

Confirmed



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room,
Riverside, on **Tuesday, 14 November 2023** at **2:00 PM**

Members of the Sub-Committee present:

Councillor Paul Ashdown, Councillor Paul Ashton, Councillor Julia Ewart, Councillor Andree Gee, Councillor Toby Hammond, Councillor Graham Parker, Councillor Malcolm Pitchers, Councillor Sarah Plummer, Councillor Geoff Wakeling

Other Members present:

Councillor Peter Byatt, Councillor Alan Green

Officers present: Jamie Behling (Assistant Planner), Joe Blackmore (Principal Planner (Development Management, North Area Lead)), Katy Cassidy (Democratic Services Officer), Matthew Gee (Senior Planner), Grant Heal (Planner), Matt Makin (Democratic Services Officer (Regulatory)), Andrew Martin (Principal Planner (Major Sites)), Steve Milligan (Senior Planner), Agnes Ogundiran (Conservative Political Group Support Officer), Alli Stone (Democratic Services Officer), Ben Woolnough (Planning Manager (Development Management, Major Sites and Infrastructure))

1 Apologies for Absence and Substitutions

There were no apologies for absence received.

2 Declarations of Interest

Councillor Parker declared an Other-Registerable interest in items 6 and 7 of the agenda as he was a member of the Lowestoft Town Council.

Councillor Pitchers declared a Non-Registerable Interest in item 10 of the agenda as the application was located within his ward.

Councillor Ashton declared a Non-Registerable Interest for item 9 as he was the Vice-Chair of Southwold Harbour Committee. He also declared Non-Registerable interests in items 10 and 11 of the agenda as his Cabinet portfolio included responsibility for Council's non-housing assets.

Councillor Hammond declared a Non-Pecuniary Interest in items 5 and 6 of the agenda as he was the Cabinet member for Economic Development.

Councillor Ashdown declared a Non-Pecuniary Interest in items 5 and 6 of the agenda as he was a member of the Lowestoft Place Board.

3 Declarations of Lobbying and Responses to Lobbying

There were no declarations of lobbying received.

4a Minutes - September 2023

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

RESOLVED

That the minutes of the meeting held on 12 September 2023 be agreed as a correct record and signed by the Chair.

4b Minutes - October 2023

On the proposition of Councillor Parker, seconded by Councillor Gee, it was by a unanimous vote

RESOLVED

That the minutes of the meeting held on 10 October 2023 be agreed as a correct record and signed by the Chair.

5 East Suffolk Enforcement Action - Case Update

The Committee received report ES/1726 of the Head of Planning and Coastal Management, which provided a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 26 October 2023. At that time there were 19 such cases.

The Chair invited the Enforcement Planner to comment on the report, who advised that there were no updates from the published report.

There being no further updates from the Enforcement Planner, the Chair invited questions from Members.

There being no questions or comments, on the proposition of Councillor Ashdown, seconded by Councillor Ashton it was by a unanimous vote

RESOLVED

That the outstanding enforcement matters up to 26 October 2023 be noted.

6 DC/23/2049/FUL - Former Town Hall, High Street, Lowestoft, NR32 1HU

The Chair advised the Committee that agenda items 6 and 7 were associated applications and would be presented jointly.

The Committee received report **ES/1729** of the Head of Planning and Coastal Management which related to planning application DC/23/2049/FUL. The application sought full planning permission for the alteration, extension and change of use of the Former Town Hall, a Grade II listed building, to form a heritage hub, café, gallery, community event space, Town Council office, and registrar offices.

The Committee received report ES/1730 of the Head of Planning and Coastal Management, which was for the associated listed building consent DC/23/2050/LBC. The listed building consent was sought for works of alteration and extension of the former Town Hall, a Grade II listed building, as part of proposals to form a heritage hub, café, gallery, community event space, Town Council office, and registrar offices.

Both applications were before the Committee for determination at the request of the Head of Planning and Coastal Management as it was considered to be significant due to the Council's previous ownership of the site and the importance of the project for the town of Lowestoft.

The Committee received a presentation from the Principal Planner, who was the case officer for these applications. The site's location plan was outlined, and an aerial photograph of the site was displayed. The Principal Planner noted the denser development at the east of the property on the High Street and the surrounding residential areas to the north, west and south. Immediately to the west of the property was unoccupied land which the Principal Planner outlined was owned by the Council and was formerly occupied as offices.

As the application was for both full planning permission and listed building consent, the Principal Planner noted that it was important to set out the heritage context of the site. A map was shown to the Committee which displayed the location of the former town hall, Grade II listed building, and its relationship to the conservation area. The Principal Planner pointed out that part of the site was within the conservation area and some of the new build elements and extensions were outside of the conservation area and adjacent to it.

The Principal Planner reiterated the linkage of the two items and the committee was shown slides which outlined the proposed developments to be carried out under planning permission consent along with the proposed listed building works. It was pointed out that due to the building being in a conservation area setting, some of the external alterations in their own right would require planning permission.

The Committee was shown a variety of external photographs of the site demonstrating its context within the North Lowestoft Heritage Action Zone. Internal photographs

were then displayed, highlighting the features which would be retained and the architectural detail. The Principal Planner advised the Committee how the internal space reconfiguration would provide enhanced function and improved accessibility. Existing and proposed elevations of the development were displayed.

The material considerations and key issues were summarised as the principle of development, heritage, design, amenity, highways, ecology, contamination, UXO and archaeology. The recommendation to approve both applications was outlined to the Committee.

The Chair invited questions to the officers. In response to Councillor Pitchers question the Senior Planner confirmed that there was a discrepancy from Historic England referring to two public houses in the application. This had been noted by the Officer and the application just refers to the New Market Inn.

Councillor Ewart asked the Principal Planner to revisit the wall on Mariners Street. Given the location of the wall and the long flat elevation design with one window, she had concerns that this could be subject to graffiti and questioned whether consideration would be given to the installation of posters/billboards for advertising. Councillor Ewart felt this would offer more to the design and also prevent recurring applications for advertising. In response the Principal Planner confirmed that careful consideration had been given during both the pre application and planning application and it was noted that putting advertisements there would benefit the site, but consideration would need to be given as to their own heritage impacts, adding that the area discussed was not a principal frontage but a secondary one. Councillor Ewart questioned how the building would be identified without signage. The Principal Planner confirmed that there would be a dramatic improvement to the whole street scene which would draw people into the main building, highlighting also that the wall on Mariners Street would act as a screen from the courtyard/events hall and therefore have a public realm advantage. The Planning Development Manager added that the area to the rear of the site belonged to East Suffolk and there had already been discussions regarding the best long-term solution for this area, i.e. development or public realm. The Planning Development Manager envisaged that there would be a future opportunity for listed building advertisement consent or application for signage. Councillor Ewart confirmed, therefore, that the Principal Planner and the Planning Manager had the understanding of what needed to happen.

Following no further questions from the Committee, the Chair invited the representative from Lowestoft Town Council, Sarah Foote, to speak.

Sarah Foote thanked the officers for the work to date particularly the Principal Planner and the Planning Manager, recognising the considerable public engagement, design and market analysis that had occurred behind the scenes. Sarah Foote reported that Lowestoft Town Council were very excited for the developments, which she felt would result in an outstanding community facility bringing forward social and economic benefit. Sarah Foote confirmed that throughout, all on the Town Council had considered sustainability and the environment and ensured that all designs have taken on board the heritage requirements.

Sarah Foote, in response to a question from Cllr Hammond, confirmed that following

numerous consultations the overwhelming response was the desire to have a Council presence return to the town. She felt that the restored town hall would increase footfall to the area and the presence of the registrars at the town hall would create a unique facility for the area.

Councillor Gee was delighted that there would be a registry office in the Council Chambers in the Town Hall.

The Chair commented on the exciting work being carried out, adding that they were all very much looking forward to seeing the outcome.

The Chair invited the Committee to debate the application that was before it. Councillor Pitchers said that he remembered the building very well, having had 16 years as a Councillor there, he was looking forward to seeing the changes. Councillor Pitchers proposed that the application be approved as set out in the recommendation. Councillor Ashton commented on the quality of the application and thanked the Planning Officer and Planning Manager for their work, Councillor Ashton seconded the proposal. Councillor Ashdown fully supported the application, commenting that he was a Councillor who had used these buildings for many years and it was nice to see them being brought back to their appropriate use. Councillor Ewart asked for context as to when the planning started and how this came into play. The Principal Planner confirmed that the pre-application site meeting was Summer 2022 and there had been considerable collaborative work since. In response to a question from the Chair regarding timescales for work to start, should the application be successful, the Principal Planner confirmed that all of the conditions had been shared with the design team to allow preparatory work to be planned.

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

RESOLVED

Planning permission be approved, subject to conditions.

Conditions

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

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

2. The development hereby permitted shall not be carried out other than in complete accordance with the following drawings:

- 194_HAT_PL_P01 Rev. PL (Location Plan and Block Plan)
- 194_HAT_PL_P10 Rev. B (Proposed Ground Floor Plan)
- 194_HAT_PL_P11 Rev. A (Proposed First Floor Plan)
- 194_HAT_PL_P12 Rev. A (Proposed Second Floor Plan)
- 194_HAT_PL_P13 Rev. A (Proposed Roof Plan)
- 194_HAT_PL_P14 Rev. PL (Proposed Landscape Plan)

- 194_HAT_PL_P15 Rev. A (Proposed North and South Elevations)
- 194_HAT_PL_P16 Rev. A (Proposed East and West Elevations)
- 194_HAT_PL_P17 Rev. PL (Proposed Sections A and B)
- 194_HAT_PL_P18 Rev. PL (Proposed Sections C, D, and E)
- 194_HAT_PL_P19 Rev. PL (Proposed Treatment of Existing Windows)
- 5170-MOM-XX-XX-DR-C-62000 Rev. P03 (Proposed Drainage Layout)
- J7182-MXF-ZZ-01-DR-M-20100 Rev. P3 (Ventilation Level 01 Layout)

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

3. A Demolition and Construction Management Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. The strategy shall include access and parking arrangements for contractors vehicles and delivery vehicles (locations and times) and a methodology for avoiding soil from the site tracking onto the highway together with a strategy for remedy of this should it occur. The development shall only take place in accordance with the approved strategy.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase. This is a pre-commencement condition because an approved Management Strategy must be in place at the outset of the development.

4. No development shall commence until a full specification of all external materials to be used in the approved extensions and alterations, including rainwater goods, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in full accordance with the approved details.

Reason: This is a pre-commencement condition to ensure that the development does not harm the architectural and/or historic character of the existing building.

5. Prior to development above slab level, a sample of the proposed Canadian slate shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in full accordance with the approval sample and thereafter permanently retained as such.

Reason: To ensure that the development does not harm the architectural and/or historic character of the existing building.

6. Prior to development above slab level, details of both hard and soft landscaping works have been submitted to and approved in writing by the local planning authority. These details shall include:

- Means of enclosure and retaining structures;
- Boundary treatments;
- Hard surfacing materials;
- Minor artefacts and structures (e.g. furniture, railings, refuse or storage units, etc.)
- Water features;

- Planting plans;
- Written specification, including cultivation and other operations associated with plant and grass establishment;
- Schedule of plants noting species, plant supply sizes and proposed numbers/densities where appropriate;
- An implementation programme.

The landscaping works shall be carried out in accordance with the approved details before any part of the development is brought into use in accordance with the agreed implementation programme.

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

7. Prior to the installation of any photovoltaic panels, full details of the photovoltaic panels, including size, final positions, and method of fixing, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in full accordance with the approved details.

Reason: To ensure that the development does not harm the architectural and/or historic character of the existing building.

8. Prior to the installation of the external awnings, manufacturers details for the proposed Markisolette external awnings shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in full accordance with the approved details.

Reason: To ensure that the development does not harm the architectural and/or historic character of the existing building.

9. The infill brickwork to existing external openings shall match the existing, adjacent brickwork in size, colour, face, coursing, and bonding.

Reason: To ensure that the development does not harm the architectural and/or historic character of the existing building.

10. The recommendations and mitigation measures outlined within the Detailed Unexploded Ordnance (UXO) Threat & Risk Assessment, prepared by 6 Alpha Associated Ltd and dated 18 April 2023, shall be undertaken in full alongside the implementation of any other necessary mitigation required under Government guidance.

If, at any time during development, high risk UXO not previously identified in the aforementioned report is encountered/found to be present on the site, no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a revised and/or additional UXO risk management and mitigation programme/plan is submitted and approved detailing how the high risk UXO not previously identified shall be dealt with. The revised and/or additional UXO risk management and mitigation programme/plan shall be implemented as approved and, following the completion of the mitigation, a completion verification report confirming

that all risks to (including the possible evacuation of) existing and proposed premises have been satisfactorily mitigated shall be submitted in writing to the local planning authority for approval.

Reason: To ensure that the risks from site wide unexploded ordnance to future users of the land and existing neighbouring land are eliminated and or minimised, so that the development can take place without unacceptable risk to workers, residents and neighbours.

11. The development shall be carried out in full accordance with the approved Noise Impact Assessment, prepared by Max Fordham LLP and dated 26 April 2023.

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

12. The development shall be carried out in full accordance with the approved Kitchen Ventilation Odour Control document, prepared by Max Fordham LLP and dated 18 May 2023.

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

13. The premises shall only be open to the public between 07:00 and 00:00 Monday to Friday; between 07:00 and 00:00 on Saturdays; and between 08:00 and 23:00 on Sundays and Bank Holidays. The premises shall be closed to the public at all other times.

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

14. The development must be undertaken in full accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Assessment (Abrehart Ecology, October 2022, Revision 1) and Bat Roost Characterisation and Mitigation Report (Abrehart Ecology, September 2023, Revision 1) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

15. No removal of hedgerows, trees or shrubs, brambles, ivy and other climbing plants or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that nesting birds are protected.

16. The development shall be carried out in full accordance with the approved Ground Investigation Report, prepared by Listers Geotechnical Consultants Ltd.

If, during development, contamination not previously identified is found to be present, then no further development shall be carried out until a remediation scheme, detailed how the contamination shall be dealt with, has been submitted to and approved in writing by the local planning authority. Only when evidence is provided to confirm the contamination no longer presents an unacceptable risk, can development continue.

Reason: In the interests of public health and to avoid pollution of the water environment.

7 DC/23/2050/LBC - Former Town Hall, High Street, Lowestoft, NR32 1HU

The Committee received report **ES/1729** of the Head of Planning and Coastal Management which related to planning application DC/23/2049/FUL. The application sought full planning permission for the alteration, extension and change of use of the Former Town Hall, a Grade II listed building, to form a heritage hub, café, gallery, community event space, Town Council office, and registrar offices.

The Committee received report **ES/1730** of the Head of Planning and Coastal Management, which was for the associated listed building consent DC/23/2050/LBC. The listed building consent was sought for works of alteration and extension of the former Town Hall, a Grade II listed building, as part of proposals to form a heritage hub, café, gallery, community event space, Town Council office, and registrar offices.

Both applications were before the Committee for determination at the request of the Head of Planning and Coastal Management as it was considered to be significant due to the Council's previous ownership of the site and the importance of the project for the town of Lowestoft.

The Chair advised the Committee that agenda items 6 and 7 were associated applications and would be presented jointly. The minute from the presentation was recorded under item 6 of the agenda.

The Chair invited questions and comments to Sarah Foote, Lowestoft Town Council regarding the listed building consent.

The Chair invited questions and comments to members regarding the listed building consent.

There being no questions or comments, the Chair invited the Committee to debate the application that was before it.

Councillor Ashdown felt that the listed building consent should be approved and proposed that it was accepted. Councillor Hammond concurred with Councillor Ashdown's comments and seconded the proposal.

Councillor Pitchers agreed, commenting that he was looking forward to seeing the finished project, particularly the difference to the inside.

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

RESOLVED

Listed building consent be granted, subject to conditions.

Conditions

1. The development hereby consented 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 18 of the Act (as amended).

2. The development hereby permitted shall not be carried out other than in complete accordance with the following drawings:

- 194_HAT_PL_P01 Rev. PL (Location Plan and Block Plan)
- 194_HAT_PL_P10 Rev. B (Proposed Ground Floor Plan)
- 194_HAT_PL_P11 Rev. A (Proposed First Floor Plan)
- 194_HAT_PL_P12 Rev. A (Proposed Second Floor Plan)
- 194_HAT_PL_P13 Rev. A (Proposed Roof Plan)
- 194_HAT_PL_P14 Rev. PL (Proposed Landscape Plan)
- 194_HAT_PL_P15 Rev. A (Proposed North and South Elevations)
- 194_HAT_PL_P16 Rev. A (Proposed East and West Elevations)
- 194_HAT_PL_P17 Rev. PL (Proposed Sections A and B)
- 194_HAT_PL_P18 Rev. PL (Proposed Sections C, D, and E)
- 194_HAT_PL_P19 Rev. PL (Proposed Treatment of Existing Windows)
- 194_HAT_PL_P20 Rev. PL (Council Chamber Service Penetrations)
- 5170-MOM-XX-XX-DR-C-62000 Rev. P03 (Proposed Drainage Layout)
- J7182-MXF-ZZ-01-DR-M-20100 Rev. P3 (Ventilation Level 01 Layout)

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

3. No development or works shall commence until a comprehensive schedule of all external repairs to the building have been submitted to and approved in writing by the local planning authority. The repairs shall be carried out in full accordance with the approved details and any amendments to the approved schedule must first be agreed in writing with the local planning authority before that work takes place.

Reason: This is a pre-commencement condition in the interests of the conservation of the historic structure and fabric of the building.

4. No development or works shall commence until a conservation strategy for retained key features (including the decorative encaustic floor tiling to entrance areas; radiator screens to the Council Chamber; entrance staircase and stairhall) has been submitted to and approved in writing by the local planning authority. The works shall be carried out in full accordance with the approved details.

Reason: This is a pre-commencement condition in the interests of the conservation of

the historic structure and fabric of the building.

5. Prior to the commencement of any development or works, email confirmation of the deposition of the Statement of Significance (Alan Baxter Ltd, 2019), and all of the as-existing plans and elevations, to the Suffolk Historic Environment Record (HER), shall be submitted to the local planning authority.

Reason: This is a pre-commencement condition to ensure the proper recording of the historic building.

6. Prior to the replacement of any windows, details of the replacement windows, showing the appearance, materials, glazing type, ironmongery, and finish, shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in full accordance with the approved details.

Reason: In the interests of the conservation of the historic structure and fabric of the building.

7. Prior to the restoration of any stained glass windows, a detailed restoration strategy for the stained glass windows and associated secondary glazing shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in full accordance with the approved details.

Reason: In the interests of the conservation of the historic structure and fabric of the building.

8. Prior to the installation of any new internal doors, representative new internal door details, showing the appearance, materials, ironmongery, and finish, shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in full accordance with the approved details.

Reason: In the interests of the conservation of the historic structure and fabric of the building.

9. Prior to the installation of any banner signage, representative details of the banner signage, including method of fixing, shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in full accordance with the approved details.

Reason: In the interests of the conservation of the historic structure and fabric of the building.

10. Prior to the commencement of any works within the Council Chamber, a detailed design for the proposed high-level ventilation nozzles within the Council Chamber shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in full accordance with the approved details.

Reason: In the interests of the conservation of the historic structure and fabric of the building.

The Committee received report **ES/1731** of the Head of Planning and Coastal Management, which related to planning application DC/22/4746/FUL. The application sought planning permission for the erection of a two bedroom, one and a half storey dwelling on a site to the rear of 35 King Georges Avenue, Leiston.

The site was subject of outline permission for the erection of one single storey dwelling in 2020 under DC/20/3958/OUT. Access was agreed under DC/20/3958/OUT and was via an unmade track which served an area of allotments.

The application was before the Committee for determination at the request of the Head of Planning and Coastal Management because of the backland location of the plot and objection to use of the access by the Town Council.

The Committee received a presentation from the Senior Planner, who was the case officer for the application. The site's location plan was outlined and an aerial photograph of the site was displayed. The Senior Planner noted that the property was accessed off an unmade track that served an allotment area to the rear of the properties in King Georges Avenue. The access track was owned by Leiston Town Council and the Senior Planner advised that the correct notices had been served.

The Senior Planner informed the Committee that the application followed on from one previously submitted in 2020, which had since expired. The Senior Planner advised that there hadn't been any changes in circumstances in respect of policy considerations or the ground in the surrounding area and therefore the Committee were considering an alternative application to that previously submitted.

The Committee was shown, for noting, a street scene from the original application and that of the current application. The Senior Planner highlighted that the orientation had improved to facilitate parking and a southerly facing private garden. The Committee was notified that an amendment to the plan had been received the day before, this amendment changed the parking to two parallel spaces and was in response to a concern regarding vehicles accessing the parking spaces. The Senior Planner felt that this was satisfactory as it would facilitate the turning of vehicles in the track and the level of vehicles using the track to the adjacent allotments was not believed to be significant.

The Senior Planner notified the Committee that a tree was proposed to be removed as part of the plan and in its place, birch and ornamental plum trees were suggested as replacements. These were deemed suitable trees to put close to a dwelling.

The material considerations and key issues were summarised as being impact on neighbours, impact upon street scene and access. The recommendation to delegate authority to the Head of Planning and Coastal Management to approve the application was outlined to the Committee.

The Chair invited questions to the Officers. In response to a question from Councillor Ashdown regarding consultation of the Town Council, the Senior Planner responded

that there had been no further comments and they were aware of the application being presented at Committee. Councillor Ewart sought clarification on the part of the Town Council and whether they had all of the information required. Furthermore Councillor Ewart questioned if the Town Council was happy with a 1 story and not a 1.5 storey dwelling. The Senior Planner confirmed that the Town Council objected to the principle of a dwelling and objected to the original application, this had been reiterated with the current application. Councillor Ewart quoted the concerns from the Ward Councillor, specifically the draining concerns. The Senior Planner confirmed that the drainage recommendation had been included in the current conditions.

Councillor Gee stated that it was clear from the report that the Town Council were totally against the application, and therefore they should have been consulted again for their current views. In reply, the Planning Development Manager stated that the report gave a response with good judgement to the original consultation and had addressed their concerns, adding that the minor changes that were incorporated would not necessarily warrant a full consultation to inform the decision. The Senior Planner had also taken into account the previously approved planning permission and this was a material consideration to judge the proposal against. The Planning Development Manager stated that overall they were satisfied that the level of engagement with the Town Council was sufficient.

Councillor Gee questioned could planning permission be granted and then access be refused from the Town Council. The Planning Development Manager confirmed that was possible, and although he couldn't say whether the Town Council had the right to refuse access, there was a land ownership issue. He added that they had been served notice and it would be an issue for the developers.

In response to a request from Councillor Ewart, the photograph showing the allotments was displayed. Councillor Ewart's observation was that this was a shared space, used by locals and she noted that with the proposed development being 1.5 storey, people using the allotment would be viewed more than they were currently.

There being no further questions, the Chair invited the Committee to debate the application that was before it. Councillor Ashdown said this site already had planning permission granted and the change from 1 to 1.5 storey but with a change of orientation would not make a significant difference. Therefore, in those circumstances Councillor Ashdown was happy to recommend approval and proposed that it was accepted.

Councillor Pitcher agreed stating the building already had planning permission granted and if it was turned down there would be a costly appeal. The only changes were the orientation and an extra half a storey, as there were no real differences Councillor Pitcher was happy to second it.

Councillor Ewart raised a concern that there was no representation from the town and as a Committee, decisions would be made without them being present.

The Chair commented that they were given the opportunity to participate and the item was on the agenda. The Planning Development Manager confirmed that all Planning

Committee dates and agendas were published and that all Town and Parish clerks were notified.

There being no further debate the Chair moved to a vote and it was by a majority

RESOLVED

Approve, subject to controlling conditions.

Conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans/reports:

- Drg No: 2240 PP10 received 02.12.2023

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

3. The use shall not commence until the area(s) within the site shown on drawing no. PP 10 for the purposes of loading, unloading, manoeuvring and parking of vehicles has been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking (2019) where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

4. Before the development is first occupied, details of the areas to be provided for the secure, covered and lit cycle storage including electric assisted cycles shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking (2019).

5. Prior to the development hereby permitted being first occupied, the existing onto the highway shall be properly surfaced with a bound material for a minimum distance of 10 metres measured from the nearside edge of the metalled carriageway, in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure construction of a satisfactory access and to avoid unacceptable safety risks arising from materials deposited on the highway from the development.

6. Before the development is commenced, details shall be submitted to and

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

Reason: To prevent hazards caused by flowing water or ice on the highway.

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

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking or re-enacting the said Order, no development of any kind specified in Parts 1 & 2 of Schedule 2 of the said Order shall be carried out unless otherwise agreed in writing with the local planning authority. (Parts 1 & 2, refer to external alterations and extensions, hard surfacing, means of enclosure etc.).

Reason: In order that the local planning authority may retain control over this particular form of development in the interests of amenity and the protection of the local environment

9. 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

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 a period of five 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 thereafter and shall be retained and maintained.

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

Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been

received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

9 DC/23/3038/FUL - Sole Bay Fish Company, 22E Blackshore, Southwold, IP18 6ND

The Committee received report **ES/1732** of the Head of Planning and Coastal Management which related to planning application DC/23/3038/FUL. The application sought permission to reinstate part of the building following fire damage, to enable continuation of the business. This is a partial re-instatement and the wider area of the fire damage and surrounding sites would be subject to future planning applications.

The application was before the Committee for determination at the request of the Head of Planning and Coastal Management due to the proposal being on land owned by East Suffolk Council.

The Committee received a presentation from the Assistant Planner, who was the case officer for the application. The site's location plan was outlined and an aerial photograph of the site was displayed. The Assistant Planner noted the site's close proximity to the river and highlighted the surrounding buildings.

The Committee was shown the original and proposed layout plans of the site, highlighting the extent of the damage caused by the fire which consumed the western side of the property.

The Assistant Planner notified the Committee that this was a temporary application to make good the seating area and install fencing to hide some of the fire damage behind the site. The Assistant Planner confirmed that some areas would remain unbuilt until a more cohesive planning application was submitted in the future. The Committee was shown a variety of external photographs of the site demonstrating its context.

The material considerations and key issues were summarised as being appearance and impact to Conservation Area and AONB. The recommendation to delegate authority to the Head of Planning and Coastal Management to approve the application was outlined to the Committee.

The Chair invited question to the officers. Councillor Ashdown referred to the Town Council's comments regarding the Fire Service and the Fire Service's summary in the report, questioning if that was standard advice. The Assistant Planner confirmed that the advice received back from consultation with the fire and emergency services standard conditions, the installation of sprinkler systems and ensuring access, there was nothing above and beyond what they would normally propose. The Assistant Planner confirmed that this could be looked at in more depth in the future when the permanent planning request comes forward. The Planning Development Manager elaborated that they were working with their assets team to look at long term safe solutions such as safe gas storage and safe access, he confirmed that they were looking at this with the surrounding buildings as well and that this was a work in progress.

Following a question from Councillor Ashton, the Planning Development Manager confirmed that they were satisfied with the safe gas storage for this application. The

Planning Development Manager added that they were working with their Health and Safety team to explore solutions for any future applications.

There being no questions for the applicant, the Chair thanked the applicant for attending and invited the Committee to debate the application that was before it.

There being no debate, the Chair sought a proposer and seconder for the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management. On the proposition of Councillor Pitchers, seconded by Councillor Hammond, it was unanimously

RESOLVED

The application is recommended for Approval.

Conditions:

1. This permission shall expire three years (36 months) from the date of this consent, by which date 'The temporary walls and roof' hereby permitted shall have been removed from the site and the land reinstated to its former condition within a further 28 days, unless prior to that date planning permission is renewed or a new permission is begun.

Reason: The structures are unsuitable for permanent consent by virtue of a more detailed scheme needing to be agreed.

2. The development hereby permitted shall be completed in all respects strictly in accordance with 3086.23.2B received 10/10/2023, 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 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.

10 DC/23/3635/RG3 - Jubilee Parade, Lowestoft, NR33 0DG

The Committee received report **ES/1733** of the Head of Planning and Coastal Management, which related to planning application DC/23/3635/RG3. The application sought temporary planning permission for the siting of WC facilities and café on Jubilee Parade, along with the temporary relocation of beach huts.

The application was before the Committee for determination at the request of the Head of Planning and Coastal Management as East Suffolk Council were the applicant.

The Committee received a presentation from the Senior Planner who was the case officer for the application. The site's location plan was outlined and an aerial photograph of the site was displayed. The Senior Planner highlighted the location of the beach huts that were proposed to be relocated and the recessed area of the promenade where the temporary café would be located. Existing and proposed elevations of the café and toilet block were shown to the Committee.

The material considerations and key issues were summarised as being principle of development, design and conservation area, amenity, coastal erosion and flood risk. The recommendation to delegate authority to the Head of Planning and Coastal Management to approve the application was outlined to the Committee.

The Chair invited questions to the officers. Councillor Pitchers sought clarification as to where the beach huts would be temporarily relocated to.

Councillor Ashton questioned if there should be conditions attached to the success of the application, meaning that it was only successful if the future planning application was approved and the work was to go ahead. The Planning Development Manager confirmed that they should avoid having conditions that meant one application is dependent on the success of another.

The Chair invited the Collaboration and Connecting Programme Manager to address the committee, he outlined that this project was part of the wider ongoing Lowestoft Seafront improvements and emphasised that much of this programme was being delivered and gathering momentum. To clarify an earlier question, the Programme Manager confirmed that the 6 beach hut owners had been communicated with and served notice. In addition the Programme Manager notified the Committee that they were working closely with service providers and contractors, and having ongoing conversations with the existing tenants.

The Chair invited questions to the Programme Manager. Councillor Ashton asked if there would be any issues with the First Light Festival planned to return in 2024. The Programme Manager confirmed that they were holding regular meetings with the festival committee to minimise impacts and it was part of application considerations for any contractors.

Councillor Byatt thanked the officers for the presentation and stated his support for the whole of this project and the seafront regeneration, stating he was very keen that it goes ahead, as it was part of the whole vision of improving facilities for residents and tourism.

There being no further questions, the Chair invited the Committee to debate the application that was before it. There being no further debate, the Chair sought a proposer and a seconder for the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management. On the proposition of Councillor Ashdown, seconded by Councillor Hammond, it was by a majority vote

RESOLVED

Authority to approve with conditions subject to the submission of a Flood Risk Assessment (FRA) to officer satisfaction in consultation with the Environment Agency.
Conditions:

1. This permission shall expire on 30 June 2025, by which date the W.C. Facilities and Cafe, hereby permitted, shall have been removed from the site and the land reinstated to its former condition within a further 28 days, unless prior to that date planning permission is renewed.

Reason: The structures are unsuitable for permanent consent by virtue of its character/impact upon the locality.

2. The development hereby permitted shall be carried out in accordance with:

- Site Location Plan, 250 P1, received 20/09/2023,
- Proposed Site Plan, 252 P1, received 20/09/2023,
- Proposed Temporary Food Container Elevations, 255 P1, received 20/09/2023,
- Existing and Proposed Temporary Toilet Elevation, 256 P1, received 20/09/2023,
- Existing and Proposed Temporary Toilet Plan, 254 P1, received 20/09/2023,
- Existing and Proposed Temporary Food Container Plan, 253 P1, received 20/09/2023,
- Proposed Temporary Facilities Planning Supporting Statement, P2, received 20/09/2023,

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.

11 DC/23/3171/FUL - The Walled Garden, High Street, Wickham Market, IP13 0QS

The Committee received report **ES/1734** of the Head of Planning and Coastal Management, which related to planning application DC/23/3171/FUL. The application sought full planning permission for the replacement of an existing outbuilding with a single-storey market dwelling (following recent approval of a similar scheme within DC/23/0234/FUL) at The Walled Garden, High Street, Wickham Market.

The application was before the Committee for consideration as East Suffolk Council controlled the access between the proposed parking area and publicly adopted highway at the High Street.

The Planning Development Manager advised the Committee that due to time constraints the application was not completed to make the October Planning Committee (South) meeting and therefore it was agreed with the Committee Chairs and Vice-Chairs that this application could be determined by the Planning Committee (North).

The Committee received a presentation from the Planner who was the case officer for

the application. The site's location plan was outlined and an aerial photograph of the site was displayed. The Planner highlighted that the existing access was from the High Street which wasn't a particularly safe access, and this was being addressed within the application. Photographs showing the site in context were shared with the Committee along with existing and proposed elevations. The main addition to the previously approved scheme was the basement and the elevations shown to the Committee demonstrated that.

The material considerations and key issues were summarised as design, agricultural and landscape impact, low level impact on the character of the area, it was in a conservation area and the scheme was heritage led. The recommendation to delegate authority to the Head of Planning and Coastal Management to approve the application was outlined to the Committee.

The Chair invited questions to the Planner. In response to a question from Councillor Gee, it was confirmed that the main perimeter and boundary flint wall would be retained.

Councillor Ashdown raised questions regarding the access, seeking clarification about the use in an emergency and whether it would be used during construction. The Planning Officer confirmed that it was a shared access and due to the substandard condition of that access, it was proposed to avoid the use of that access, therefore the applicant had agreed to only use it as a pedestrian access. The Planning Officer added that it was not possible to stop it up as it was shared access. It was confirmed that during construction access would be via the Council car park and materials taken in by hand so as not to damage the perimeter wall.

There being no further questions, the Chair invited the Committee to debate the application that was before it. There being no further debate, the Chair sought a proposer and a seconder for the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management. On the proposition of Councillor Hammond, seconded by Councillor Ashdown, it was by a unanimous vote.

RESOLVED

Approve with conditions.

Conditions:

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

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

2. The development hereby permitted shall not be carried out other than in complete accordance with the following approved drawing(s) and document(s):

- 22-021-PL-01G (Proposed layouts and elevations);
- 22-021-PL-02G (Existing and proposed site plans, location plan);
- 22-021-PL-03A (Basement layout and building section);

- P3255-TS01 V1 (Tree Survey);
- P3255-TPS01 V1 (Tree Protection Scheme);
- Demolition and Construction Management Plan (Received 11 August 2023).

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

3. No building work shall take place above slab level until large scale details of parapet, eaves, verges, external flue, rainwater pipes and rainwater goods, including materials and finishes have been submitted to and approved in by the Local Planning Authority. Thereafter, all work must be carried out using the approved materials and in accordance with the approved details.

Reason: To ensure that any new detailing and materials will not harm the traditional/historic character of the building as the application does not include the necessary details for consideration.

4. In the event that contamination which has not already been identified to the Local Planning Authority is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed by the Local Planning Authority 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 by the Local Planning Authority.

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

5. The use shall not commence until the area(s) within the site shown on Drawing

No. 22-021-PL-02G for the purposes of 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 to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

6. The use shall not commence until the area(s) within the site shown on Drawing No. 22-021-PL-02G for the purposes of secure cycle storage has been provided and thereafter the area(s) shall be retained, maintained, and used for no other purposes.

Reason: To ensure that sufficient areas for secure cycle storage are provided in accordance with Suffolk Guidance for Parking (2019) to promote sustainable travel.

7. Before the development is occupied the areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins shall be made available for use and shall be retained thereafter and used for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

8. Prior to occupation an Ecological Enhancement Strategy demonstrating how ecological enhancements will be achieved on site, shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved measures will be delivered prior to first use and retained in accordance with the approved strategy.

Reason: To ensure that the development delivers ecological enhancements.

9. The development shall be undertaken in complete accordance with the measures outlined within the approved Tree Protection Scheme document 'P3255-TPS01 V1' with protective measures fully implemented prior to commencement of any development, site works or clearance and shall be maintained and retained until the development is completed, unless otherwise agreed by the Local Planning Authority.

Reason: Required to avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Local Plan Policy SCLP10.4.

10. None of the trees or hedges 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.

11. No removal of hedgerows, trees or shrubs brambles, ivy and other climbing plants or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that nesting birds are protected.

12. The approved hard and soft landscaping and planting works shall be implemented not later than the first planting season following occupation 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.

13. The existing site entrance off High Street shall be used for pedestrian access only as shown on approved drawing no.22-021-PL-02G and at no time shall this access be used by vehicles for purposes associated with the hereby approved development.

Reason: In the interest of highway safety and the protection of the local environment.

14. The demolition and construction phases of the hereby approved development shall be undertaken in complete accordance with approved document 'Demolition and Construction Management Plan' (Received 11 August 2023) unless otherwise agreed by the Local Planning Authority.

Reason: In the interest of highway safety, to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase.

There are no Exempt or Confidential items for this Agenda.

The meeting concluded at 3:44pm.

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Chair