

**Unconfirmed**



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, Lowestoft, on **Tuesday, 10 October 2023 at 2.00pm.**

**Members of the 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

**Officers present:**

Joe Blackmore (Principal Planner (Development Management, North Area Lead)), Fabian Danielsson (Assistant Planner), Elliott Dawes (Development Programme Manager), Lorraine Fitch (Democratic Services Manager), Matthew Gee (Senior Planner), Mia Glass (Enforcement Planner), Annabelle Greenwood (Trainee Planner), Matt Makin (Democratic Services Officer (Regulatory)), Madison Mills (Housing Development Support Officer), Adam Nicholls (Principal Planner (Policy and Delivery)), Iain Robertson (Senior Planner), Rachel Smith (Principal Planner (Development Management, Central Area Lead)), Alli Stone (Democratic Services Officer (Governance)), Ben Woolnough (Planning Manager (Development Management, Major Sites and Infrastructure)), Kate Woollorton (Assistant Planner (Policy and Delivery))

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**1 Apologies for Absence and Substitutions**

No apologies for absence were received.

**2 Declarations of Interest**

Councillor Paul Ashton declared Non-Registerable Interests in items 5 and 10 of the agenda as his Cabinet portfolio included responsibility for Council's assets.

Councillor Geoff Wakeling declared a Non-Registerable Interest in item 9 of the agenda as the application was located within his ward.

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

Councillor Paul Ashton declared he had been lobbied on the planning application being considered at item 5 of the agenda, during correspondence with a third party on another matter; he had not responded.

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

The Committee received report **ES/1689** 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 21 September 2023. At that time there were 22 such cases.

The Chair invited the Enforcement Planner to comment on the report, who advised that a court date of 23 October 2023 had been set for cases D2 (200 Bridge Road, Lowestoft) and F3 (28 Brick Kiln Avenue, Beccles) following non-compliance with enforcement action and Section 215 notices, and that further updates would be provided to the Committee in due course.

The Chair invited questions and comments to the Enforcement Planner. The Vice-Chair referred to the Enforcement Planner's work regarding Carlton Meres Caravan Park and thanked her on behalf of Kelsale for her early intervention.

There being no further questions or comments, the Chair sought a proposer and seconder for the recommendation set out in the report. On the proposition of Councillor Pitchers, seconded by Councillor Hammond, it was by a unanimous vote

#### **RESOLVED**

That the outstanding enforcement matters up to 21 September 2023 be noted.

**NOTE:** during this item, there was a query regarding the presentation of the minutes of the Committee's meeting of 12 September 2023. The Democratic Services Officer (Regulatory) advised that the minutes had not been drafted in time for inclusion on the agenda and would be presented for confirmation at a future meeting of the Committee.

#### **5 DC/21/5536/OUT - Field off Elms Lane, Wangford**

The Committee received report **ES/1690** of the Head of Planning and Coastal Management, which related to planning application DC/21/5536/OUT. The application sought outline planning permission for 20 residential units on land North of Elms Lane, Wangford. Matters to be considered included access and layout, with other matters reserved for later consideration (scale, appearance and landscaping).

The application was before the Committee for determination at the request of the Head of Planning and Coastal Management as it was a major application on an allocated site within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB), which had generated interest from the community.

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 two residential properties shared a boundary with the application site.

The Senior Planner highlighted the relationship between the site's allocation as per policy WLP7.7 of the Waveney Local Plan (the Local Plan), the settlement boundary of Wangford, the proximity of the AONB, the Wangford Conservation Area and listed buildings.

The Committee was shown a map of the site outlining the proximity of facilities to the site; the Senior Planner identified that the two most recent developments in Wangford had been in the 1980s and 1990s respectively.

The Senior Planner summarised policy WLP7.1 of the Local Plan, regarding rural settlement hierarchy and housing growth, which stated that approximately 70% of new housing development in rural areas would be in larger villages. The Committee was provided with a breakdown of homes allocated to rural villages in the Local Plan area and it was noted that there would be 5.7% increase in homes in Wangford.

The Committee was apprised of the content of policy WLP7.7 of the Local Plan; the Senior Planner explained that the total proposed number of dwellings exceeded the approximate amount of 20 dwellings per hectare as set out in the policy and highlighted that this was an approximate amount; he considered that the proposed higher density would not affect the openness of the site. The Committee was shown the original layout for 24 dwellings, superseded by the current application, which officers had considered was in excess of the policy figures.

The Senior Planner displayed the revised layout for the development, which correctly aligned the proposed dwellings to the existing water main. The layout displayed the location of the six affordable housing units and the Committee was informed that a drainage scheme had been included with the application.

The Committee was shown, for noting, a proposed indicative streetscene for the development. The Senior Planner outlined the different scales displayed and that some plots would be restricted to single storey height to protect residential amenity.

The Committee was shown the proposed vehicular access layout. The Senior Planner stated that some existing hedgerow would need to be removed to create the required visibility splays for the access and that a condition was recommended to require a methodology for replacing this planting elsewhere. The Committee was apprised of how the pedestrian access to the site linked to an existing footway route into Wangford.

The tree protection plan was displayed and the Senior Planner confirmed that an arboricultural impact assessment had been submitted, which detailed plans to protect existing trees on the site.

The Committee was shown a variety of photographs of the site demonstrating views looking into and from within the site.

The material considerations and key issues were summarised as being compliance with policy WLP7.7, affordable housing, highways/access and pedestrian links, layout and design, the impact on the AONB, heritage, the potential impact on neighbour amenity, sustainable drainage, infrastructure, and the benefits and harm. 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 Hammond sought clarity on the claims of Wangford with Henham Parish Council that the sewage network was inadequate to cope with the proposed development. Officers advised that it was the responsibility of the developer to fund any upgrades to sewerage to accommodate development and that no issues had been raised by Anglian Water on capacity issues in the area.

Councillor Ashton asked how the pedestrian access to the site would connect to the existing network. The Senior Planner explained that it was intended to connect to the existing footpath at Elms Lane and that a crossing would be required.

The Vice-Chair asked questions about possible passing places on Elms Lane and the mix of the affordable housing. The Senior Planner stated that the affordable housing would comprise of six two-bedroom dwellings; three for rent, one for shared ownership and two "first homes", with their delivery controlled by a Section 106 Agreement. In respect of Elms Lane, the Senior Planner considered that any layby or passing places would inhibit the hedgerow on the site boundary and that officers were content with the scheme as proposed.

In response to a further question from the Vice-Chair, the Planning Manager (Development Management, Major Sites and Infrastructure) explained that the site would be in Reydon Primary School's catchment area, acknowledging the school was already close to capacity and that another development in Reydon had been granted outline planning permission.

Officers recognised there was a need to expand the capacity of Reydon Primary School and the Committee was advised that monthly meetings took place with Suffolk County Council on infrastructure matters, and that Reydon Primary School had been promoted at those meetings. The Planning Manager noted that Brampton Primary School was a similar distance away from the site and was currently undersubscribed.

The Senior Planner, in reply to Councillor Pitchers, was unsure of the precise distance from Elms Lane to Norfolk Road. The Committee was informed that the Highways Authority required a 70-metre visibility splay for the site access.

Councillor Ashton queried what affordable housing would be required if only 18 dwellings were delivered on the site. The Planning Manager said that this would calculate to approximately five affordable units and was of the view that a commuted sum would be required if the calculation did not come out at a whole number.

There being no public speaking, the Chair invited the Committee to debate the application that was before it. Councillor Ashdown said he had initially been concerned about the number of units proposed but that he had been reassured by the explanation given in the Senior Planner's presentation. Councillor Ashdown said that affordable housing was needed and expressed a wish that any reserved matters application be brought to the Committee for determination to ensure that what was delivered on the site is what is needed.

Councillor Gee said she was very familiar with the area and described Elms Lane being narrow and crowded; she noted the number of dwellings per hectare set out in policy WLP7.7 and considered this a better number for the site, as it would mitigate impact on the AONB and protect green spaces. Councillor Gee was concerned about the number of dwellings proposed by the application.

Councillor Ashton stated that affordable housing was much needed and there was a lack of such units in Wangford. Councillor Ashton considered that the proposed access would improve passing on Elms Lane and although concerned about the impact of the development on traffic, considered that the situation would be manageable. Councillor Ashton concurred with Councillor Ashdown's suggestion that any reserved matters application be brought before the Committee for determination.

The Vice-Chair described the application as comfortably ambitious and complimented the mix of dwellings proposed.

There being no further 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 Ashdown, seconded by Councillor Hammond, it was by a majority vote

## **RESOLVED**

That **AUTHORITY TO APPROVE** the application be delegated to the Head of Planning and Coastal Management subject to the completion of a S106 legal agreement to secure affordable housing provision, RAMS contribution, schools transport contributions and bus stop improvements, and the following conditions:

1. a) Application for approval of any reserved matters must be made within three years of the date of this outline permission and then
- b) The development hereby permitted must be begun within either three years from the date of this outline permission or within two years from the final approval of the reserved matters, whichever is the later date.

Reason: To comply with section 92 of the Town and Country Planning Act 1990.

2. Details relating to the scale, appearance and landscaping of the site (the "reserved matters"), shall be submitted to and approved by the Local Planning Authority before any development is commenced.

Reason: To comply with Sections 91 and 92 of the 1990 Act.

3. The development hereby approved shall be begun within the time limits specified on the outline permission and is subject to any conditions imposed thereon.

Reason: In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)

4. The development hereby permitted shall be completed in accordance with Drawing No. 21-087-200-J, received 30 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.

5. Concurrent with the first reserved matters application, a detailed Sustainability Statement shall be submitted to and approved in writing by the Local Planning Authority. The identified measures shall be implemented prior to occupation and thereafter be retained and maintained in their approved form.

Reason: To ensure the finished development implements the approved sustainable measures in compliance with the requirements of Policy WLP8.28 of the East Suffolk Council - Waveney Local Plan (2019).

6. An application for the approval of reserved matters shall include provision for 40% of all dwellings (including affordable dwellings) to meet the Requirements of M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings. Drawings and/ or documents shall list which units/ plots meet the M4(2) (and/or M4(3) standards where applicable).

Reason: To ensure the development complies with Planning Policy WLP8.31.

7. Prior to occupation, evidence of how the required water efficiency standard of 110 litres per person per day will be achieved shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the finished dwelling(s) comply with Policy WLP8.28 of the East Suffolk Council - Waveney Local Pan (2019), and to ensure Building Control Officers and Independent Building Inspectors are aware of the water efficiency standard for the dwelling(s).

8. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority (LPA).

The scheme shall be in accordance with the approved FRA and include:

- a. Dimensioned plans and drawings of the surface water drainage scheme;
- b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to  $Q_{bar}$  or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;

- e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year rainfall event including climate change, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- f. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- g. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.
- h. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority.

The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include: Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include: -

- i. Temporary drainage systems
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses.
- iii. Measures for managing any on or offsite flood risk associated with construction.

The scheme shall be fully implemented as approved.

Reasons: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development. To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage. <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-ondevelopment-and-floodrisk/construction-surface-water-management-plan>

9. Within 28 days of practical completion of the last dwelling or unit, a Sustainable Drainage System (SuDS) verification report shall be submitted to the LPA, detailing that the SuDS have been inspected, have been built and function in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks have been submitted, in an approved form, to and approved in writing by the LPA for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and to ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk within the county of

Suffolk. <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-assetregister>

10. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (Liz Lord Ecology, February 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.

11. Commensurate with the Reserved Matters application, a strategy detailing the measures to be implemented to mitigate for the loss of habitat suitable for skylark (*Alauda arvensis*) will be submitted to and approved in writing by the Local Planning Authority. All mitigation measures will be delivered and retained in accordance with the approved strategy.

Reason: To ensure that habitat loss for ground nesting birds (skylark) is mitigated as part of the development

12. No removal of vegetation 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.

13. Commensurate with the reserved matters application, a "lighting design strategy for biodiversity" for the development, shall be submitted to and approved in writing by the local planning authority.

The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for biodiversity likely to be impacted by lighting and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.



Reason: To ensure that impacts on ecological receptors from external lighting are prevented.

14. No development shall take place (including any demolition, ground works, site clearance) until a method statement for badgers has been submitted to and approved in writing by the local planning authority. The content of the method statement shall be based on up to date badger survey information (in accordance with that described in the Preliminary Ecological Appraisal (PEA) (Liz Lord Ecology, February 2022)) and shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);
- g) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

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

15. Commensurate with the Reserved Matters Application 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.

16. If the development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 2 years from the date of the planning consent, the approved ecological measures secured through Conditions 15 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to:

- i) establish if there have been any changes in the presence and/or abundance of habitats on site, in particular the potential badger setts identified within the Preliminary Ecological Appraisal (Liz Lord Ecology, February 2022) and
- ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To ensure that ecological mitigation measures are appropriately delivered based on up-to-date evidence.

17. 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. 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 BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM)) 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.

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

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

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording.
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
- e. Provision to be made for archive deposition of the analysis and records of the site investigation.
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Priority 3 and WLP8.40 of the Waveney Local Plan (2019) and the National Planning Policy Framework (2019).

19. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 18 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Priority 3 and WLP8.40 of the Waveney Local Plan (2019) and the National Planning Policy Framework (2019).

20. No part of the development shall be commenced until details of the proposed access have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to any other part of the development taking place.

Thereafter the access shall be retained in its approved form.

Reason: To ensure that the access is designed and constructed to an appropriate and acceptably safe specification and made available for use at an appropriate time. This needs to be a pre-commencement condition because access for general construction traffic and other traffic is not otherwise achievable safely.

21. Before the access is first used visibility splays shall be provided as shown on Drawing No. 21-087-200-j with an X dimension of 2.4 metres and a Y dimension of 70 metres to the nearside edge of the carriageway and thereafter retained in the specified form.

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public

highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

22. Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing, lighting, traffic calming and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety to ensure that roads/footways are constructed to an acceptable standard.

23. No part of the development shall be commenced until details of the proposed off-site highway improvements indicatively shown on Drawing No. 21-087-200-j 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 occupation.

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.

24. Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan.

The Construction Management Plan shall include the following matters:

- a) parking and turning for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) piling techniques (if applicable)
- d) storage of plant and materials
- e) provision and use of wheel washing facilities
- f) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works
- g) site working and delivery times
- h) a communications plan to inform local residents of the program of works
- i) provision of boundary hoarding and lighting
- j) details of proposed means of dust suppression
- k) details of measures to prevent mud from vehicles leaving the site during construction
- l) haul routes for construction traffic on the highway network and
- m) monitoring and review mechanisms.
- n) Details of deliveries times to the site during construction phase.

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 Construction Management Plan must be in place at the outset of the development.

25. The use shall not commence until the area(s) within the site shown on drawing no.21-087-200-j for the purposes of, manoeuvring and parking of vehicles and secure cycle storage have 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.

26. Before the development is commenced, details of the areas to be provided for the presentation for collection/emptying of refuse and recycling bins shall be submitted to and approved in writing by the Local Planning Authority.

The approved bin storage and presentation/collection area shall be provided for each dwelling prior to its first occupation and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be 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. This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built.

27. Plots 1 and 15 shall be limited to single storey height.

Reason: In the Interest of the amenity of the adjacent neighbours.

28. Prior to the access being created and the visibility splays provided as required by condition 21, a detailed methodology for the relocation of the section of hedge within the visibility splays (or replanting if relocation is not feasible) shall be submitted to and agreed in writing by the Local Planning Authority. The hedge relocation/replanting shall be carried out in accordance with the approved methodology within an agreed timescale. Any plants dying within a 5-year period shall be replaced in the next available planting season to a specification to be agreed by the LPA

Reason: In the interest of the visual amenity of the area and to protect landscape character.

29. Prior to the commencement of the development all hedges or trees within the site, unless indicated as being removed within the Arboricultural Impact Assessment Rev A - by Kirsten Bowden Chartered Landscape Architect (August 2023) shall be protected by the erection of secure fencing as shown within the 'Tree Protection Plan' on Drawing Number: Appendix 003 - Rev A.

Within a five year period from completion of the development if any trees, parts of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the Authority's opinion, seriously damaged or otherwise defective

shall be replaced and/or shall receive remedial action as required by the Authority. Such works shall be implemented by not later than the end of the following planting season, with plants of such size and species and in such number and positions as may be agreed with the Authority. The hedge(s) shall be reinforced with further planting where necessary to the satisfaction of the Local Planning Authority.

Reason: To ensure the continuity of amenity afforded by existing hedges or hedgerow.

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. o Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991,

o Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017,

o Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution,

o Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act,

o Any works to a main river may require an environmental permit.

3. The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team.

SCC would be pleased to offer guidance on the archaeological work required and, in our role as advisor to East Suffolk Council, the Conservation Team of SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological work required at this site. In this case, an archaeological evaluation will be required to establish the potential of the site and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation.

Further details on our advisory services and charges can be found on our website:

<http://www.suffolk.gov.uk/archaeology>.

4. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification.

The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.

For further information please visit: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence>.

## **6 DC/23/3058/FUL - Former Garage Site, Chapel Street, Lowestoft**

The Committee received report **ES/1691** of the Head of Planning and Coastal Management, which related to planning application DC/23/3058/FUL. The application sought planning permission for the construction of six new build two-bedroom terraced and semi-detached affordable homes.

As the applicant was East Suffolk Council, the application was before the Committee for determination in accordance with the scheme of delegation set out in the East Suffolk Council Constitution.

The Committee received a presentation from the Senior Planner, who was the case officer for the application. The site's location was outlined and the Committee's attention was drawn to the Grade II listed building opposite the site. An aerial photograph of the site was also displayed. The Committee was shown several photographs demonstrating views both into the site and the surrounding area.

The proposed block plan was displayed to the Committee. The Senior Planner explained that the application met the parking standards required. The Committee was also shown the proposed elevations and advised that the design was considered to be a high quality outcome for the area.

The Senior Planner displayed a 3D computer-generated visualisation of the development, demonstrating how it would fit into the surrounding area. The Senior Planner described the frontage as attractive and having no adverse impact on the setting of the conservation area or the adjacent listed building. The Committee received the proposed floor plans.

The material considerations were summarised as the principle of development, design, heritage, amenity, highways, and ecology. The recommendation to approve the application was outlined to the Committee.

The Chair invited questions to the officers; it was noted that officers from the Council's Housing team were present to assist planning officers. In response to Councillor Ashdown, the Development Programme Manager confirmed that the dwellings would remain part of the Council's housing stock.

The Vice-Chair highlighted the railings on the roofs and queried if they were necessary, and asked if solar panels could be accommodated on the roofs. The Senior Planner

said the latter would be welcomed as part of the passivhaus approach being taken for the development and advised that he had spoken with the applicant's agent regarding removing the railings, confirming there would be no domestic access to the roof.

The Chair asked what the current parking arrangements on the site were. The Senior Planner explained that the site was used as ad hoc parking and officers did not consider development of the site to result in a loss of formal parking for previously approved schemes.

The Chair invited Mr Pitcher and Ms Bell, the applicant's agents, to address the Committee; both confirmed that they had nothing to add and were present to answer the Committee's questions.

The Chair invited questions to Mr Pitcher and Ms Bell. Mr Pitcher confirmed to Councillor Ashdown that should planning permission be granted, it was hoped to begin construction before Christmas 2023.

The Development Programme Manager, in response to a query from the Vice-Chair, advised that the Council had undertaken a tender process for the site and that contracts had been awarded to Mr Pitcher's firm as developer and Ms Bell's firm as architect to develop the site on its behalf.

The Chair invited the Committee to debate the application that was before it. Councillor Pitchers said he liked the proposed design, considering it fitted in well with the surrounding area. Councillor Pitchers proposed that the application be approved as set out in the recommendation. Councillor Ashdown concurred with Councillor Pitchers' comments and seconded the proposal.

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

## **RESOLVED**

That the application be **APPROVED** subject to the RAMS contribution being secured and the following conditions:

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

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

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

- Site Location and Block Plan, P201 Rev B, received 11/08/2023,
- Proposed Ground Floor Plan, P202, received 28/07/2023,
- Proposed First Floor Plan, P203, received 28/07/2023,
- Proposed Floor Plans, P210, received 28/07/2023,
- Proposed Roof Plan, P204, received 28/07/2023,
- Proposed Elevations, P221, received 28/07/2023,
- Proposed Elevations, P220, received 28/07/2023,



- Proposed Sections, P221, received 28/07/2023,

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. Before the development is commenced, details of the areas and infrastructure to be provided for the manoeuvring and parking of vehicles including electric vehicle charging point(s) and visitor spaces, 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 ensure the provision and long-term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with the current Suffolk Guidance for Parking (2019) where on-street parking and or loading, unloading, and manoeuvring would be detrimental to highway safety. This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built.

5. The use shall not commence until the area(s) within the site shown on Drawing No. P202 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.

6. The areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins as shown on Drawing No..P202 shall be provided in their 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

7. Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan.

The Construction Management Plan shall include the following matters:

- a) parking and turning for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) piling techniques (if applicable)
- d) storage of plant and materials
- e) provision and use of wheel washing facilities
- f) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works
- g) site working and delivery times
- h) a communications plan to inform local residents of the program of works
- i) provision of boundary hoarding and lighting
- j) details of proposed means of dust suppression
- k) details of measures to prevent mud from vehicles leaving the site during construction
- l) haul routes for construction traffic on the highway network and
- m) monitoring and review mechanisms.
- n) Details of deliveries times to the site during construction phase.
- o) Details on noise, dust and light control measures

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 Construction Management Plan must be in place at the outset of the development.

8. A validation report must be submitted to, reviewed by and confirmed in writing by the Local Planning Authority as likely to have addressed the risks identified prior to any occupation or use of the approved development. The validation report must include, but is not limited to:

- results of sampling and monitoring carried out to demonstrate that all materials imported to site are suitable for residential end use with the consumption of homegrown produce in accordance with relevant threshold values (sampling results from a UKAS accredited laboratory for the relevant analysis undertaken).
- Evidence of the depths of each/every layer of imported materials used at each residential plot.
- That works have been monitored and supervised by a competent person.
- Evidence that formation of the residential plots, including gardens, has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

The validation report must be prepared by a competent person (see National Planning Policy Framework) and conform to current guidance and best practice, including BS8485:2015+A1:2019, CIRIA C735 and Land Contamination Risk Management.

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.

9. The hours of working (Including deliveries) during the demolition phase shall be:

- Monday to Friday - 08:00 to 18:00 hours
- Saturday - 08:00 to 13:00 hours
- At no time on Sundays and Bank Holidays

Unless otherwise agreed in writing with the local planning authority.

10. Prior to the installation of any Air Source Heat Pumps, a noise assessment shall be submitted and approved in writing by the Local Planning Authority. The assessment shall include all proposed plant and machinery and be based on BS4142:2014+A1:2019. A noise rating level (L<sub>Ar</sub>,T<sub>r</sub>) of at least 5dB below the typical background sound level (L<sub>A90</sub>,T) should be achieved at the nearest noise sensitive receptor. Where the noise rating level cannot be achieved, the noise mitigation measures considered should be explained and the achievable noise level should be identified and justified. The Air Source Heat Pumps shall then be installed in accordance with the details contained within the approved noise assessment, and any mitigation measures required shall be installed prior to first use of the pumps.

Reason: To protect the existing and future residents amenity

11. 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 (see National Planning Policy Framework) and conform with prevailing guidance (including BS8485:2015+A1:2019, BS 10175:2011+A2:2017 and Land Contamination Risk Management) and a written report of the findings must be produced. The written report is subject to the review and confirmation in writing by the Local Planning Authority that likely risks have been identified and will be investigated accordingly.

Where remediation is necessary a detailed Remediation Strategy (RS) must be prepared, and is subject to the review and confirmation in writing by the Local Planning Authority as likely to address the risks identified. The RS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The RS 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 remediation strategy a validation report that demonstrates the effectiveness of the remediation must be submitted to, reviewed by and confirmed in writing by the LPA as likely to have addressed the risks identified.

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.

12. The bathroom window on the west (side) elevation at first floor shall be glazed with opaque glass and shall be retained in that condition, unless otherwise approved in writing by the Local Planning Authority.

Reason: To preserve the amenity of adjacent property.

## **7 DC/23/2369/FUL - Toby Cottage, Leveretts Lane, Walberswick, IP18 6UF**

The Committee received report **ES/1693** of the Head of Planning and Coastal Management, which related to planning application DC/23/2369/FUL. The application sought planning permission for a single storey link extension and a replacement western extension on the same footprint and design as the existing, other than a gable ended roof instead of hipped and new north gable windows.

As the objections from Walberswick Parish Council were contrary to the case officer's recommendation of approval the application was considered by the Planning Referral Panel at its meeting on 29 August 2023, in accordance with the scheme of delegation set out in the East Suffolk Council Constitution. At that meeting, the Panel was minded that the design consideration should be considered by Members and referred the application to the Committee for determination.

The Committee received a presentation from the Principal Planner (Development Management, Central Area Lead), who was the case officer for the application. The site's location was outlined and the Committee was shown photographs demonstrating views looking into and from within the site.

The Principal Planner displayed the proposed block plan, the existing and proposed elevations, and the existing and proposed floor plans. The recommendation to approve the application was outlined to the Committee.

The Chair invited questions to the officers, noting the bins stored in the current car parking space and asking what arrangements would be in place for bin storage. The Principal Planner confirmed that there would still be access from the front to the back of the property and the bins could be stored at the courtyard to the rear.

The Chair invited Mr Beech, the applicant's agent, to address the Committee. Mr Beech described the application as being for renovation and extension of the property; no work had been completed on the dwelling since the 1970s and it suffered from significant structural defects. Mr Beech confirmed that the works would retain the existing fenestration and would be a restoration of the property along with the addition of an annexe, these elements being supported by all parties.

Mr Beech said the proposed extension would be of a similar height to the host dwelling and the wood cladding would be left to weather to match the existing cladding; he explained that the extension would be of a recessive nature and of low height, meaning it could only be seen from road from 10 metres away. Mr Beech said that all

requested changes during the design process had been incorporated and noted that the only objection related to the wooden cladding proposed.

The Chair invited questions to Mr Beech. The Committee was advised that the proposed wood panelling for the extension would be oak and left to weather naturally to a similar colour to the existing wood panelling on the host dwelling.

In response to a query regarding the wood effect garage door having the appearance of vertical timbers, Mr Beech reiterated the design rationale for this choice. When asked by Councillor Gee about the design objections to the application, Mr Beech explained that the applicant had worked with officers and had amended the scheme to provide a contemporary design which also linked to the design of the original buildings.

The Chair invited the Committee to debate the application that was before it. Councillor Ashdown acknowledged that the proposed extension would appear different to the host dwelling at first but was satisfied with the explanation that weathering would eventually result in a blending.

Councillor Ashdown had no issues with the proposals and did not consider the would be detrimental to the character of the host dwelling and proposed that the application be approved as recommended. Councillor Ashton concurred, noting that the difference of opinion on the design was not a material planning consideration, and seconded the proposal.

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

## **RESOLVED**

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

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with 700 05 Rev.E (proposed Floorplan), 700 06 Rev.D (Proposed elevations), 700 07 Rev.E (Proposed Block Plan) received 15 June 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 development hereby permitted annexe shall not be occupied or let as a separate dwelling but shall be used only for purposes incidental to the use of the dwellinghouse to which it relates or for occupation by a relative, employee or parent of the householder or his/her spouse.

Reason: The development is not such that the local planning authority would be prepared to approve as a separate dwellinghouse in its own right.

## **8 DC/23/2803/FUL - Gun Hill Cottage, South Green, Southwold, IP18 6HF**

The Committee received report **ES/1694** of the Head of Planning and Coastal Management, which related to planning application DC/23/2803/FUL. The application sought planning permission for the demolition of a dwelling and the erection of a replacement dwelling.

As the area of land required to gain access to the site, which formed part of the application site, was owned by East Suffolk Council the application was before the Committee for determination in accordance with the scheme of delegation set out in the East Suffolk Council Constitution.

The Committee received a presentation from the Senior Planner, who was the case officer for the application. The site's location was outlined and the Committee received an aerial photograph of the site.

A photograph of the site was also displayed and the Senior Planner advised that the existing dwelling was not noted for any significant architectural quality; the dwelling had been assessed against the criteria for a Non-Designated Heritage Asset (NDHA) and officers had concluded it did not meet the criteria. The Committee was informed that the principle of demolition and replacement was considered acceptable.

The Committee was shown drawings which demonstrated the extent of the village green and the land in the Council's ownership, along with the existing roof plan, floor plans, and elevations. The Senior Planner noted the objection from a neighbouring property regarding the impact of the replacement dwelling on three of its windows. The existing and proposed layout plans were also displayed.

The Senior Planner provided a sketch drawing of the proposed roof angles which were considered to have been designed to be sensitive to surrounding properties. The Committee also received the proposed roof plan, floors plans, elevations and parking layout. The Senior Planner confirmed that despite the loss of the existing integral garage, no off-street parking would be lost as a result of the development.

Officers were of the view that the design was of high quality and incorporated contemporary aspects. The Senior Planner displayed a 3D computer-generated visualisation of the replacement dwelling.

The material considerations were summarised as the principle of the replacement dwelling, design/heritage, neighbour amenity, and parking. The recommendation to approve the application was outlined to the Committee.

The Chair invited questions to the officers. Councillor Gee asked if the increased height would result in a loss of light to neighbouring properties. The Senior Planner advised that this had been suggested by the objecting neighbour, however the windows in question were not principal windows and two served non-habitable rooms, so it was considered that the impact on light would not cause a loss of amenity.

In response to a question from the Chair, the Senior Planner acknowledged that the replacement dwelling would cause some loss of view. In reply to the Vice-Chair, the Senior Planner advised that the neighbouring windows affected would be level with the eaves height of the replacement dwelling.

The Chair invited Mr Price, the applicant's agent, to address the Committee. Mr Price thanked officers for their invaluable advice and assistance in bringing the proposals forward; he described the site as highly sensitive due to its location within a conservation area and the Southwold settlement boundary and considered that the principle of a replacement dwelling was supported by the Local Plan.

Mr Price said that the scheme had been amended, where possible, in response to comments raised and considered that as a result, no significant objections had been made. Mr Price noted that the existing dwelling was not a NDHA and that officers had described it as harming the conservation area; Mr Price was of the view that the proposed development provided an opportunity to enhance the area.

Mr Price highlighted that the application had the support of Southwold Town Council and officers and considered that the third party objections did not merit its refusal. Mr Price said that the application would not cause demonstrable harm and would enhance the conservation area, and urged the Committee to support it.

The Chair invited questions to Mr Price. Mr Price, in response to the Chair, advised that the closest neighbouring window that would be affected was a secondary bedroom window and highlighted that the other two windows affected serviced a bathroom and en-suite respectively and should be opaque. Mr Price acknowledged that the replacement dwelling would be a matter of feet away from these windows and that their outlook would undoubtedly change, but was of the view that there would be no significant impact to light.

In reply to the Vice-Chair, Mr Price said that the existing dwelling had been constructed in approximately the 19<sup>th</sup> century and had been modified to an extent that it did not enhance the conservation area.

Councillor Pitchers asked how soon the applicant intended to begin development, should planning permission be granted. Mr Price confirmed that the applicant was keen to start as soon as possible as it was their intention to use the replacement dwelling as their principal residence. Mr Price advised Councillor Gee that the replacement dwelling would abut the neighbouring property but would not be physically joined.

The Chair invited the Committee to debate the application that was before it. Councillor Hammond considered that the benefits of the development considerably outweighed any harm it would cause and proposed that the application be approved as recommended. This proposal was seconded by Councillor Pitchers.

The Vice-Chair was content with the design but was concerned about the impact to light on the windows of the neighbouring property, considering this to be unsatisfactory and requiring revisiting. In reply, Councillor Hammond expressed sympathy but highlighted this was not a material planning consideration.

Councillor Gee sought advice from officers on right to light; the Senior Planner explained that this issue has been addressed and that the three windows comprised of a secondary bedroom window and two windows to non-habitable rooms. The Committee was advised that when looking at loss of amenity primary windows would be considered, and that the impact on light to the affected windows was not significant.

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:

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

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

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

Drawing No PL001 Rev P2 - Site Plan - Received 21 September 2023

Drawing No PL002 Rev P2 - Block Plan - Received 21 September 2023

Drawing No PL202 Rev P2 - Roof Plan Proposed - Received 21 September 2023

Drawing No PL210 Rev P3 - Front Elevation Proposed - Received 21 September 2023

Drawing No PL211 Rev P2 - Rear Elevation Proposed - Received 21 September 2023

Drawing No PL200 Rev P3 - Ground Floor Plan Proposed - Received 21 September 2023

Drawing No PL212 Rev P2 - Side Elevations Proposed - Received 21 September 2023

Drawing No PL210 Rev P1 - First Floor Plan Proposed - Received 17 July 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. Development must be undertaken in accordance with the ecological avoidance, mitigation and enhancement measures identified within the Preliminary Ecological Appraisal (Geosphere Environmental, July 2023, Version 2) Bat Scoping &



Activity Survey (Geosphere Environmental, July 2023, Version 2) and Bat Hibernation Survey (Geosphere Environmental, July 2023, Version 2) 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.

4. 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

5. Details in respect of the following shall be submitted to and approved in writing by the Council as Local Planning Authority before the work is begun. The work shall be carried out in accordance with such approved details and retained in this approved form thereafter:

- Window and door Joinery details in section, including any external timber shutters.
- Full materials specification.
- Design of door to front elevation.
- Eaves and verge details.

Reason: In order to ensure a high quality design, appropriate to the site and its setting.

6. Prior to occupation, evidence of how the required water efficiency standard of 110 litres per person per day will be achieved shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the finished dwelling(s) comply with Policy WLP8.28 of the East Suffolk Council - Waveney Local Plan (2019), and to ensure Building Control Officers and Independent Building Inspectors are aware of the water efficiency standard for the dwelling(s).

7. The use shall not be occupied until the area(s) within the site shown on drawing no. PL200 Rev P3 for the purposes of manoeuvring and parking of vehicles including electrical vehicle charging and secure cycle storage/bin 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 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.

8. 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 or other materials 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.

9. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation programme.

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

10. The landscaping scheme approved within condition 9 shall be completed within the first available planting season following commencement of the development, or such other date as may be agreed in writing with the Local Planning Authority. Any trees or plants which die during the first 5 years shall be replaced during the next planting season.

Reason: to ensure the satisfactory external appearance of the building.

11. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a site investigation has been submitted to, and approved in writing by, the local planning authority:

Following the Phase 1 desk study and site reconnaissance an intrusive investigation(s), based on the recommendations of the desk study, including: the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy; explanation and justification for the analytical strategy; a revised conceptual site model; and a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including BS10175:2011+A1:2013 and CLR11.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried

out safely without unacceptable risks to workers, neighbours and other offsite receptors.

12. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:

- details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
- an explanation, including justification, for the selection of the proposed remediation methodology(ies);
- proposed remediation objectives and remediation criteria; and
- proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

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

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

13. Prior to any occupation or use of the approved development the RMS approved under condition 12 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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

14. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:

- results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
- evidence that the RMS approved under condition 2 has been carried out competently, effectively and in its entirety; and
- evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

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

15. 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.

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/23/3166/RG3 - 41 Mount Pleasant, Halesworth, IP19 8JF**

The Committee received report **ES/1695** of the Head of Planning and Coastal Management, which related to planning application DC/23/3166/RG3. The application sought planning permission to change the use of 41 Mount Pleasant, Halesworth from class Sui Generis (c) linen service to C3 residential and single storey side extension.

As the application site was owned by East Suffolk Council, the application had been presented to the Committee for determination in accordance with the scheme of delegation set out in the East Suffolk Council Constitution.

The Committee received a presentation from the Senior Planner, who was the case officer for the application. The site's location was outlined and the Committee was shown an aerial photograph of the site.

The site layout plan was displayed along with details of the utilising the existing access. The Senior Planner referred to the late objection received from the Highways Authority, detailed in the update sheet published on 9 October 2023; the Committee said that the Highways Authority had been re-consulted with an amended plan and that a response was pending. The Senior Planner explained that as a result, the recommendation was now to delegate authority to approve the application to the Head of Planning and Coastal Management subject to the removal of this objection.

The highway access and parking plan and proposed elevations were displayed. The Committee was also shown photographs demonstrating views towards and from within the site.

The Committee was advised that in policy terms, the application site was outside of an allocated employment area and town centre boundary and there was therefore no protection for the current commercial use. The Senior Planner noted that the Halesworth Neighbourhood Plan protected some smaller employment sites but this site was not classified as such.

The material considerations were summarised as the principle of the change of use, design, neighbour amenity, highway safety, and parking. The recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management was outlined to the Committee.

There being no questions, the Chair invited officers from the Council's Housing team, representing the Council as applicant, to address the Committee. The officers confirmed that they had nothing to add and were present to answer the Committee's questions.

The Chair invited questions to the Housing officers. The Housing Development Support Officer advised that the open space adjacent to the property was not entirely associated to it and not all of the space would be used for the front garden.

The Chair invited the Committee to debate the application that was before it. Councillor Ashton said he was familiar with the property from its commercial use and considered the business to have been difficult to find; he stated that the change of use was appropriate and proposed that authority to approve the application to the Head of Planning and Coastal Management as recommended. The proposal was seconded by Councillor Ashdown.

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

## **RESOLVED**

That **AUTHORITY TO APPROVE** the application be delegated to the Head of Planning and Coastal Management subject to the removal of the objection from Suffolk County Council Highways Authority and the following conditions:

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with Drawing Nos. 2324.103/001, 2324.103/006, 2324.103.SCCH, received 10 August 2023 and Drawing Nos. 2324.103/007 B, 2324.103/008 B; received 20 September 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order) (with or without modification), no building or structure permitted by Classes A (extensions or alterations) or E (buildings or enclosures within the curtilage of the house) of Schedule 2 Part 1 of the Order shall be erected without the submission of a formal planning application and the granting of planning permission by the Local Planning Authority.

Reason: To secure a properly planned development.

5. Prior to the occupation of the property the screen fence to the western boundary, as shown on Drawing Nos. 2324.103.007 B and 008 B, shall be provided and thereafter retained as approved.

Reason: In order to protect the amenity of the adjoining property from overlooking from the raised stepped podium and garden area, in accordance with the requirements of Policy WLP8.29 to protect the amenity of neighbouring uses.

6. The use shall not commence until the area(s) for the storage/presentation of refuse and recycling bins as shown on Drawing No. 2324.103/007 B, has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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.

7. The use shall not commence until the area(s) within the site shown on Drawing No. 2324.103/007 B, for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) 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.

8. The use shall not commence until the area(s) for cycle storage and electric vehicle charging infrastructure as shown on Drawing No. 2324.103/007 B, shall be provided and thereafter shall be retained and used for no other purposes.

Reason: To ensure the provision of cycle storage and charging infrastructure for electric vehicles in accordance with Suffolk Guidance for Parking (2019).

9. 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 (see National Planning Policy Framework) and conform with prevailing guidance (including BS8485:2015+A1:2019, BS 10175:2011+A2:2017 and Land Contamination Risk Management) and a written report of the findings must be produced. The written report is subject to the review and confirmation in writing by the Local Planning Authority that likely risks have been identified and will be investigated accordingly.

Where remediation is necessary a detailed Remediation Strategy (RS) must be prepared and is subject to the review and confirmation in writing by the Local Planning Authority as likely to address the risks identified. The RS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The RS 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 remediation strategy a validation report that demonstrates the effectiveness of the remediation must be submitted to, reviewed by and confirmed in writing by the LPA as likely to have addressed the risks identified.

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.

The Committee received report **ES/1696** of the Head of Planning and Coastal Management, which related to planning application DC/23/3327/FUL. The application sought planning permission for the renovation of an existing garage, store and garden room to create a carport, store and loggia.

As the Council controlled the land of the proposed buttresses to the rear of the outbuilding, the application was before the Committee for determination in accordance with the scheme of delegation set out in the East Suffolk Council Constitution.

The Committee received a presentation from the Assistant Planner, who was the case officer for the application. The site's location was outlined and the Committee was shown photographs demonstrating views towards and from within the site. The Committee was provided with the existing and proposed floor plan and elevations.

The material considerations were summarised as the principle of development, design, and heritage. The recommendation to approve the application was outlined to the Committee.

The Chair invited questions to the officers. Councillor Gee asked if there would be any loss of the existing flint and brickwork; the Assistant Planner advised that the cladding would only be applied to the modern extension to the rear and that only interior-facing brickwork would be lost. The Committee was informed that the main consideration had been to public outlook and appearance in the conservation area and that as the interior could only be viewed over a six-foot wall, the loss was considered acceptable.

In response to a question from the Chair regarding the replacement garage door, the Assistant Planner highlighted that the existing door was of a modern design and was in poor condition and that the proposed replacement would be an improvement and was therefore considered acceptable.

There being no public speaking on the application, the Chair invited the Committee to debate the application that was before it.

Councillor Ashton said he was familiar with the site and considered the scheme acceptable, and proposed that the application be approved as recommended. The proposal was seconded by Councillor Ashdown.

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

#### **RESOLVED**

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

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



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

2. The development hereby permitted shall be carried out in all respects strictly in accordance with the following approved plans and documents for which permission is hereby granted:

- Drawing nos. 1050/22/06 Rev.B, 1050/22/10 Rev.B, 1050/22/09 Rev.B, 1050/22/08 Rev.B, 1050/22/07 Rev.B and LSDP 2104.01 all received on 24 August 2023.

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

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.

The meeting concluded at 4.20pm.

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Chair