Planner, at the Cabinet Member's invitation, explained that this was surveyed annually and provided a snapshot in time. The Principal Planner acknowledged that this therefore did not provide real-time information with a recognition that changes to vacancy rates occur frequently.

Another member of the Committee queried the high rate of town centre vacancies in Bungay; the Principal Planner said there was no one reason for this and a variety of national and local factors contributed to the rate.

In response to a question on the measurement of carbon dioxide reductions, the Principal Planner explained that this was measured against a baseline set by policy.

Councillor Yule moved the recommendations in the report, which were seconded by Councillor Deacon, and the Chair invited the Committee to debate the proposals. Members of the committee welcomed the report and the usability of the digital dashboard; one Member said he believed making this information publicly available was effective.

There being no further debate the Chair proceeded to the vote and it was unanimously

RESOLVED

1. That the Council publishes the East Suffolk Authority Monitoring Report covering the period 1 April 2022 to 31 March 2023.
2. That the Head of Planning and Coastal Management Service, in consultation with the Cabinet Member with responsibility for Planning and Coastal Management, be given delegated authority to make any necessary minor typographical or presentational changes to the documents prior to formally publishing them.

7 Southwold and Walberswick - adoption of conservation areas and conservation area appraisals

The Committee received report **ES/1808** of the Cabinet Member with responsibility for Planning and Coastal Management, which sought to designate extensions to the Southwold Conservation Area and adopt a 2024 Conservation Area Appraisal and Management Plan, and to designate an extension to the existing Walberswick Conservation Area and adopt a 2024 Supplement to the existing 2013 Walberswick Conservation Area appraisal.

The Cabinet Member introduced the report and invited officers from the Design and Heritage team to address the Committee. The Principal Design and Heritage Officer advised that he would comment on the Walberswick matters and that the Senior Design and Heritage Officer would comment on the Southwold matters.

The Senior Design and Heritage Officer explained that there was a legislative requirement to review conservation areas; the Southwold Conservation Area was described as one of the biggest in the district and the Committee was advised it had

not been reviewed for 15 years. The Senior Design and Heritage Officer noted that eight extensions to the Conservation Area, outlined at Appendix A to the report, were proposed and were mostly small in nature.

The Committee was informed that it was important to note that the area previously designated as the Southwold Harbour and Walberswick Quay Conservation Area had been incorporated into the two conservation areas being considered by the report, with the Southwold Harbour being included in the Southwold Conservation Area and Walberswick Quay included in the Walberswick Conservation Area.

The Principal Design and Heritage Officer highlighted the key points of the Walberswick Conservation Area Appraisal, noting the inclusion of Walberswick Quay and that the Conservation Area crossed the parish boundary.

The Cabinet Member commented that the documents were significant and had been a delight to read; she advised that she had consulted the ward member for the area, who was also happy with what had been produced.

There being no questions, Councillor Yule moved the recommendations in the report, which were seconded by Councillor Gee, and the Chair invited the Committee to debate the proposals. A member of the Committee commented on the comprehensive and interesting nature of the documents and looked forward to conservation areas in his own ward being reviewed.

There being no further debate the Chair proceeded to the vote and it was unanimously

RESOLVED

1. That the extension of the Southwold Conservation Area as shown in the maps attached at Appendix A and including those properties and land included in the schedule attached at Appendix C be agreed. This will include amalgamation of part of the existing Southwold Harbour and Walberswick Quay Conservation Area, which will then cease to exist.
2. That the extension of the Walberswick Conservation Area as shown in the maps attached at Appendix B and including those properties and land included in the schedule attached at Appendix D be agreed. This will include amalgamation of the part of the existing Southwold Harbour and Walberswick Quay Conservation Area, which will then cease to exist.
3. That the adoption of the 2024 Southwold Conservation Area Appraisal (January 2024) included at Appendix F be agreed.
4. That the adoption of the 2024 Supplement to the existing 2013 Walberswick Conservation Area Appraisal included at Appendix E be agreed.
5. That the Head of Planning and Coastal Management, in consultation with the Cabinet Member with responsibility for Planning and Coastal Management, be authorised to make any presentational or typographical amendments to either the Southwold Conservation Area Appraisal and Management Plan or the Walberswick Conservation Area Appraisal and Management Plan Supplement prior to them being published.
6. That it be agreed that the designation date of the proposed Conservation Areas' designation and extension will be Friday, January 12th, 2024 to allow time –

without prejudging the committee's decisions – to publish all necessary statutory notices and advertising, and to write to all affected owners/occupiers.

8 Making of new Article 4 directions for the North Lowestoft and South Lowestoft/Kirkley Conservation Areas

The Committee received report **ES/1809** of the Cabinet Member with responsibility for Planning and Coastal Management, which sought agreement to make new Article 4 directions in the North Lowestoft Conservation Area and the South Lowestoft/Kirkley Conservation Area covering reduced areas, which would replace the existing Article 4 directions.

The Cabinet Member introduced the report and invited the Design and Heritage Officer to address the Committee. The Design and Heritage Officer explained that Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO) allowed local planning authorities to make directions restricting permitted development rights (pdrs) within a conservation area, meaning that development normally allowed under pdrs would require planning permission.

The Committee was advised that the current Article 4 directions in place for the North Lowestoft Conservation Area and the South Lowestoft/Kirkley Conservation Area required updating to be brought in line with the GPDO and policy guidance in the NPPF.

The Design and Heritage Officer advised that the proposed Article 4 directions would reduce the area covered; some addresses covered by the existing Article 4 directions were mixed use and therefore the directions were redundant. The Committee was informed that the new Article 4 directions would not add any additional restrictions to addresses covered by the existing directions. The Design and Heritage Officer noted that those areas being removed would still be subject to other restrictions on pdrs in a conservation area.

The Chair invited questions to the Cabinet Member. A member of the Committee queried if it was correct that there were no Article 4 directions in place in the Suffolk Coastal Local Plan (SCLP) area. The Head of Planning and Coastal Management, at the Cabinet Member's invitation, confirmed this was correct and would need to be reviewed. The Principal Design and Heritage Officer added that a pilot project would review this as part of balancing the former dual approach to the SCLP and Waveney Local Plan (WLP) areas.

It was confirmed that planning fees for applications where Article 4 directions applied were subject to the same national fee policy as other planning applications.

Councillor Yule moved the recommendations in the report, which were seconded by Councillor Pitchers, and the Chair invited the Committee to debate the proposals. A member of the Committee, who was ward member for Kirkley and Pakefield, stated he fully supported the proposals.

There being no further debate the Chair proceeded to the vote and it was unanimously

RESOLVED

1. That the making of new Article 4 directions in the North Lowestoft Conservation Area and the South Lowestoft/Kirkley Conservation Area, covering the reduced areas shown on the maps attached at Appendix A and including those properties and land included in the schedule attached at Appendix D and E, be agreed.
2. That it be agreed that the statutory public consultation period is to start on January 22nd 2024, to collect public representations including from members of the public affected by the proposed changes.
3. That it be agreed that following the statutory public consultation period, the new Article 4 directions will be presented to the Strategic Planning Committee at its meeting on 8 April 2024 to consider their confirmation on 15 April 2024.
4. That the Head of Planning and Coastal Management, in consultation with the Cabinet Member with responsibility for Planning and Coastal Management, be authorised to make any presentational or typographical amendments to the Article 4 directions and accompanying maps, prior to the public consultation period.

NOTE: following the conclusion of this item the Chair adjourned the meeting at 12.31pm for a short break. The meeting was reconvened at 12.37pm.

9 Planning Performance Report – July to September 2023

The Committee received report **ES/1810** of the Cabinet Member with responsibility for Planning and Coastal Management, which provided an update on the planning performance of the Development Management Team in terms of the timescales for determining planning applications.

There being no questions, Councillor Yule moved the recommendation in the report, which was seconded by Councillor Packard. The Chair invited the Committee to debate the proposals. Members thanked the officers for their hard work.

There being no further debate the Chair proceeded to the vote and it was unanimously

RESOLVED

That the content of the report be noted.

10 Appeals Performance Report – 12 September 2023 to 7 December 2023

The Committee received report **ES/1811** of the Cabinet Member with responsibility for Planning and Coastal Management, which provided an update on the planning performance of the Development Management Team in terms of the quality and quantity of appeal decisions received from the Planning Inspectorate following refusal of planning permission by the Council.

The Chair invited questions to the Cabinet Member. A member of the Committee noted the appeal decision in respect of application DC/20/3326/OUT (Land at Victoria Mill Road, Framlingham) which had been dismissed, and asked what was the status of a similar application in respect of this site. The Head of Planning and Coastal Management, at the Cabinet Member's invitation, confirmed that a second application

for 35 dwellings on the site had been approved by Planning Committee South prior to DC/20/3326/OUT being heard at appeal.

Councillor Yule moved the recommendation in the report, which was seconded by Councillor Gee, and the Chair invited the Committee to debate the proposal. Several members of the Committee commented on the hard work of the officers on the defence of decisions taken to appeal.

A member of the Committee referred to an appeal he had attended, related to an application in his ward, where he had observed just how much work goes in to defending an appeal; he said that Members should bear this in mind when determining planning applications.

There being no further debate the Chair proceeded to the vote and it was unanimously

RESOLVED

That the content of the report is noted.

11 Enforcement Performance Report - July to September 2023

The Committee received report **ES/1812** of the Cabinet Member with responsibility for Planning and Coastal Management, which provided information on the performance of the enforcement section of the Development Management Team.

The Cabinet Member introduced the report and commented on the excellent work of officers in respect of planning enforcement. The Cabinet Member invited the Senior Enforcement Officer to make a presentation to the Committee regarding proposed changes being introduced by the Levelling Up and Regeneration Act 2023 (the Act).

The presentation from the Senior Enforcement Officer covered the 10 key changes introduced by the Act which would impact on planning enforcement:

- Temporary Stop Notices in relation to Listed Buildings
- Development Commencement Notices
- Completion Notices
- Time limits for enforcement
- Duration of temporary stop notices
- Enforcement warning notices
- Restrictions on appeals against enforcement notices
- Undue delays in appeals
- Penalties for non-compliance
- Power to provide relief from enforcement of planning conditions

The Chair invited questions to the Cabinet Member. A member of the Committee referred to the changes being introduced by the Act and asked if these were intended to prevent development granted planning permission not being delivered. The Senior Enforcement Officer, at the Cabinet Member's invitation, advised that the changes in respect of development commencement notices and completion notices would in theory assist with this, but that further detail on implementation was required.

In response to a query on the reason for introducing time limits for enforcement, the Senior Enforcement Officer reiterated that further guidance on implementation was needed.

There being no further debate the Chair proceeded to the vote and it was unanimously

RESOLVED

That the content of the report be noted.

12 Major Sites Update

The Committee received an update from the Cabinet Member with responsibility for Planning and Coastal Management on major development sites. Councillor Yule invited the Planning Manager (Development Management, Major Sites and Infrastructure) to give a presentation to the Committee, which focused on two major sites - Woods Meadow, Oulton, and Brightwell Lakes.

The presentation covered the following key points:

- Woods Meadow, Oulton:
 - Mixed-use development of approximately 800 houses, neighbourhood shopping centre, community hall, primary school, play areas and country park
 - 556 completed dwellings and 500 occupations achieved to date
 - Details of the development phases still needing full planning permission
 - Details of the areas of infrastructure delivery
 - An identified breach of planning conditions highlighted by planning application DC/23/2826/ARM - lack of delivery of a section of spine road and footway at trigger points
 - Provision of the community centre and medical centre; issues with the developer intending to market the land for sale whilst the Council was of the view that land for a medical centre should be at no cost
- Brightwell Lakes:
 - Outline of a Member and Officer site visit undertaken in December 2023
 - Completion of the A12 access to the site
 - The phased development plan for 2024 to 2028
 - Images of completed show homes, ongoing construction, and ongoing road development

The Planning Manager highlighted that conversations had been held with the developer at Woods Meadow regarding the marketing of the land for sale to develop the medical centre and that officers had been firm that this should not happen, and had sought a commitment from the developer to bring the land forward within the next month.

The Chair invited questions to the Cabinet Member and the Planning Manager. A member of the Committee sought further information on the provision of a community centre at Woods Meadow, and the development of a garden village near Corton. The Planning Manager said it was his understanding that the land for the community centre was being transferred to the Council and that the assets team would be developing a project to deliver a community centre on the site; he added that there was index-linked Section 106 funding available for this.

In respect of the North of Lowestoft Garden Neighbourhood, the Planning Manager said that the master planning stage was ongoing and an initial planning application had been expected in early 2024, however work was currently focusing on mitigation of odour from the nearby sewage treatment plant.

In response to a supplementary question about the North of Lowestoft Garden Neighbourhood, on how it would interact with the adjacent development of a new site for the local rugby club, the Planning Manager said that development opportunities had been discussed with the rugby club but this was a matter between the club and Suffolk County Council as the landowner.

There being no further questions, the Chair thanked the Cabinet Member and the Planning Manager for the presentation.

The meeting concluded at 1.22pm.

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Chair