

**Unconfirmed**



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, Lowestoft, on **Tuesday, 12 December 2023 at 2.00pm.**

**Members of the Committee present:**

Councillor Paul Ashdown, Councillor Paul Ashton, Councillor Andree Gee, Councillor Toby Hammond, Councillor Graham Parker, Councillor Malcolm Pitchers, Councillor Sarah Plummer

**Officers present:**

Katy Cassidy (Democratic Services Officer(Regulatory)), Jamie Behling (Planner), Joe Blackmore (Principal Planner (Development Management, North Area Lead) , Matthew Gee (Senior Planner), Mia Glass (Enforcement Planner), Matt Makin (Democratic Services Officer (Regulatory)), Katherine Rawlins (Planner), Robert Scrimgeour (Principal Design and Conservation Officer), Ben Woolnough (Planning Manager (Development Management, Major Sites and Infrastructure)

---

**1 Apologies for Absence and Substitutions**

Apologies were received from Councillor Ewart and Councillor Wakeling.

**2 Declarations of Interest**

Councillor Ashton declared a non registerable interest for Agenda Item 11 as he was the Cabinet Member for Corporate Services including assets.

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

There were no declarations of lobbying received.

**4 Minutes**

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

**RESOLVED**

That the minutes of the meeting held on 14 November 2023 be agreed as a correct record and signed by the Chair.

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

The Committee received report **ES/1778** 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 delegates powers up until 23 November 2023. At that time there were 18 such cases.

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

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

Councillor Ashdown commented on the Lound Enforcement Action, noting that they had started the works to remove the building and requested that the status of the work was checked in January 2024. The Enforcement Planner confirmed that a check was planned to take place following the compliance period.

The Chair requested an update on items B1 to B4, noting that B1 and B2 had been with the planning inspectorate for over a year and B3 and B4 were still waiting for a start date from the planning inspectorate after 10 months. The Chair also sought clarification on F2 and F3 as they had been with the legal team for over 4 months.

The Enforcement Planner responded on items B1 to B4, confirming that there was a national issue with the delays incurred with the planning inspectorate, with a waiting time currently of over 50 weeks for planning enforcement. She added that the planning inspectorate focused on appeals for applications and there wasn't anything that could be done other than waiting on the decision of the start dates by the inspectorate.

With regards to items F2 and F3, the Enforcement Planner confirmed that work had been taking place behind the scenes with the legal team, and once the dates and action had been set, the Committee would be updated. For F3, it was confirmed that a site visit had recently been conducted to monitor the site whilst the ongoing legal proceedings were taking place.

Councillor Ashton raised his concerns around item F3 noting that a site visit had occurred as further activity had been happening on the site, and it wasn't clear if it represented a breach. With the timescales being so long and the public credibility being affected, Councillor Ashton requested that the enforcement delays were considered outside of the committee, to see what could be done to speed up the process. The Enforcement Planner advised that they were in the hands of the courts and the dates set by them.

In response to the concerns raised by Councillor Ashton, the Planning Development Manager advised the Committee that the Enforcement Action Plan had been agreed at Strategic Planning Committee last year, and this was underway, he noted that a lot of the focus of this Action Plan had been on resourcing and back of house function to improve the way that enforcement cases were recorded and monitored. It was agreed that the Enforcement Process would be an agenda item on the January Strategic Committee.

In response to a query from Councillor Gee regarding F1, the Enforcement Planner reassured the Committee that the only outstanding action was a small factor regarding recovering costs and the main breach had been complied with.

The Chair thanked the Enforcement Planner for the update and clarity and there being no further questions or comments, on the proposition of Councillor Gee, seconded by Councillor Hammond it was by a unanimous vote

## **RESOLVED**

that the outstanding enforcement matters up to 23 November 2023 be noted.

### **6 DC/23/2317/FUL - 47A Marlborough Road, Southwold, IP18 6LS**

The Committee received report **ES/1770** of the Head of Planning and Coastal Management which related to planning application DC/23/2317/FUL. The application sought full planning permission for the conversion of the existing garage into an office for home use and for the re-ordering of the rear access staircase and rear gardens of No's 47 and 47a and the provision of a Solar PV array on the rear extension roof.

The application was before the Committee for determination at the request of the Referral Panel as it was considered that the views of the Town Council should be further discussed.

The Committee received a presentation from the Planner, who was the case officer for this application. The site's location plan was outlined and an aerial photograph of the site was displayed, it was noted that the area was predominantly residential in character and was not within a conservation area. Photographs showing the site in context were shared with the Committee along with existing and proposed elevations. The Planner pointed out that the ground floor of the property was under separate ownership and the application was for the first and second floor only (property 47a) with the access being from a rear staircase. Although this application would result in a 3 bedroom property, normally requiring two parking spaces, the Committee was informed that in this case there was no objection to the loss of the garage and the applicant had sought to provide cycle storage.

The material considerations and key issues were summarised as time limit, compliance with approved plans, materials as approved, home office ancillary to host property, no sleeping accommodation, privacy screen installed prior to first use of access/staircase. 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 Councillor Hammond's question, the Planner confirmed that the current garage's space standards meant it did not constitute formal parking, it was too small and too narrow, therefore there were no formal objections to its loss.

Councillor Ashton sought clarification regarding the Southwold Town Council neighbourhood plan comments not being valid. The planner advised the Committee

that whilst Policy SWD7 would usually seek a requirement for 2 parking spaces for a 3 bed property, it was noted that the garage was too small to be considered as a parking space, the site was in a sustainable location with no parking restrictions and the applicant was seeking to provide cycle storage. This would, therefore, support the recommendation to approve.

In response to Councillor Ashton, the Planner confirmed that SWD12 related to the retention of private garden space (policy in main Southwold Neighbourhood Plan). In this case there was no planned loss of private garden space, more reconfiguration with the moving of the boundary fence, resulting in comparable garden space to those in the surrounding terrace block. Therefore, there was no reason to recommend refusal.

The Planning Development Manager clarified that all of the comments raised by Southwold Town Council were valid interpretations of their neighbourhood plan policy and had all been taken into consideration when reviewing the planning application.

Councillor Pitchers raised concerns about the home office being used as a bedroom, particularly as the plans proposed tea and coffee making facilities and a shower room. In response the Planner confirmed that specific planning conditions were recommended meaning if they did turn it into a bedroom, there would be a potential breach and they would be at risk of enforcement action; this was discussed and agreed with the applicant prior to the recommendation to approve.

A further concern was raised as to how they would be aware it was happening. The Principal Planner responded that they would rely on the local community to inform them of a breach, adding they were closely packed together properties, therefore it was more likely that any breach would be notified and enforceable action would be taken. The Planning Development Manager noted that the plans proposed were not necessarily building control compliant for sleeping accommodation and could constitute a breach of building regulations.

Following the objector's comments, Councillor Gee sought clarification regarding the balcony and privacy screen and whether there would be any interference with the public right of way. The Planner confirmed that the objector's comments had been considered and the applicant had been requested to amend drawings and a condition was put in place which required installation before first use. Regarding the public right of way, there had been no comments from the Public Right of Way Officer and it would be maintained at all times. The Chair added that this was only a risk during the works and the Planner agreed.

Councillor Ashton suggested that consideration be given to a condition where there wasn't a bath or shower, making it more difficult for it to be used as a bedroom as there was no justification for it. The Planner confirmed that the applicant was asked to justify the facilities and in this case the applicant wanted their home office facilities to have tea/coffee, shower and bathroom facilities, therefore the plans were retained with an imposed condition for home working only.

In response to whether the shower facilities could be removed from the applicant, the Planning Manager confirmed that would be changing the application and the decision needed to be made based on the current plans.

Following no further questions for the Planner, the Chair invited the applicant's agent to speak.

The agent confirmed that his client would be moving to Southwold permanently at the end of 2024 and once in residence was planning to set up a voluntary counselling service on behalf of the church for local people, therefore the planned use of the garage has been called an office but could possibly be called a consulting room.

Referencing the proposed use of the property, the agent hoped that the concerns raised had now been minimised. He stated there would be no overloading of the sewage system as the planned use was spasmodic and the potential neighbour overlooking would not occur due to the privacy screen. He added that he hoped the Committee now understood the need for the tea, coffee and bathroom facilities, noting that the shower was a luxury, but beneficial. In response to a question from Councillor Ashton regarding the need for the shower, the agent confirmed that the applicant or clients may need to use it.

In response to a question from the Planning Development Manager, the Planner confirmed that they had not been made aware of the consulting room use as part of the application. It was clarified that this was a householder application for further residential space and visiting clients could constitute a change of use. The Chair thanked the Planning Development Manager for the clarity and informed the Committee that they were approving the application as it was submitted.

Following no further questions for the agent, the Chair invited the Committee to debate.

There was discussion regarding deferring the application to seek clarity on the planned consulting room usage to prevent a further change of use application. The Planning Development Manager confirmed that it could proceed as recommended, which was as a home office adding the applicant would potentially need future planning permission for a change of use as currently it was not authorised for visiting customers. In response to a question from Councillor Ashdown, the Planning Development Manager confirmed that there were sufficient conditions to ensure that should the property be sold in the future a change of use would not be permitted.

Following on from Councillor Ashdown's question, Councillor Ashton sought clarity from the Planning Development Manager as to whether the information given at the committee constituted a change of use. The Planning Development Manager gave examples of what would require a change of use and agreed that the Committee did not have the facts to make that decision and recommended the Committee proceeded with the application as it had been presented to them.

In response to questions from members, the Chair reiterated that if the application was successful the applicant would need to make a further application to move forward for a change of business use.

There being no further questions or 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**

that planning permission is APPROVED subject to the following conditions:

Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Site Location Plan, Proposed Block Plan, drawing no. 1021 MR 013 Garage Elevations and PV array, received by the Local Planning Authority 12 June 2023, and drawing no's 1021 MR 007 E Proposed Plans, 1021 MR 008 E Proposed Elevations, received by the Local Planning Authority 21 August 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 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 conversion of the garage to a home office hereby permitted, shall be used only for purposes incidental to the enjoyment of the dwellinghouse as such and shall not be used for any business, commercial or industrial purposes whatsoever, and shall at no time be used as or contain sleeping accommodation.

Reason: In the interests of the amenity of the area, access and parking, and to prevent the formation of a separate unit of accommodation.

5. The privacy screen shown on drawing no. 008 E, shall be installed prior to the first use of the access platform/rear staircase, and retained as such thereafter.

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

Informatives:

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

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

2. The applicant is advised that the PROW MUST remain open, unobstructed, and safe for the public to use at all times, including throughout any construction period. If it is necessary to temporarily close or divert a PROW, the appropriate process must be followed (please see points 4 and 5 below).

3. The applicant, and any future owners, residents etc, must have private rights to take motorised vehicles over a PROW other than a BOAT. To do so without lawful authority is an offence under the Road Traffic Act 1988. Any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy. We do not keep records of private rights and suggest that a solicitor is contacted.

4. The granting of planning permission IS SEPARATE to any consents that may be required in relation to PROW. It DOES NOT give authorisation for structures such as gates to be erected on a PROW, or the temporary or permanent closure or diversion of a PROW. Nothing may be done to close, alter the alignment, width, surface, or condition of a PROW, or to create a structure such as a gate upon a PROW, without the due legal process being followed, and permission being granted from the Rights of Way & Access Team as appropriate. Permission may or may not be granted depending on all the circumstances. To apply for permission from Suffolk County Council (as the highway authority for Suffolk) please see below:

- To apply for permission to carry out work on a PROW, or seek a temporary closure – <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/rights-and-responsibilities/> or telephone 0345 606 6071. PLEASE NOTE, that any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy.

- To apply for permission for structures such as gates to be constructed on a PROW – contact the relevant Area Rights of Way Team - contact the relevant Area Rights of Way Team <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> or telephone 0345 606 6071.

- To apply for permission for a PROW to be stopped up or diverted within a development site, the officer at the appropriate borough or district council should be contacted at as early an opportunity as possible to discuss the making of an order under s257 of the Town and Country Planning Act 1990 - <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> PLEASE NOTE, that nothing may be done to stop up or divert the legal alignment of a PROW until the due legal process has been completed and the order has come into force.

5. Under Section 167 of the Highways Act 1980 any structural retaining wall within 3.66 metres of a PROW with a retained height in excess of 1.37 metres, must not be

constructed without the prior written approval of drawings and specifications by Suffolk County Council. The process to be followed to gain approval will depend on the nature and complexity of the proposals. Construction of any retaining wall or structure that supports a PROW or is likely to affect the stability of the PROW may also need prior approval at the discretion of Suffolk County Council. Applicants are strongly encouraged to discuss preliminary proposals at an early stage.

6. Any hedges adjacent to PROW must be planted a minimum of 2.0 metres from the edge of the path in order to allow for annual growth. The landowner is responsible for the maintenance of the hedge and hedges must not obstruct the PROW. Some hedge types may need more space, and this should be taken into account by the applicant. In addition, any fencing should be positioned a minimum of 0.5 metre from the edge of the path in order to allow for cutting and maintenance of the path and should not be allowed to obstruct the PROW.

## **7 DC/22/2364/FUL - Cornfield Mews, 6A Stradbroke Road, Southwold, IP18 6LQ**

The Committee received report ES/1773 of the Head of Planning and Coastal Management which related to planning application DC/22/2364/FUL. The application sought full planning permission for a replacement dwelling at Cornfield Mews, Southwold.

The application was before the Committee for determination at the request of the Referral Panel.

The Committee received a presentation from the Principal Planner, who was the case officer for this application. The site's location plan was outlined and an aerial photograph of the site was displayed, demonstrating the highly constrained nature of the site. Street view photographs were shown, with the Principal Planner noting the types of buildings in the area, which were all attractive historic buildings.

Side and rear photographs of the building were displayed, highlighting the close proximity of the adjacent building and the extended glazing on the rear elevation of the building. The delay in the application was noted with the Principal Planner explaining that it was first received some time ago but there was no planning record of the building being used for residential purpose. The applicant had since provided this evidence and a lawful development certificate was granted, enabling this application to be progressed to a decision.

The proposed block plan was displayed to the Committee, showing the interior and a small courtyard garden. Images of the existing and proposed development were shared highlighting the contemporary nature of the new design, it was noted that from the wider conservation context there would be minimal impact as it was tucked behind the existing buildings. The proposed building design and materials were displayed. It was noted that there had been Town Council and some neighbourhood objections to the proposed white metal shingle materials. A construction method statement had been added to the recommended conditions.



The material considerations were summarised as the principle of development, design of development, conservation area and setting of listed buildings, neighbour amenity impact and construction process (if consented) and recommended conditions. 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 Principal Planner. Councillor Ashdown questioned if there was vehicle access and it was confirmed that it was only pedestrian access with car parking having to be on road or in public car parks. Bicycle storage would only be possible in the hallway.

There being no further questions, the Chair invited the applicant's agent to speak.

The agent advised the Committee that the dwelling had been in place for 60 years and the applicant wished to replace it, virtually like for like, to provide a starter home for their daughter. He noted the Town Council objection to the outside material but advised that the Senior Design and Conservation Officer was supportive, adding that the dominant colour was in keeping with the colour pallet of the surrounding area.

In response to a question from Councillor Ashdown, the agent confirmed that this was intended to be a long term residency for the applicant's daughter and there were no plans for it to be a holiday let.

There being no further questions, the Chair invited the Committee to debate the application that was before it. Councillor Ashdown said he liked the proposed design and as it was for a permanent family dwelling, he proposed that the application be approved as set out in the recommendation. Councillor Pitchers concurred with Councillor Ashdown's comments and seconded the proposal.

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

## **RESOLVED**

That the application be APPROVED subject to the following conditions:

### Conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with drawing numbers 01, 07C, 08C, 09B, 10A and 11; received 13/6/2022.

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

3. No building work shall commence until details of the following have been submitted to and approved in writing by the local planning authority:

- (i) Details regarding the proposed finish, and 'edging' of the white metal tiles around the proposed terrace and fenestration, and thickness of individual tiles,
- (ii) A sample panel of the proposed flint/pebble work shall be constructed, with this either being made available for the LPA to physically view on request; or, for photographic details of this sample panel to be provided, and
- (iii) Details of all other materials to be used in the construction of the external surfaces of the dwelling.

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; 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 (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.

5. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary

Ecology Appraisal (DCS Ecology, April 2022) 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.

6. No removal of hedgerows, trees 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.

7. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority.

The Statement shall provide for:

- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, if appropriate;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- delivery, demolition and construction working hours.

The Statement shall also set out very clearly the logistics of how the existing building is to be demolished, and a method of construction of the new building; this shall include working practices, machinery/plant/equipment required to carry out the work and how that will be operated on this site to carry out the approved development.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: this is a highly constrained site, and the construction process needs to be carefully managed to limit local amenity impact.

Note: Failure to discharge this condition prior to any work of development (including demolition) will result in this planning permission being invalidated.

The Committee received report **ES/1774** of the Head of Planning and Coastal Management which related to planning application DC/22/4540/FUL. The application sought full planning permission for a two storey rear extension with single storey link and a detached cart lodge.

The application was before the Committee for determination at the request of the Referral Panel as it was considered that the size and scale of the extension in a prominent and sensitive location should be further discussed.

The Committee received a presentation from the Principal Planner, on behalf of the case officer for this application. The site's location plan was outlined and an aerial photograph of the site was displayed. Various photographs of the site were shown, demonstrating views into, and surrounding the building. It was noted that it was within a national landscape area (formerly AONB) and consideration should be given to this. Jumbo's Cottage was highlighted as a relevant consideration to the application.

The evolution of the scheme was presented to the Committee with the original and refined designs demonstrated. The proposed block plan and existing and proposed elevations were displayed, noting the retention of the hedgerow which was seen as very important given the national landscape location and the close proximity to the footpaths in the area.

The material considerations and key issues were summarised, and conditions summarised as: standard time limit, approved plans, materials as submitted, retention of trees/hedge and details of any external lighting to be agreed. 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 Principal Planner. Councillor Gee raised concern over the size and scale of the extension and questioned if there was intention to use it for more than a residential property. The Principal Planner confirmed there had been no proposal for alternative use.

Following no further questions for the Principal Planner, the Chair invited the applicant's agent to speak.

The agent advised the Committee that the original property had not been renovated since the 1970's and the reason for the proposed extension was to accommodate the extended family. He told the Committee that the extension was deliberately at the rear and digging into the slope, with the house retaining its position in the landscape. The link to the extension had been amended several times, and it replaced a similar sized garden room. He noted that the amendments were sympathetic to the landscape and the glazed area had been reduced significantly in size. They had received one objection from the Parish Council and had made amendments accordingly. They had worked closely with the Planning Officers, ensuring all requested changes were taken on board and carried out in full.

There being no further questions for the agent, the Chair invited the Committee to debate the application that was before it. Councillor Pitchers commented when reading through the proposal initially he wasn't happy with it, however, having seen

how much design was hidden, he was happy to propose that the application be approved as set out in the recommendation. Councillor Ashdown concurred with Councillor Pitcher's comments and seconded the proposal.

It was by a unanimous vote

## **RESOLVED**

That the application be APPROVED, subject to controlling conditions as detailed below:

### Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with drwg. no. 11 rev. J (proposed floor plan) and drwg. no. 12 rev. G (proposed site plan) received 30 August 2023 and drwg. no. 14 Rev. i (proposed elevations) received 30 October 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 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. None of the trees or hedges shown to be retained on the approved plan (drwg. no. 12 rev. G received 30 August 2023) 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.

5. Prior to its installation, details of any external lighting shall be submitted to and approved by the Local Planning Authority. Only the approved lighting shall be installed and retained in its approved form.

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

## **9 DC/23/0297/FUL - 17 Market Place, Southwold, IP18 6EB**

The Chair advised the Committee that agenda items 9 and 10 were associated applications and would be presented jointly.

The Committee received report **ES/1779** of the Head of Planning and Coastal Management which related to planning application DC/23/0297/FUL. The application sought full planning permission to convert the ground floor from a bank (use class E) to a (class C3) residential use, providing open market accommodation.

The Committee received report ES/1780 of the Head of Planning and Coastal Management which related to planning application DC/23/0298/LBC. The application sought listed building consent to convert the ground floor from a bank (use class E) to a (class C3) residential use, providing open market accommodation.

Both applications were before the Committee for determination at the request of the Head of Planning and Coastal Management as they were considered to hold significant public interest and the re-use of the building warranted Committee debate.

The Committee received a presentation from the Planner, who was the case officer for this application. The site's location plan was outlined, and an aerial photograph of the site was displayed. The planning history was outlined to the Committee, in 2021 plans were approved which retained commercial space on the ground floor. It was noted that the building was Grade II Listed and there had been no interest in the development of the commercial space to date.

Photographs showing the site in context were shared with the Committee along with existing and proposed elevations. The Planner noted that there were not significant changes proposed to the appearance, it was more the change of use, as such there would be less impact on the listed building if it was converted to residential use, providing more heritage benefits.

The material considerations and key issues were summarised as principle of change of use, heritage benefits, parking, and occupation restriction. The recommendation to delegate authority to the Head of Planning and Coastal Management to approve the application subject to a RAMS payment with conditions was outlined to the Committee.

The Chair invited questions to the the Planner.

In response to a question from Councillor Ashdown, the Planner confirmed the garage was sufficient for a modern vehicle.

Councillor Ashton questioned how much demand there was for the commercial/retail property in Southwold currently. In response the Planner confirmed there were 3 vacant units currently and this particular property had been advertised for 14 months with no interest.

Following no further questions for the Planner, the agent presented on behalf of the applicant.

Following no questions for the agent, the Chair invited the Committee to move into debate regarding the planning permission. Councillor Gee commented that it was an excellent scheme that would enhance Southwold and therefore she was happy to propose that the planning permission be approved as set out in the recommendation. Councillor Hammond concurred with Councillor Gee's comments and seconded the proposal.

It was by a unanimous vote

## **RESOLVED**

That the application be APPROVED subject to the following conditions:.

### Conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with 1206-P01, 1101-P01 and 1404-P01 received 24/01/2023, 5842-1401-P02, 1402-P02 and 1403-P04 received 24/08/2023 and 5842-0100-P01 received 25/08/2023 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 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 ground floor flat permitted shall not be occupied otherwise than by a person as his or her only or Principal Home. For the avoidance of doubt the dwelling shall not be occupied as a second home or holiday letting accommodation. The Occupant will supply to the Local Planning Authority (within 14 days of the Local Planning Authority's written request to do so) such information as the Authority may reasonably require in order to determine whether this condition is being complied with.

Reason: To safeguard the sustainability of the settlements in the Southwold NP area, whose communities are being eroded through the amount of properties which are not occupied on a permanent basis and to ensure that the resulting accommodation is occupied by persons in compliance with policy SWD4 of the Southwold Neighbourhood Plan.

**10 DC/23/0298/LBC - 17 Market Place, Southwold, IP18 6EB**

The presentation for the Listed Building Consent Applicant was recorded under Item 9 of the minutes.

The Chair invited the Principal Design and Conservation Officer to speak regarding the Listed Building Consent Application. The Principal Design and Conservation Officer informed the Committee that the application had been given due consideration and serious review and they were persuaded of the benefits to the historic building, noting that a restoration plan had been agreed that would strongly benefit the property.

Following no further questions, the Chair invited the Committee to move into debate regarding the listed building consent. Councillor Ashdown was happy to propose that the Listed Building Consent be approved and Councillor Gee seconded the proposal.

It was by a unanimous vote

**RESOLVED**

That the application for Listed Building Consent be APPROVED subject to the following conditions:

Conditions:

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

Reason: This condition is imposed in accordance with Section 18 of the Act (as amended).

2. The development hereby permitted shall be completed in all respects strictly in accordance with 1206-P01, 1101-P01 and 1404-P01 received 24/01/2023, 5842-1401-P02, 1402-P02 and 1403-P04 received 24/08/2023 and 5842-0100-P01 received 25/08/2023 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. Prior to commencement of any works, details in respect of the following shall be submitted to and approved by the Council as Local Planning Authority. The work



shall be carried out in accordance with such approved details:

- Details of the reinstatement of the cornicing to match the original profile
- Details of the infill construction of the existing arched opening
- Details of all new doors and architraves, including materials, appearance, finish and ironmongery.
- Details for the restoration of the pilasters and capitals and the paint scheme
- Details of the fireplace reinstatement
- Details of the plumbing, drainage and extraction to the kitchen island and base units (sink).

Reason: In order to safeguard the special architectural or historic interest of the building.

4. Prior to commencement a full schedule of repairs and reinstatements shall be submitted to the Local Planning Authority for approval. Works shall be undertaken in accordance with the approved schedule.

Reason: In order to safeguard the special architectural or historic interest of the building.

## **11 DC/23/1674/FUL - Hamilton Docks, Hamilton Road, Lowestoft, NR32 1XF**

The Committee received report **ES/1776** of the Head of Planning and Coastal Management which related to planning application DC/23/1674/FUL. The application sought full planning permission for the demolition and development of warehousing and offices to store parts for offshore renewable infrastructure.

The application was before the Committee for determination as the land was owned by East Suffolk Council.

The Committee received a presentation from the Senior Planner, who was the case officer for this application. The site's location plan was outlined, and an aerial photograph of the site was displayed, noting the buildings that were planned to be demolished.

Photographs showing the site in context were shared with the Committee along with existing and proposed elevations. The proposed block plan was displayed, demonstrating parking, landscaping, warehousing and office space. It was noted that it was a large building, with the plan being to store parts for maintenance for the Offshore Wind Industry, with the applicant seeking to expand its presence in the area.

The material considerations and key issues were summarised as principle, design, amenity, highways, ecology, flooding and drainage and heritage.

The planner noted that they were awaiting comments back from the lead local flood authority and have had no comments from the environment agency.

The recommendation to delegate authority to the Head of Planning and Coastal Management to approve the application with conditions was outlined to the Committee.

The Chair invited questions to the Officers.

Councillor Ashton commented that there was unlikely to be any different results regarding flooding to the report already received for the Nexus application and the Senior Planner agreed.

Following no further questions for the officers, the Chair invited the agent to speak.

The agent confirmed that the applicant was looking to develop warehousing and office facilities on a brownfield site, creating a base to service Wind Farms and significantly increase employment in the area. The applicant intended to operate out of this base and the Netherlands and this would be the head office for the UK. Given the sector the applicant will be operating in, they intended to be a net contributor and the building would be constructed using flood resilient techniques.

There being no questions for the agent, the Chair invited the Committee to move into debate.

Councillor Ashton stated that this development was entirely consistent with ESC Strategy and clearly beneficial for Lowestoft, therefore he was exceedingly happy to propose that the application be approved as set out in the recommendation. Councillor Ashdown agreed entirely, commented that it fell within the Council's priorities, increasing employment, and he was happy to second the proposal.

It was by a unanimous vote

## **RESOLVED**

that the application be approved subject to conditions, as listed below; and subject to any further conditions following final consultation with the Lead Local Flood Authority (LLFA).

### Conditions:

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

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

amended.

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

- Site Location Plan, 22.08 PL1, received 24/04/2023;
- Proposed Block Plan, 22.08.PL3 Rev D, received 15/08/2023;
- Tracking Plan, 22.08.PL10, received 15/08/2023;
- Trip Generation Technical Note (Transport Statement), MA/VL/P23-2958/01TN, received 15/08/2023;
- Preliminary Geo-Environmental Risk Assessment, 91249.578989, received 10/07/2023;
- Preliminary Ecological Appraisal, Sembmarine SLP 2023-001, received 07/07/2023;
- Proposed Ground Floor Layout Plan, 22.08.PL7, received 07/07/2023;
- Proposed First Floor Layout Plan, 22.08.PL8, received 07/07/2023;
- Proposed Elevations, 22.08.PL9 Rev A, received 15/11/2023;
- Proposed Roof Plan, 22.08.PL10, received 15/11/2023;
- Flood Risk Assessment, 6885-AEA-ZZ-XX-RP-Z-2500, received 28/04/2023;
- Flood Risk Assessment - Addendum, 6885\_Hall\_Lowestoft, received 23/08/2023;
- Archaeological Evaluation, SU0559, received 21/05/2023;

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 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. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (360 Ecology, June 2023) 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.

5. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP:Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices)

to avoid or reduce impacts during construction (may be provided as a set of method statements).

d) The location and timing of sensitive works to avoid harm to biodiversity features.

e) The times during construction when specialist ecologists need to be present on site to oversee works.

f) Responsible persons and lines of communication.

g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

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

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

Reason: To ensure that the development delivers ecological enhancements.

7. 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, including locations and times
- A methodology for avoiding soil from the site tracking onto the highway together with a strategy for remedy of this should it occur.
- Measures to contain dust from the site
- Measure to limit noise and light from the site.

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, and to limit impact upon the amenity of the area. This is a pre-commencement condition because an approved Management Strategy must be in place at the outset of the development.

8. The use shall not commence until the area(s) within the site shown in Drawing No. 22.08.PL3 Rev. C for the purposes of manoeuvring and parking of vehicles, including electric vehicle charging infrastructure, 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 and promote sustainable modes of travel.

9. The use shall not commence until the area(s) within the site shown in Drawing No. 22.08.PL3 Rev. C 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.

10. No part of the development shall be commenced until details of the proposed off-site highway improvements indicatively shown on Drawing No. 22.08.PL3 Rev. C have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to first use of the building.

Reason: To ensure that the necessary highway improvements are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety and sustainable travel. This is a pre-commencement condition because the required details relate to off site works that need to be agreed before the development can be said to be acceptable in terms of highway capacity/safety.

11. 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.

The meeting concluded at 3.56pm.

.....  
Chair